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House of Representatives

The House met at 10 a.m.

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

Lord, merciful and gracious God, bless Congress today. You lead all into the desert in search of salvation. There light and darkness are bold and relentless, each night falling suddenly on the Nation's brightness. For in Your presence the barren land is timeless. As the cold mountains are once again awakened by the pounding, shake us into Lenten awareness.

Forty years seems hardly a lifetime anymore. Yet Your people wandered aimlessly through purification longing for Your promises to be fulfilled.

Forty days seems far longer than a month's time now. Yet removed from the crowd, Moses and Jesus climbed the desolate stage of this mountain to seek Your face.

This year make our annual desert story victorious by Your Holy Name. May Passover and Christian Pasch bring forth the first vestiges of peace. For this we pray now and forever. Amen.

THE JOURNAL

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

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

Mr. MCNULTY. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

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

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

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

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

Mr. NEAL of Massachusetts 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.

YUCCA MOUNTAIN POSES A MOVING DISASTER

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

Mr. GIBBONS. Mr. Speaker, how much more simply can I say it, that shipping nuclear waste back and forth across this country 96,000 times is simply unsafe. Sure, proponents of the Yucca Mountain Project would say that some 3,000 shipments have already been made to destinations in America without any incidents. But let me say, I am sure that the elevators in the World Trade Center operated faultlessly until September 11. We cannot use the past to predict the future.

Mr. Speaker, terrorist threats against one of these many shipments is a real danger, and it would be foolish to disregard it. Moreover, the news program ''60 Minutes'' last year said that train accidents due to track failure are happening at a rate of nearly 1 every 24 hours. Just a few months ago the city of Baltimore was nearly shut down due to a chemical train accident.

Mr. Speaker, I am not willing to gamble on transporting the deadliest substance known to man back and forth through 43 States, especially when DOE has no strategy or plan for the possibility of disaster. We need to protect our communities and constituents, protect our Nation. I urge Members to vote ''no'' on Yucca Mountain.

WHY ALL THE GIMMICKS?

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

Mr. DEFAZIO. Mr. Speaker, remember the Social Security lockbox? Republican leadership had us vote on protecting Social Security with a lockbox eight times over 5 years. But now, of course, the lockbox has been ripped opened and plundered, and over the next 10 years it will finance tax cuts for the wealthiest of Americans.

Now there is a new gimmick. Hey, certificates. Certificates suitable for framing on the wall and hanging next to the Enron stock certificate. They will be just as valuable. That is their new gimmick.

Mr. Speaker, why all of the gimmicks? Because they are proposing a privatization plan that will undermine the foundations of Social Security, cut benefits, increase the retirement age; or, phenomenally, increase the debt. They have yet to say how they are going to pay for their risky privatization plans, taking 2 percent, doubling the problem that Social Security has. Instead of Social Security running out of money in 2038 and only being able to pay 73 percent of benefits after that time, they have a plan that will run Social Security out of money in 2024. That is not a great plan.

THE AXIS OF EVIL

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

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Mr. PITTS. Mr. Speaker, when the leader of the free world came to this Chamber in January to deliver his State of the Union address, he described the axis of evil governments. He mentioned them by name: Iran, Iraq and North Korea.

Since then, some people have criticized the speech. In fact, one of President Bush's predecessors said the speech was ''over simplistic'' and ''counterproductive.''

Mr. Speaker, the Government of Iran spends millions of dollars financing the murder of innocent civilians and violence in the Middle East. The Government of Iraq has used chemical weapons to kill its own citizens and has invaded its neighbors. North Korea is the only country I know of today that has concentration camps where people enter and never come home from. They literally starve their citizens.

If that is not evil, I do not know what is. Years ago another President referred to the Soviet Union as an evil empire, and some of us remember the Soviet refusenik Natan Sharansky. He was in a gulag when President Reagan gave that speech. Mr. Sharansky told me, when I met him, that news of that speech spread like wildfire through the Soviet gulags. Not until then did they realize that a leader in the West understood the nature of communism.

STOP CORPORATE EXPATRIATES

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

Mr. NEAL of Massachusetts. Mr. Speaker, in the 6 months since the devastating attacks of September 11, we have seen some of the most heartwarming images of our American family pulling together to support one another. While Congress grapples with the tough decisions on how to pay for this war against terrorist and enhanced homeland security and other pressing national priorities, one member of the American family is losing its commitment. I quote, ''Maybe patriotism needs to take a back seat to improve our earnings.''

Mr. Speaker, these were the disturbing words of one aggressive accountant a mere 3 months ago urging her corporate clients to sneak out of the U.S. in the dark of night to avoid paying income tax. For a mere $27,000 to rent a post office box offshore, one U.S. corporation has avoided $40 million a year in corporate income taxes. If these were individuals doing this, the American taxpayers would be outraged.

Mr. Speaker, join me in shutting down this loophole exploited by corporate expatriates before one more American company decides to shelve the Stars and Stripes to save some money on the bottom line by avoiding corporate income tax.

PAYING TRIBUTE TO CATHY LAIRD

(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, I rise today in deep humility to join in the shock and the grief of the citizens of Shelby County, Indiana, to pay tribute to the passing of a leader, a wife, a mother, and a distinguished local citizen, Cathy Laird, who passed away at the age of 37 yesterday following the complications from an automobile accident. Cathy Laird was not only a distinguished public servant who would have, without term limits, been permitted to run for her third consecutive term as county clerk, she was also the devoted wife of Roger, the devoted mother of Mary, 9, and Emily, 5. Emily was in the car when the accident occurred; and characteristic of Cathy, she looked after Emily making sure Emily got to her appointment while she was taken to the hospital.

Mr. Speaker, I encourage Roger and all family and friends to not grieve like the rest of men who have no hope. Cathy had the hope that is now realized, and we will pray for her husband, her children, her family, her friends, and a grieving community who take comfort in the faith, hope and love of Cathy Laird.

SOCIAL SECURITY AND THE BUDGET

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

Mr. RODRIGUEZ. Mr. Speaker, Social Security has been a successful program. It has helped millions of seniors out of poverty. Our seniors are facing a dilemma, one that threatens their security and their trust. We must fight to preserve our Social Security trust fund and honor the country's commitment.

The President's budget does not honor the commitment to our seniors, and in turn fails all Americans. Now is the time for us to focus on a long-term budget plan that will recover as the economy recovers, returning us to an era where we can fully protect and even strengthen our Social Security trust fund. We need to recommit to the idea of Social Security surplus dollars only for Social Security and paying down the national debt.

The President's new budget raids the Social Security surplus to pay for government programs, not just 1 year but 10 years. Our seniors deserve better than gimmicks and budget tricks. They need us to lead and fight for the preservation of a historic program and for the needs of seniors. We ask Congress to reconsider their budget, reconsider their tax cuts, and reassume the responsibility, and that is to pay down our debt and take care of our seniors.

ARMY NEEDS ADEQUATE RESOURCES

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

Mr. RYUN of Kansas. Mr. Speaker, I rise today to recognize the enduring commitment the Army provides to our Nation. Throughout our history, we have relied on the Army to provide decisive force to defend America and her interests.

In the aftermath of September 11, the Army again answered the call by effectively leading efforts to support victims and secure our borders. They continue to coordinate efforts to protect our Nation throughout this country through homeland defense.

Last week General Shinseki testified about the need of the Army to increase its end strength. I believe we would do well to heed his advice.

Today America only boasts the ninth largest army in the world. Of the top eight, six are potential adversaries. We must work to increase the Army force structure. It should be obvious that we must maintain stability through strong ground forces.

Mr. Speaker, we rely on the Army to win wars and maintain the peace. Now more than ever, we must give these men and women adequate resources to meet these requirements.

□ 1015

INTERNATIONAL CHILD ABDUCTION

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

Mr. LAMPSON. Mr. Speaker, I rise again today to talk about Ludwig Koons. Ludwig is still being held illegally by his mother in Italy.

He was born in New York City in 1992. When he was a year old, his mother, Ilona Staller, took him to Rome. After promising a quick return, Ilona delayed her return to the United States after Mr. Koons had purchased tickets for his family to return to New York. But in December of 1993 he learned that Ilona had left their son with unknown third parties and traveled to Ecuador to participate in an erotic pornographic show.

Mr. Koons quickly went to Rome to find his son. He found Ludwig confused, disoriented and abandoned by his mother, left in the care of a foreigner who spoke neither Italian nor English. Ludwig's housing environment was filled with pornography and was physically dangerous due to construction materials left strewn about. Neither the Italian nor the United States governments are helping to correct this situation.

Mr. Speaker, we would not want our own children in this kind of an environment. We should not want it for any American child. It is time to bring our children home.

DOMESTIC VIOLENCE

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

Mrs. CAPITO. Mr. Speaker, I come to the floor today to address a very serious and pressing problem in our communities and in our society, domestic violence. Around the world at least one woman in every three has been beaten, coerced into sex, or otherwise abused in her lifetime. Most often, the abuser is a member of her own family. Increasingly, gender-based violence is recognized as a major public health concern and a violation of human rights.

In my home State of West Virginia, domestic violence complaints to law enforcement agencies have increased by 400 percent since 1998. Last April, Attorney General John Ashcroft announced that West Virginia would be receiving $1.1 million. I commend this effort.

We must keep in mind that battering behavior is prevalent across all lines of race, ethnicity, geography, education, social class, religion and sexual orientation and that battering has adverse, long-term psychological, emotional, physical and economic effects on women and children.

Mr. Speaker, this is Violence Against Women Week, and so I urge all of my colleagues to stand up for battered women everywhere.

RECOGNIZING INTERNATIONAL WOMEN'S DAY

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

Ms. SCHAKOWSKY. Mr. Speaker, this week I will be introducing a bipartisan resolution recognizing and supporting the goals of International Women's Day celebrated March 8 every year. We should commemorate this day by honoring the women around the globe who have contributed enormously to the struggle for gender equality and the advancement of women. That struggle continues today. While the right to vote has been won here in the United States, there still remain women in many countries fighting for their voices to be heard and for representation in their political process. Furthermore, women still earn less, own less property and have less access to education, employment and health care than men.

Our war against terrorism should include ending violence against women. The U.N. estimates that one out of every three women and girls has been beaten or sexually abused in her lifetime. Each year there are 1 million to 2 million women and children illegally trafficked across international borders, with 50,000 transported to the United States. It is estimated that 130 million girls and young women have been subjected to female genital mutilation, with at least 10,000 girls at risk of this practice here in the United States. It is unacceptable.

I urge the Congress to pass this bipartisan resolution commemorating International Women's Day.

AGRICULTURE BILL IN CONFERENCE

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

Mr. SMITH of Michigan. Mr. Speaker, the conferees on the agricultural bill in both the House and the Senate are now meeting to come to an agreement on what should the agricultural policy be for the United States for the next 5 yrs. The Senate put in provisions in their bill that there should be payment limitations that limit how much money a farmer can get from price supports. The House, when we brought up my amendment, failed by 28 votes to pass such a payment limitation amendment.

I urge my colleagues to join us and call my office or the office of the gentleman from Nebraska (Mr. BEREUTER) or the office of the gentleman from North Dakota (Mr. POMEROY), sending a letter to those conferees to encourage that we have some payment limitations. There are huge farm operations receiving 15, 20, 25, 30, $35 million from 1998 until 2001. There is logic to having a farm policy that helps most of our farmers, the traditional family farms instead giving an extra $2 to $3 billion to the huge mega farms.

I would ask my colleagues to join in this effort to have a good farm policy bill with some payment limitations.

CALLING FOR AN EXTENSION OF UNEMPLOYMENT BENEFITS

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

Mr. MCDERMOTT. Mr. Speaker, it may be great comfort to the unemployed in this country to know that we have gathered here in the House of Representatives today to debate whether or not there should be a mourning dove hunting season.

The Speaker made us very comfortable back in September saying we would do something about the unemployed. We have not done anything since then about it that can get through both the House and the Senate. The Senate sent over a clean unemployment bill that should be brought to the floor and sent back to the Senate and become law.

Since September, 1.3 million Americans have exhausted their benefits. In January alone, 356,000 people exhausted their benefits, the single largest loss of benefits in almost 10 years.

Why is it that you have to bring a bill out here today with another poison pill tied to it? There are 222 press secretaries right now in those Republican offices with their thumb right over the send button to send out the press release that we have done something about unemployment. You know it will die in the Senate because you designed it to die in the Senate. I do not think that is fair, and I think that we ought to bring the Senate bill out here and pass it with no problems.

THE WAR ON TERROR

(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, yesterday Valdosta, Georgia, and Savannah, Georgia, received the sad news that four of our service members in the First Ranger Battalion were among those who were killed in Afghanistan. We join their families and the entire Nation in mourning their loss and appreciating their patriotism and sacrifice.

But even as we do that, the criticism of the policy in Afghanistan by the Democrats continues. Jimmy Carter says that Bush's approach is too simplistic. Let us review time a minute. When the Soviets invaded Afghanistan, Jimmy Carter was President, and his very complicated reply was to boycott the Olympics. I guess that is not simplification, but what George Bush is in uniting a global front against terrorists, I guess that is simplistic. It is interesting that Mr. Carter only served one term.

Meanwhile, Democrats in Congress are saying that the war will not be won or complete until we get Osama bin Laden. I guess they better explain that to World War II veterans because, after all, we never found Hitler, and they must think that we lost that war as well.

I join Democrats, and I know it is not all the Democrats, there are a lot of good Democrats who are supporting this administration, but I invite the liberal extremist fringe in their party to support the President and to support our service members. This is a matter of freedom.

AMERICAN CORPORATIONS GO TO BERMUDA

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

Mr. GEORGE MILLER of California. Mr. Speaker, America goes to war against terrorism. America's fighting men and women are put in harm's way. American soldiers lose their lives. And American corporations go to Bermuda. At a time of national emergency, accountants are writing advice to their corporations saying that maybe patriotism will have to take a back seat in the opportunity to maximize their profits by avoiding American taxes on their corporation by taking up illegal residence on the island of Bermuda.

With the Republican tax cuts to the wealthy, the burden of paying for this

war is falling more and more on middle-class and lower-income Americans. More and more this war is being fought out of the Social Security trust fund that is paid more and more by middle-class and lower-income Americans, but American corporations decide that they will escape any liability, any responsibility for the payment of America's efforts against terrorism by going to Bermuda and taking a tax holiday.

TEACHER TAX CREDIT ACT OF 2002

(Mrs. WILSON of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WILSON of New Mexico. Mr. Speaker, today I will introduce the Teacher Tax Credit Act of 2002 to the Congress.

Over the next 10 years, America will have to recruit and train 2 million new teachers. While we do not have a teacher shortage now, we do have a maldistribution of teachers. This Tax Credit Act would provide a $2,000 nonrefundable tax credit for teachers, assistant teachers, principals and assistant principals who teach in title I eligible schools. Those are schools in our poorest neighborhoods where it is often hard to keep teachers, where the average experience level of teachers is lower than they are in other schools because it is a tougher job.

So let us give teachers in our schools that need the most help a little more support from the Federal Government by saying, yes, we want to give you the resources you need to stay in that neighborhood, teach in that school and make sure that we leave no child behind.

DOMESTIC VIOLENCE

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

Ms. CARSON of Indiana. Mr. Speaker, historically, domestic violence has been a silent epidemic. According to a recent study conducted by the Commonwealth Fund, almost 4 million women are physically abused each year in the United States. In my district alone, domestic violence remains unabated. We had the tragic situation where a young man went to court, was convicted of domestic violence, was allowed to leave the courtroom and go home and prepare himself for prison. Instead, he visited his wife's job and killed her and another day care provider.

Domestic violence is the leading cause of injury to women in this country, where they are more likely to be assaulted, injured, raped or killed by a male partner than by any other type of assailant. We need to expand the Call to Protect program, continue funding of VAWA and demand that the Violence Against Women Office in the Department of Justice become permanent.

Ensuring that domestic violence victims receive necessary services to protect themselves and their children is one of the most important things that this legislative body can do while we attempt to sensitize those who are guardians of law, who are sworn to uphold the meaning of the law, will be further sensitized to the violence against women and how it can be abated.

THE JOURNAL

The SPEAKER pro tempore (Mr. CAMP). Pursuant to clause 8 of rule XX, the pending business is the question of agreeing to the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 352, nays 43, answered ''present'' 1, not voting 38, as follows:

[Roll No. 48]

YEAS—352

Ackerman
Akin
Allen
Andrews
Armey
Baca
Bachus
Baker
Baldwin
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boozman
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clement
Clyburn
Coble
Collins
Combest
Conyers
Cooksey
Costello
Cramer
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Horn
Hostettler
Houghton
Hoyer
Hunter
Hyde
Inslee
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 (RI)
Kerns
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Larson (CT)
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Mica
Miller, Dan
Miller, Gary
Miller, Jeff
Mink
Mollohan
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (PA)
Petri
Phelps
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Royce
Rush
Ryan (WI)
Ryun (KS)
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stark
Stearns
Stenholm
Stump
Sullivan
Sununu
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Turner
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Wynn
Young (FL)

NAYS—43

Aderholt
Baird
Baldacci
Borski
Brady (PA)
Capuano
Crane
DeFazio
English
Gutknecht
Hastings (FL)
Hefley
Hilleary
Hooley
Hulshof
Jones (OH)
Kennedy (MN)
Kucinich
Larsen (WA)
Latham
LoBiondo
McDermott
McNulty
Moore
Moran (KS)
Peterson (MN)
Ramstad
Sabo
Schaffer
Strickland
Stupak
Sweeney
Tanner
Taylor (MS)
Thompson (CA)
Thompson (MS)
Towns
Udall (CO)
Udall (NM)
Visclosky
Weller
Wicker
Wu

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—38

Abercrombie
Ballenger
Bentsen
Blagojevich
Calvert
Clayton
Condit
Cox
Coyne
Cubin
DeLay
Dooley
Doolittle
Ehrlich
Filner
Gephardt
John
Kilpatrick

Lantos	Miller, George	Toomey
Lee	Napolitano	Traficant
Linder	Oberstar	Waters
Lofgren	Pickering	Watson (CA)
Menendez	Roybal-Allard	Wexler
Millender-McDonald	Sanchez	Woolsey
	Solis	Young (AK)

□ 1051

Mr. ENGLISH changed his vote from ''yea'' to ''nay.''

Messrs. JENKINS, EHLERS, and ROSS changed their vote from ''nay'' to ''yea.''

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 48 on approving the Journal I was unavoidably detained. Had I been present, I would have voted ''yea.''

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 48, I was conducting official business in my San Diego, California district. Had I been present, I would have voted ''nay.''

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3694

Mr. LAHOOD. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 3694.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H. CON. RES. 275, SENSE OF CONGRESS ON HUNTING SEASONS FOR MIGRATORY MOURNING DOVES

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 353 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 353

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the concurrent resolution (H. Con. Res. 275) expressing the sense of the Congress that hunting seasons for migratory mourning doves should be modified so that individuals have a fair and equitable opportunity to hunt such birds. The first reading of the concurrent resolution shall be dispensed with. All points of order against consideration of the concurrent resolution are waived. General debate shall be confined to the concurrent resolution and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. After general debate the concurrent resolution shall be considered for amendment under the five-minute rule. The concurrent resolution shall be considered as read. During consideration of the concurrent resolution for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the concurrent resolution for amendment the Committee shall rise and report the concurrent resolution to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the concurrent resolution and amendments thereto to final adoption without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Ohio (Mr. HALL), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 353 is an open rule waiving all points of order against the consideration of H. Con. Res. 275, a sense of the Congress regarding hunting seasons for migratory mourning doves. The rule provides one hour of general debate to be equally divided between the chairman and ranking minority member of the Committee on Resources. The rule waives all points of order against the consideration of the concurrent resolution.

The rule also authorizes the Chairman of the Committee of the Whole to accord priority recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD.

Finally, Mr. Speaker, the rule provides for one motion to recommit, with or without instructions.

Mr. Speaker, H. Con. Res. 275 is a sense of the Congress introduced by the distinguished chairman of the Committee on Resources, the gentleman from Utah (Mr. HANSEN), and it expresses the sense of Congress that, one, the Migratory Bird Treaty Act of 1918 should be modified to allow for mourning dove hunting during the last week in August in areas north of 37 degrees north latitude; two, that the United States should begin discussions with the appropriate parties to ensure that all Americans have an opportunity to harvest migratory mourning doves in an equitable manner; and, three, that hunters and wildlife management agencies in the States north of 37 degrees latitude should support an earlier opening date for the mourning dove season.

Mr. Speaker, H. Con. Res. 275 was reported by unanimous consent of the Committee on Resources on February 27, 2002. Accordingly, Mr. Speaker, I encourage my colleagues to support both the rule, H. Res. 353, and the underlying bill.

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

Mr. HALL of Ohio. Mr. Speaker, I want to thank the gentleman from Washington (Mr. HASTINGS) for yielding me the time, and I yield myself such time as I may consume.

This is an open rule. It will allow for consideration of H. Con. Res. 375 and, as we have heard, this is a resolution regarding hunting seasons for migratory mourning doves.

As the gentleman from Washington (Mr. HASTINGS) has described, this rule provides for 1 hour of general debate that will be equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. The rule permits amendments under the 5-minute rule. This is the normal amending process in the House. All Members on both sides of the aisle will have an opportunity to offer germane amendments.

Mr. Speaker, this resolution expresses the sense of Congress that the Migratory Bird Treaty Act of 1916 be renegotiated to provide a longer hunting season for mourning doves above the 37 degrees latitude. If the hunting season were extended, that would affect 22 States where mourning dove hunting is permitted. It also includes my State of Ohio.

Though this measure is important to many hunters and it is an important issue in many parts of this country, there is a far more important matter of legislation to extend unemployment insurance to out-of-work Americans that we are very concerned about. Many men and women have lost their jobs after the September 11 terrorist attack which was almost 6 months ago, and those benefits will soon run out unless we pass a bill to increase their unemployment insurance. We need to deal with this issue immediately.

Therefore, I will oppose the previous question and, if the previous question is defeated, I will offer an amendment to the rule which will permit the House to take up the Senate amendment to H.R. 3090, which would extend unemployment insurance by 13 weeks.

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

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Utah (Mr. HANSEN), the distinguished chairman of the Committee on Resources.

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

Mr. HANSEN. Mr. Speaker, this is kind of a cherished thing in America, the hunting of doves. Many of us who hunt have noticed in our younger years that dove hunting was not a big thing. Deer season was always such a big thing in the State of Utah that they closed the schools, the churches, and everything else at the opening of deer season. Fishing was always a mass exodus out of town to get to various mass areas. Dove season was never considered as much.

I do not think people understand the importance of this little elusive bird

that people call the mourning dove. Actually, there are millions of them. The problem we have on this particular bill is that when the days start getting shorter and when we have a cold snap, what happens is they go south because they are a migratory bird.

□ 1100

When they go south, the people who want to hunt in the northern areas do not get the opportunity to hunt, so they maybe can pick up a straggler here and there. But the folks from Florida, Texas, the southern States, Arizona, New Mexico, Southern California, they have a heyday. The folks in Mexico really have a heyday because they do not have a limit on it, and they go down there and shoot them by the thousands. That I think is another issue, not one before us today, but possibly one that should be considered.

So the people in the north who enjoy hunting, and hunting is one of the traditions of America which we all seem to enjoy, or many folks seem to enjoy, do not get the opportunity or privilege that people below the parallel that was mentioned before have.

So with this bill we are not telling them what to do; we do not have that right. We cannot set the limit. What we are merely saying is the President of the United States will then urge the people in Canada and Mexico to renegotiate and start the limit above that parallel by 1 week earlier. That week seems to be critical, because for those of us who have hunted doves, they can see literally thousands of those birds in the area the last week of August. Where do they go the last week of September? As if they knew exactly, away they go, and the hunting is rather poor.

So all this bill does is urge these countries to renegotiate. No one in this body or the other body has the privilege or the right to change the law. We can just urge that it be done, and this bill would urge the President of the United States to begin that type of a process.

Mr. Speaker, I would urge a ''yes'' vote on this rule and a ''yes'' vote on the bill.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to my friend, the great gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, House Concurrent Resolution 275 expresses the sense of Congress that hunting seasons for migratory mourning doves should be modified so that individuals have a fair and equitable opportunity to hunt such birds.

I think that the American people would have every right to ask the question: Why is Congress considering a resolution on mourning doves when 11,127,000 Americans have exhausted their unemployment benefits?

The people of this country expect a sense of proportion about what we do here, a sense of priorities. When we are coming forward to this Congress with a bill that seeks to address the Migratory Bird Treaty Act of 1918 to try to modify that act to allow for mourning dove hunting during the last week of August, while over 1 million Americans are being deprived of an opportunity to receive income into their family because they are running out of unemployment benefits, and the Federal Government has not acted to extend those benefits, people have every right to ask, What are we doing here in this Congress? Why is Congress considering a resolution on mourning doves when the recession has lasted 52 weeks so far? Why is Congress considering a resolution on mourning doves when this week and next, persons who became unemployed after September 11 will exhaust their unemployment benefits?

Now, if Members agree with many of us that this is an example of skewed priorities, it is an example of not being in tune with the real needs of the American people, then I want to ask them to join with us in opposing the motion on the previous question.

The reason is this: if we are successful in defeating the motion on the previous question, we will then have a straight debate on unemployment insurance extension without any poison pills. I urge that we keep our priorities straight.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Idaho (Mr. OTTER).

Mr. OTTER. Mr. Speaker, I thank the gentleman from Washington for yielding me the necessary time to at least express interest not only in the passage of the rule, which I think is an important rule to accompany this resolution, but the folks in my State and in the adjoining States, all those above the 37th parallel, do not enjoy the opportunity, as was stated by several of the speakers before myself, including the distinguished chairman of the Committee on Resources, to be able to hunt the mourning dove during our season because, as the treaty, which was established in 1916, states, we cannot open our season before September 1. All we need in Idaho and those States that are north of the 37th parallel is just a little bit of a cooling trend and all the doves immediately go south.

It is a responsible thing to do, and it is a responsible thing to do because of some of the subject matter that has been brought up by the gentleman across the aisle, that there are a lot of folks that cannot afford to go to the southern States, cannot afford to go to Mexico, cannot afford to transport the weapons or the transportation, and these people then are denied the opportunity to hunt, as well.

So I think this is an economic stimulus package, and it is also a package to help those folks who do not have the necessary resources to be able to enjoy hunting in their home State and be able to take the mourning doves, within a certain limit.

So, Mr. Speaker, I join with the good gentleman from Washington and all those others who have spoken in hopes that we will vote for the rule, pass the rule, and then vote and pass the resolution.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. TIERNEY).

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

Mr. Speaker, today we are here to vote on the fate of mourning doves. That may be a serious matter, and people may in fact cherish the opportunity to go and shoot these birds, and that would be appropriate at some other time, I might suspect.

However, there are people mourning in America today because they are working families who have suffered record layoffs since the tragic terrorist attacks of September 11 and prior to that time.

From September 11, the date after which people exhausted their benefits, the date they would get additional benefits under the bipartisan legislation passed in the Senate 100 to nothing through January of this year, more than 1.3 million people will have exhausted their regular employment benefits, and we are here talking about doves.

In nine States, including my home State of Massachusetts, the number of unemployed workers exhausting their unemployment benefits from November to January more than doubled from the comparable period a year ago. On April 15, just a month from now, unemployed workers across this country will be paying their taxes, filing their returns to pay taxes for the money they made before September 11. Those tax dollars go to pay our salaries here in Congress. They expect us to work, and they expect us to set priorities.

Long before the priority of shooting doves, we should be doing something about the unemployment insurance for people who are out of work. We were able to work to bail out the airlines. We promised to help the laid-off workers then, and we still have not done it. Instead, we have a tax package to help corporations. The majority in this House tried first to give a 15-year break of $25 billion back to Enron and other megacorporations, but did not do anything about unemployment insurance.

They still are now trying to undermine that by taking that 100 to zero proposal from the Senate that would extend unemployment insurance and add another poison pill, this time shifting from the employer to the employee the cost of their basic health insurance, trying to undermine our employer-based health insurance system as the price for having unemployment insurance.

Well, we have suspension of the rules for mourning doves, Mr. Speaker, and we should have suspension of the rules to deal with the unemployment insurance. Oppose the motion on the previous question, bring forward that Senate bill. No more poison pills. Let us

get our business done for America's working families.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Montana (Mr. REHBERG).

Mr. REHBERG. Mr. Speaker, I thank my colleague from the State of Washington for yielding time to me.

While I am a freshman, I hope I never get to the point on this House floor in my time as a United States Congressman to belittle the opportunity or attempt of any other Member in the United States Congress to do something for their constituency.

Within the State of Montana, this is an important issue. Fish and game can be debated for many hours and many days in Montana because of not only the hunting experience, but the economic benefit that it provides to my residents. On my own ranch we have dove hunting. Unfortunately, because of the dates that are included here, sometimes it can only last 3 days because, as the light hours change in the day and the temperature changes, these migratory birds move south.

This is an opportunity to create some economic development for my State, a State that has been gripped for 3, 4, 5, and sometimes 6 years by drought, now. We have a new term in Montana. It is called ''continuing drought.''

So I will not belittle their opportunity or attempt to do something for their constituency, and I hope they will not continue to do that in this particular case, because this is an important piece of legislation for my constituency.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Speaker, I thank my friend for yielding time to me.

Mr. Speaker, by a vote of 100 to nothing, the other body voted for a 13-week extension of unemployment benefits. The purpose of our act today is we want to bring that same proposal to the floor so we can vote on it as well, and extend unemployment benefits.

We are going to hear that there will be an effort to do that later in the day put forth by the majority, and they have some things added on to it. What is wrong with that? Let me tell the Members what is wrong with the majority's health care scam that is added to the unemployment benefit extension.

A person who has been out of work for 6 months and is about to lose his or her benefits, who has $1,000 in his or her checking account, here is how they get health care under the Republican plan. They are supposed to go out and pay $7,000 or more in premiums to buy a health insurance policy, and then wait until next year, when they file their income tax return and get $4,200 back as a credit.

The Republican health insurance scam requires people to use dollars they do not have to pay a premium they cannot afford to get a tax credit they will not use until more than a year from now. That is a hoax, not a plan. The majority should join with us and defeat this previous question.

Let us have a clean up-and-down vote on whether or not to do as 100 Senators did and extend unemployment benefits for America's unemployed for 13 weeks. Vote ''no'' on the previous question.

Mr. HALL of Ohio. Mr. Speaker, I yield 2½ minutes to our great leader, the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise to urge our colleagues to vote against the previous question. Here we are on the floor of Congress at a time when our country is in a very difficult place economically. This month, a record number of people have exhausted their unemployment benefits, a record number of people. Here we are on the floor of the House; and instead of addressing that very pressing need for all of those families, we are taking up suspensions, a second day of suspensions.

I have no quarrel with our dealing with certain issues, like extending the hunting season for mourning doves, if that is necessary and that is our jurisdiction. That is something that should be a small part of what we do.

But the American people see us on TV. They see the irrelevance of what is going on on the floor of the House of Representatives. Can we not give to the workers of America the same due that we give to mourning doves, to extend, to extend the time frame? Why does that not have at least as high a priority to the Republican majority? Why do not unemployed workers receive the same priority as hunting season for mourning doves?

There was a proposal that was supposed to come to the floor today which would have extended the benefits but would have a poison pill, a very unwise provision in terms of health benefits. The Democratic proposal would have been very smart: extend the benefits at least 13 weeks, hopefully 26 weeks, again, recognizing that record numbers of Americans are exhausting their unemployment benefits, and couple that with a plan to make the COBRA benefits available to these unemployed workers.

When we had the tragedy of September 11, we immediately moved to bail out the airline industry, and we had to do that. But that happened with the promise that we would shortly be addressing the needs of those Americans who lost their jobs because of September 11.

Six months later, we are still waiting for the Republican majority to bring a bill to the floor that adequately addresses those concerns. Instead, we are here this morning talking about extending the hunting season for mourning doves.

I urge my colleagues to vote against the previous question.

Mr. HALL of Ohio. Mr. Speaker, I yield 2½ minutes to the gentleman from Wisconsin (Mr. KLECZKA).

Mr. KLECZKA. Mr. Speaker, I thank the gentleman for yielding time to me.

We do have with us today, Mr. Speaker, a group of students. I think they are probably sitting up there wondering, what is the Congress talking about today? The issue before the House is to extend the hunting season for mourning doves, little mourning doves that go whoo, whoo, whoo. In the winter they are at the bottom of the feeder. For the most part, they are ground feeders. They are pretty little birds, very, very peaceful. What we are doing today is extending the season so we can kill them.

Well, the students probably know or have talked to their folks who have indicated this is a bad economy. Maybe one of the parents is laid off, or a neighbor or an uncle or aunt; and it is Congress's authority and it is in our power to give them unemployment compensation benefits.

□ 1115

What is happening is they are running out of their original natural allotment. The U.S. Senate, your Senators, passed a bill providing a 13-week extension for unemployment compensation benefits to help people who are laid off. It is in the House, but the Republicans in this House do not want to take it up and instead bring before the House today, we have nothing else to do today, they bring before the House today a bill to extend the season on killing these little, whoo, whoo, whoo, mourning doves.

Let me tell you about the mourning dove. I come from the State of Wisconsin. When I was in the State legislature a couple years ago, back in 1971, the State legislature passed a bill naming the mourning dove a bird of peace, a bird of peace. How noble. It was befitting this little bird. Well, then the legislature and the Natural Board of Resources last year voted to open the season. It is bugging some people that this little bird which mates for life is at the bottom of some people's bird feeders cleaning up the seeds that have been knocked out of the feeder and so the response for Wisconsin is kill them. So Wisconsin says let us kill them. They are bugging someone. But then those who want to kill them are saying, Oh, but are they good eating.

Listen, after we take the feathers off that little guy, it is about this big and 4 ounces. Is that a meal? To hear the Republicans come up and say we need to kill these birds because of economic stimulus or because we need it to provide some economic development, how hungry can you be?

We know full well the bad news is the bird of peace in the State of Wisconsin is now being killed because it provides such great meals. I guess it is something like a turkey.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FOSSELLA). Members are reminded not

to introduce or bring to the attention of the House an occupant in the galleries.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I frankly believe that this legislation of the mourning doves will not help those Texans in my State. But I do know what will help them and that is a concern about unemployment benefits that need to be extended.

If you want to know what unemployment is about, just come to my home town of Houston. Although we are the can-do city, we fought against the stress of Tropical Storm Alison, the number of layoffs of our corporate friends like Continental and the disaster of Enron with some 4,500 employees being laid off, we know we can pull ourselves up by our boot straps when people are hurting. It is time for this Congress to address the question of the devastation of extended unemployment just like we went to the aid of many of those corporate friends who were devastated after September 11. Thirteen weeks, I will support that; but I also believe 52 weeks of extension because in April my State will see an exhaustion of unemployment benefits of some 175,000 individuals.

I have heard the stories of individuals who cannot pay for health coverage, cannot provide the dollars that allow them to have the COBRA. We need to respond to the crisis of Americans right now and need to talk about unemployment to the extent that we provide the bridge and support for those who are in need.

I have my constituents talking to me about saving Social Security and the prescription drug benefit, but there are working families now who have contributed to this economy and through no fault of their own they are no longer working. I think we are wasting America's time by not coming to this floor, extending unemployment benefits like the Senate did for 13 weeks; and if we can do more we should do more. My advocacy is for the extended 52 weeks because I know in April and May there will be people in my home town who will be hurting.

We have to face reality, Mr. Speaker. Legislation that does not help all of us maybe should be reconsidered. I will be voting against this rule because I want to vote for extended unemployment benefits for Americans. I want them back on their feet. I want them to pay for tuition for the young people going to college. I want them to have health care. I want to make sure they pay their mortgages. I want them to be proud to be an American. I want to thank those men and women who are fighting in Afghanistan to help free us and free Afghanistan. Let us do something for the people here in the United States and extend the unemployment benefits.

Mr. HALL of Ohio. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Ms. SLAUGHTER), a very much-distinguished member of the Committee on Rules and of this body.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, this morning the morning news from Rochester tells me that this year my district has lost 12,400 jobs. That is almost unheard of in Rochester, New York.

In 1929 when the crash came, we hardly noticed it up there. Our unemployment rate has been always steady and very good, but we are bleeding jobs. I suspect for many of you, your mail must reflect mine, Can you do something about unemployment? I have lost my unemployment. My unemployment is running out. Now to add to the rest of our woes, we also have a lot of people employed by Global Crossing.

I am embarrassed that the people in my district are seeing this morning that what we are most concerned about is the shooting of mourning doves, as the previous speaker said, the peace bird of the State of Wisconsin. I do not know if enough people in my district will be able to shoot enough birds to feed their family, but it does not look like we will be able to do much here on extending their unemployment benefits.

I am sure they understand that we do not control the agenda of this House, or it would have been done a long time ago; and we should have been taking up the Senate bill. I urge Members to vote against the previous question and the rule to try to get some unemployment insurance up here.

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before I yield back the time, I would just like to say that it has been nearly 6 months since the tragic events of September 11. Millions of American jobs have been lost since then. The unemployment benefits for 1.3 million Americans have already expired. Millions more will be losing benefits in the coming weeks. We must act.

Last month the other body passed a very clean extension of these critically needed benefits. Every day we fail to act means economic hardship for more and more Americans. In a bipartisan fashion we should not be wasting time and be together on this and vote to extend unemployment benefits.

As far as the rule is concerned, the rule is okay and it is open. We have no problem with it.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to remind Members because there is a lot of concern on both sides of the aisle regarding the unemployment benefits for those who were adversely harmed by what happened on September 11 and because of the economy, we intend to take that up and we will take that up; and I just wanted to remind my colleagues of that.

Mr. UDALL of Colorado. Mr. Speaker, this rule would clear the way for the House to debate a nonbinding resolution about changing the hunting seasons for migratory mourning doves.

That is an interesting resolution, and it could make for an interesting debate. But the fact that it is proposed for debate today on the House floor is little short of a disgrace because of what it says about the priorities of the House's Republican leadership.

In short, they have made it a priority to debate this nonbinding resolution, instead of trying to help people who have lost their jobs and are in an economic bind.

I know we are all encouraged by the signs the economy is recovering from recession. But the recovery is far from complete, and unemployment insurance is running out for thousands of people who have lost their jobs.

Extending those benefits is something they need and something that will help the economy because it will enable them to continue paying their bills. And it is what we should be doing today instead of debating whether Congress should go on record with some opinions about changing a hunting season.

There should not be any partisan disagreement about this. That is why the Senate has already twice unanimously approved bills that would extend unemployment compensation benefits for 13 weeks.

And that is what we should be doing today, instead of debating hunting seasons. We should be passing that bill—the bill supported by every Senator, regardless of party—and sending it to the President so he can sign it into law.

It's too bad the Republican leadership does not think that should have priority over this resolution. I don't share that view, and so I cannot support this rule.

Mr. HASTINGS of Washington. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 354 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 354

Resolved, That it shall be in order at any time on the legislative day of Wednesday, March 6, 2002, for the Speaker to entertain motions that the House suspend the rules relating to the following measures:

(1) The joint resolution (S.J. Res. 32) congratulating the United States Military Academy at West Point on its bicentennial anniversary, and commending its outstanding contributions to the Nation.

(2) The bill (S. 1857) to encourage the negotiated settlement of tribal claims.

(3) The bill (H.R. 1870) to provide for the sale of certain real property within the Newlands Project in Nevada, to the city of Fallon, Nevada.

(4) The bill (H.R. 1883) to authorize the Secretary of the Interior to conduct a feasibility study on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River basin, Oregon.

(5) The bill (H.R. 1963) to amend the National Trails System Act to designate the route taken by American soldier and frontiersman George Rogers Clark and his men during the Revolutionary War to capture the British forts at Kaskaskia and Cahokia, Illinois, and Vincennes, Indiana, for study for potential addition to the National Trails System.

(6) A bill to provide assistance to displaced workers by extending unemployment benefits and by providing a credit for health insurance costs, and for other purposes.

(7) A resolution expressing support for the democratically elected government of Colombia and its efforts to counter threats from United States-designated foreign terrorist organizations.

The SPEAKER pro tempore. The gentleman from Texas (Mr. SESSIONS) is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 354 is a rule providing for the consideration of motions to suspend the rules at any time on the legislative day Wednesday, March 6, 2002. This is a fair rule that will allow for consideration of several pieces of legislation.

Mr. Speaker, last night the Committee on Rules in fact had the debate and the vote about those things which we are going to choose to consider today and one of those that we talked about at the time we have now made a decision that we are not going to present at this time; and it should be noted that though, while the unemployment benefits bill is listed under the rule, it will not be called up for consideration today, meaning that it will not be a part of the package that we are seeking at this time.

Mr. Speaker, since the tragic events of September 11, the House has worked with speed and deliberation to pass much-needed legislation that will provide an extension of critical-needed unemployment benefits to dislocated workers. It is regrettable that though this bill has passed several times with bipartisan votes that there will be no action on this today and also that there has been no action by the other body on this.

As the 6-month anniversary of September 11 approaches us, there are people across the country who are still struggling to recover from the tragic events of that day, whether it be emotional, physically, financially or otherwise. It is my hope that the issue will stay at the forefront of our legislative business until we pass and enact a bill that will help each of those people.

Mr. Speaker, I have outlined those things which we will be considering, or hope to consider, today under suspension of the rules; and I urge all of my colleagues to support this rule which will allow us to consider these pieces of legislation.

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

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

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, I thank my friend from Texas (Mr. SESSIONS) for yielding me the customary 30 minutes.

Mr. Speaker, this rule will allow us to consider a number of suspension bills today, bills that many of us had hoped would be of critical importance to our constituents. In fact, last night rumors circulated that the leadership of the body was preparing to do what we hoped it would have done long ago and extend unemployment benefits to the thousands of workers who were laid off in the wake of the September 11 attacks.

For weeks we have begged the leadership of the body time and time again to pass a clean unemployment extension bill. Recently released Labor Department data for January 2002 shows that from September 11 through January of this year more than 1.3 million workers exhausted their regular unemployment benefits. As of January, about 7.9 million Americans, or about 5.6 percent of the workforce, were unemployed. Over 12,000 people a day are exhausting their unemployment insurance. And earlier this year the Senate adopted a simple extension of unemployment benefits by unanimous consent.

The House leadership, rather than acting expeditiously, refused to pass the same extension without tying it to a package of dying stimulus plans.

□ 1130

The plan, no one was surprised to learn, consisted almost entirely of tax cuts for corporations and the wealthy. And the measure, no one was surprised to learn, went nowhere in the Senate.

We now have an opportunity to do today, or we did have, what should have been done weeks ago, pass a clean unemployment bill. Were we to pass such a measure this morning, the bill could be on the President's desk immediately. But, instead, the leadership of the body is preparing to push a measure that would augment a simple extension of jobs benefits with controversial tax provisions that will kill it in the Senate.

Why can we not simply extend unemployment benefits by an additional 13 weeks? Tax credits do little to aid the unemployed, many of whom are not paying taxes in the first place while out of work. A clean bill could go straight to the President, and the leadership in the body could signal to the unemployed that this House cares about the plight of their families. Today's confusion, however, will ensure just the opposite, more delay and not a penny of relief for impacted families.

Mr. Speaker, this is not leadership; this is petulance. Having failed three times to pass accelerated tax breaks for upper brackets and reducing the alternative tax on corporations or actually doing away with them, the leadership is taking a fourth swing at the other body. What is stunning about this maneuver is the sheer cynicism it embraces. The leadership is making it perfectly clear that it is willing to inflict further pain on desperate families in order to have another crack at a divisive, partisan agenda.

Moreover, Members of this body are being afforded little notice of what these bills contain. The House of Representatives is not a shadow government. Our rules mandate that we deliberate in the open. What aversion do we have here to regular order? Instead of informed deliberations, my colleagues are left with scant information. In fact, the bill we have been talking about has not yet been seen, and my colleagues and I have no information and no debate time on which to base decisions impacting millions of Americans.

Mr. Speaker, this extraordinary rule we are considering today is normally reserved for those times when Congress is hard at work, not when we are working 2½ days a week, and it needs flexibility to meet its commitments. But not today. The long stretches of idleness in this body can surely be replaced with meaningful deliberation on important measures.

We just got the report of people being abused in nursing homes. We should be concerned about all the corporations in America that are registering themselves over in Bermuda to avoid paying America's taxes. While we name post offices and contemplate shooting mourning doves, the measures that impact prescription drugs and saving Social Security languish.

I have a bill that would ban genetic discrimination in health insurance that has over 258 bipartisan cosponsors; and it would affect every man, woman, and child in the United States. But for over 6 years we have not been able to have that on the floor. I implore, then, if they are going to abuse the power of suspensions, to put it to good use and make a real difference in the lives of American people.

Mr. Speaker, we intend to try to defeat the previous question on the rule in order to amend the rule simply to allow what should be done, a straight 13-week unemployment benefits extension bill. I urge all my colleagues on both sides of this House to support this effort because the American public demands and deserves it.

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

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

We are hearing a lot about this unemployment problem, and it is a problem, and the health care problems, and there are health care problems. This body has addressed this issue numerous times. This issue was prepared to be on the floor today, except there was some disagreement as to whether it would be on suspension or whether we would have long enough even to speak about it. The bottom line is, I do not believe we should be playing politics with the health and livelihood of American workers, whose families' jobs and their own jobs, their own problems, are right on the line.

But for those who would call for a clean bill, I would quote Speaker HASTERT, who yesterday said this is about as clean as you could get it. And I would add that it is also a straightforward approach to addressing the real needs of laid-off workers as we can get. That was what this bill was supposed to do. It was clean. It was about unemployment and health care tax credits. Oh, but then we find out that they simply do not like the way we have done it, and that is why the other side is opposed to what we are doing.

Mr. Speaker, we disagree on lots of issues, and they are honest disagreements that we have in Washington, about taxes, about the size of government, about how much we are going to tax the American people, about who will be paying in and who will be receiving what. But the bottom line is that this Republican Congress has attempted expeditiously and carefully to address the needs and the issues of people who are having tough times. But we also believe, as Republicans, that it is important for us to put out a plan that addresses the needs of the Nation. That is why we asked for tax cuts.

We believe that people not only want a job but they want the ability to have a secure job. Savings and investment and the opportunity for people to have more take-home pay to protect the jobs that we have is what the Republican plan is, also. It is not just about the health care needs, where we offer tax credits. It is not just about unemployment. It is about a broad, overarching idea that we believe that this government can, must and will react and respond properly to people. And that is what the Republican plan has been since September 11.

I am sorry we are not addressing that issue today. We will continue to wait for the other body as they deliberate and deliberate and deliberate on this issue, but we will keep going with the things we know are good for people.

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

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume to respond to my friend.

I appreciate that people who are unemployed, who have families to feed, who have mortgages to pay, who have no prospects immediately of a job are not terribly interested whether or not we do away with an Alternative Minimum Tax and give money back to IBM and money back to Enron and money back to major corporations in the United States. They simply want some kind of action here.

In all times of trouble, when we have this kind of unemployment rate, it has been the policy of the government of the United States to extend unemployment. For some reason, we simply cannot seem to get that done here. I am appalled at that and urge that that be rectified.

Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, with all due respect to my colleague on the other side, he just said that we are playing politics. I would say the problem here is that the Republicans are in charge of the floor. They are in charge of the House. They are in the leadership because they are in the majority. They are playing politics because they are not allowing a clean bill on unemployment insurance extension to come up.

I cannot believe I am hearing this from my Republican colleagues, somehow suggesting that if we take action on this bill that they put in order under this rule that we will have some relief for the unemployed. It is not true. We know if this bill goes over to the other body and it includes anything other than extension of unemployment compensation it will never pass and it will die.

The other body has already taken up I do not know how many stimulus packages, tried all kinds of options, with or without different kinds of health care benefits, with or without Alternative Minimum Tax, and finally the leadership said, look, there is nothing we can pass here other than a clean unemployment compensation extension, passed, I believe, 100 to nothing.

So the lesson is learned. The only thing that will work, the only thing that will provide relief for Americans who are running out of their unemployment insurance is if we just pass a clean bill that has nothing else attached to it.

We have done the same thing over here. The Republican leadership has brought up three stimulus packages, pretty much the same. I suspect if this bill is voted down today they will bring up another stimulus package tomorrow or next week. They are playing politics because they will not allow a clean bill to pass. It passed the other body 100 to nothing. It will pass here probably unanimously. Let us just do it.

Now, let me talk about the tax credits for health care that are in this bill. My Republican colleagues know that this is a very controversial issue because the Democrats do not believe it will work. When we talk about tax credits for health care, most of the people who are uninsured, very few are going to be able to go out in the individual market and buy insurance, which is $4,000 or $5,000 a year, with the piddly tax credits the Republicans are proposing.

So the Democrats have been saying this is not going to work, this tax credit. We have talked about extending COBRA, we have talked about the need to extend Medicaid to cover more people at a little higher level of income. My own State of New Jersey, a perfect example, is suffering because they do not have the money, and so many States are not able to provide the Medicaid benefits they have now and cover the people they now have and are considering cutting back on Medicaid.

So we have a major difference here. Democrats believe COBRA extension and Medicaid extension will bring more people and provide insurance. We do not believe the Republican proposal with tax credits will work. So forget about this for the time being. We do not have agreement. Let us go with the thing we do have agreement on, which is unemployment expansion, a clean bill. We should bring it up and get it over with.

The Republican side is playing politics and not giving a fair shake to those people in my district and around the country that need these extra weeks of unemployment compensation.

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

We can keep talking about this. It has passed this House four times. This body has dealt with this issue. Now what we hear is my colleagues on the other side suggesting we have to bow down to what the other body wants to do, that we must do what the other body wants to do. Well, that is not the way it works. This body has its own leadership, has the two sides of the aisle. We work on the things that we work on, just like the items that we passed and have sent to the other body.

Mr. Speaker, we have been open and clear about what we are trying to do. We are offering an opportunity to put together unemployment benefits, health care, and, at the same time, make sure that it would be done in a way which we believe would work. Now, what we understand from the other side is, we disagree that it is not going to work that way, so we are going to oppose what you are doing.

Well, Mr. Speaker, we have heard this lots of time. We heard this about the balanced budget. A balanced budget will never work. We can never have a balanced budget.

Secondly, we heard when we went to welfare reform, oh, my gosh, welfare reform will never, ever work. We heard this about the capital gains tax cut, that it is going to cost our government $9 billion. In fact, it did work and brought in $90 billion to the government and created an economic stimulus that our country has lived off for several years now.

Republican ideas are simply bad to the other side every time, and that is where they play politics, and I am sorry that it is that way. But what we are doing is proposing something that

will allow families who today have to use pre-tax dollars to pay for their health care, and we are trying to make it easier to where they can then deduct this amount.

Tax credits do work. They work for the families that use them over and over and over. Tens of thousands of African Americans, tens of thousands of Hispanics, and, oh, yes, tens of thousands of Caucasians will get this same tax credit. It works for people. It works for people who have health care today by helping them pay for what they want and they need.

I am proud of what we are doing. I am sorry that my colleagues on the other side simply disagree and so they are not willing to venture in to helping anybody because they do not like what we have done. That is the politics, Mr. Speaker, and it is a real shame that it is happening again today on the floor of the House of Representatives right before our very eyes.

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

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

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

Mr. LEVIN. Mr. Speaker, the gentleman from Texas has made it clear what this is all about. He says we are waiting for the other body. The other body has twice unanimously passed an unemployment compensation extension bill. Twice. What is my colleague waiting for? He says we should not bow down to the Senate. To whom? TRENT LOTT? Every other Republican in the Senate who voted for this extension?

□ 1145

Bowing down, this is a fight with Republicans in the Senate. It is not only a fight with us. The gentleman is all alone.

Secondly, the gentleman says this issue is not just about unemployment. That is the problem. The gentleman is ignoring the needs of the unemployed because the gentleman has another agenda. I want the gentleman to go and talk to the 356,000 people who exhausted their benefits in January and tell them this is not just about unemployment. It is the largest number of people exhausting their regular benefits without receiving additional aid in a single month, in any single month on record. So I suggest that the gentleman from Texas (Mr. SESSIONS) go to the 50 States of this Union and tell them that this is not just about unemployment. Shame.

The other side of the aisle insists on adding to this unemployment bill controversial issues, and the gentleman knows they are. The health provision is the same one that has created the controversy in the Senate. This is what Mr. LOTT said on February 7.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FOSSELLA). Members are reminded to refrain from improper references to Senators.

Mr. LEVIN. Mr. Speaker, this is what has been said. ''My recommendation is that they send just a clean bill.'' That is the gentleman's leader over in the Senate. I shall not name his name.

This is what this is all about. The other side wants a package, and then they change it. They want a package that essentially says to the unemployed of this country that their unemployment is not enough for Congress to act.

Mr. Speaker, my suggestion to the gentleman from Illinois (Mr. HASTERT) and Members on the Republican side, including many of the leaders who said they wanted a clean bill, is to think again. These millions of people are not getting unemployment on their watch. They are disregarding them. They have another agenda. Take up unemployment compensation today, pass it, send it to the President. I am sure he will sign it, and then we will go on to other issues.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will reiterate that Members must avoid improper references to Senators, whether specifically by name or otherwise.

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

Mr. Speaker, we do have a broader agenda. It is about jobs in this country. It is about the ability that we have to make sure through stimulus or through tax cuts or through those things that will allow people to have more money in their own pocket. That is also what this is about.

Yes, it is bigger than unemployment. It also includes health care. It includes the things that are the essence of what will maintain the vitality of this country.

Mr. Speaker, I learned a long time ago when I came to Congress, some 6 years ago, that virtually every single bill, every single debate that takes place on this floor is about more government, more spending, more taxes, or about the reverse.

I am falling off on the side of the people who want jobs in this country, who want to make sure we have a sound economy and make sure that what this government does, it does, and is done efficiently. I am proud of what we are doing and what we have passed.

Mr. Speaker, I would remind this entire body that if we can lay aside our differences, lay aside the things that we think will not work and get to work on the things that we are going to propose that will work, that means real money to real people in the time of their need, that in fact we will achieve the things that we are after. Government should not pick the winners and losers. We should help the people that need help.

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

Mr. Speaker, it is to try to help the people that need help. I know the unemployed do want jobs. I am sure that all unemployed workers thought that, during their working years when they paid their taxes, they believed that should a catastrophe hit and they lose their jobs that this government would help them out. That has been in the best tradition, to tide them over until a new job can be found; and when that job is found, I hope it will be as good as the job they lost.

Mr. Speaker, I urge a ''no'' vote on the previous question. If the previous question is defeated, I will offer an amendment to the rule that will allow the House to vote on a straight 13-week extension of the unemployment benefits.

Mr. Speaker, it has been nearly 6 months since the tragic events of September 11. In addition to the horrendous loss of life that occurred as a result of that day, the economic destruction has been enormous. Our economy, which was already in an economic downturn before the event, has worsened considerably. Millions of American jobs have been lost since then.

The unemployment benefits for many of these jobless workers have already expired. Many, many more will lose benefits in the coming weeks. We must act immediately. The other body has already passed a clean extension of these critically-needed benefits. Every day that we fail to act means economic hardships for thousands of Americans and their families. Let us stop wasting time and vote to extend the unemployment benefits. I urge a ''no'' vote on the previous question.

PREVIOUS QUESTION FOR H. RES. 354—MOTIONS TO SUSPEND THE RULES

In the resolution after ''(6)'' strike ''the bill (H.R. 1963)'' and all that follows through ''health insurance costs, and for other purposes'' and insert in lieu thereof the following:

''Senate amendments to the bill (H.R. 3090) to provide tax incentives for economic recovery.''

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

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

Mr. Speaker, we have heard it here today. Republicans have this hidden agenda. The other side of the aisle is right. Our hidden agenda is jobs and growing the economy, getting people back in their jobs, having an extension of unemployment benefits, having health care tax credits. And yet we have heard now what the other side of the aisle says about that. That is that they do not like the way that we have done it, and because they do not like the way we have done this, they oppose it.

Mr. Speaker, we are going to continue this Republican conference, and Congress is going to continue passing things that are great for people, good for workers, continues economic opportunities. We are going to keep talking about how America's greatest days lie in our future. Opportunities for people who are going to school and want jobs,

people who today may not have a job. We are going to rebound this economy. It is going to head back.

I believe that the President, working with this Congress, will have a lot of success. That is what this is about. That is our hidden agenda. Our hidden agenda is simple. It is about jobs. It is about economic growth and the opportunity for people to get a job, keep a job and know that they can have more take-home pay.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

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

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

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

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

The Sergeant at Arms will notify absent Members.

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

The vote was taken by electronic device, and there were—yeas 218, nays 191, not voting 25, as follows:

[Roll No. 49]

YEAS—218

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Boozman
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Callahan
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller, Dan
Miller, Gary
Miller, Jeff
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sullivan
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—191

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Berkley
Berman
Berry
Bishop
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ford
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Larsen (WA)
Larson (CT)
Levin
Lewis (GA)
Lipinski
Lowey
Lucas (KY)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Rush
Sabo
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Watt (NC)
Waxman
Weiner
Wu
Wynn
Roybal-Allard
Sanchez
Solis
Traficant
Waters
Watson (CA)
Wexler
Woolsey

NOT VOTING—25

Abercrombie
Bentsen
Blagojevich
Buyer
Calvert
Condit
Cubin
Dooley
Doolittle
Filner
Hyde
Kilpatrick
Lantos
Lee
Lofgren
Millender-McDonald
Napolitano

□ 1222

Messrs. LARSON of Connecticut, DINGELL, BARRETT of WISCONSIN, ALLEN, FORD, HINOJOSA and ISRAEL changed their vote from ''yea'' to ''nay.''

Mr. REGULA changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 49, I was conducting official business in my San Diego, California, district. Had I been present, I would have voted ''nay.''

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 49 on ordering the previous question I was unavoidably detained. Had I been present, I would have voted ''nay.''

Mr. ABERCROMBIE. Mr. Speaker, earlier today, I was unable to cast my vote on two rollcall votes. Had I been present, I would have voted as follows: Rollcall 48, Approval of the Journal: ''aye''; rollcall 49, Previous Question: ''nay.''

The SPEAKER pro tempore (Mr. FOSSELLA). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record votes on postponed questions will be taken after disposition of House Concurrent Resolution 275 relating to mourning doves.

CONGRATULATING THE UNITED STATES MILITARY ACADEMY AT WEST POINT ON ITS BICENTENNIAL ANNIVERSARY

Mr. MCHUGH. Mr. Speaker, I move to suspend the rules and pass the Senate joint resolution (S.J. Res. 32) congratulating the United States Military Academy at West Point on its bicentennial anniversary, and commending its outstanding contributions to the Nation.

The Clerk read as follows:

S.J. RES. 32

Whereas establishing a military academy to teach the technical arts of war was a desire of many of our founding fathers, particularly George Washington;

Whereas Congress passed legislation on March 16, 1802, to establish such a military academy to be located at West Point, New York, a site that Washington called the key to the continent because of its strategic importance during the Revolution;

Whereas President Thomas Jefferson signed the legislation establishing the United States Military Academy at West Point, an institution dedicated to promoting scientific education to benefit the Nation and to attracting a diverse array of young citizens to the Nation's military leadership;

Whereas Sylvanus Thayer, who served as Superintendent of the Academy from 1817 to 1833, established the foundation of the Academy's strong academic program, strict adherence to discipline, and emphasis on moral and ethical conduct;

Whereas, under Douglas MacArthur's leadership as Superintendent from 1919 to 1922, the Academy was modernized to prepare its graduates for the challenges of the 20th century;

Whereas the Academy, the first school in America to teach engineering, produced graduates who were responsible for the construction of the Nation's first railroad lines and many of its early harbor improvements, bridges, roads, and canals;

Whereas Academy graduates introduced engineering education to numerous colleges and universities, and carried out such monumental engineering projects as the construction of the Panama Canal project;

Whereas Academy graduates have also distinguished themselves in the leadership of such innovative scientific research and development projects as the development of atomic bombs in the Manhattan Project during World War II;

Whereas Academy graduates have served with character and distinction in all of America's wars and military actions since the War of 1812;

Whereas 74 Academy graduates have earned the Nation's highest military honor, the Medal of Honor;

Whereas 2 Academy graduates, Ulysses S. Grant and Dwight D. Eisenhower, served both as distinguished general officers and as the President of the United States, and many other graduates have served in all levels of government;

Whereas dozens of Academy graduates have been astronauts, including the Academy graduate who is the first American to walk in space and 2 Academy graduates who walked on the moon;

Whereas hundreds of Academy graduates have utilized their talents in the private sector, to provide managerial and technical expertise that is responsible, in part, for nurturing and sustaining a system of enterprise that is admired around the world;

Whereas the Academy has provided an opportunity for men and women of all races, religions, and cultures to receive a college education and to begin a life of service to the Army and the Nation; and

Whereas the motto of the Academy, ''Duty, Honor, Country'', exemplifies the spirit of this Republic: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress congratulates the United States Military Academy on its bicentennial anniversary, recognizes it as an outstanding leadership development institution that upholds and promotes the highest virtues of American society, and commends all those who have led and taught at the Academy for inculcating its 58,000 graduates with moral, ethical, and intellectual values and skills that are the foundations for the dedicated service so honorably given by those graduates to the Army, the Nation, and friends of freedom and liberty around the world for 200 years.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. MCHUGH) and the gentlewoman from California (Mrs. TAUSCHER) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. MCHUGH).

GENERAL LEAVE

Mr. MCHUGH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S.J. Res. 32.

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

There was no objection.

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

Mr. Speaker, S.J. Res. 32 celebrates the bicentennial anniversary of one of our Nation's most valued institutions, the United States Military Academy at West Point.

I should say, Mr. Speaker, this is a particularly proud moment for me personally. As an 8-year member of the Board of Visitors at that illustrious institution and as a 10-year member of the Committee on Armed Services, I have come to know firsthand the amazing contributions and the invaluable role that West Point has played, both in our Nation's history and in our Nation's present.

The Military Academy has performed its primary objective of educating military officers with unparalleled excellence throughout its history. To understand the value of West Point, one only has to look back on the long line of great men that have led our forces in war who were the products of this tremendous institution. Perhaps the most important achievement of West Point is the ''long gray line,'' the many graduates beneath the great names of history who have formed the foundation of the officer corps that is the bulwark of the United States Army in peacetime, as well as war.

Throughout its history, the Military Academy has molded the best and the brightest of our youth into leaders with skills, character and commitment to not just defend America, but to make it a better place throughout their lives. In my experience, the contributions and achievements of the graduates of the Military Academy extend well beyond their lives as military officers. Academy graduates have historically made and continue to make contributions to local government, business, and academia across the Nation.

Through their leadership talents and commitment to service, they have been successful in making their bedrock values, duty, honor, country, part of every community they touch.

The effectiveness of their influence is most evident in Washington, D.C., here at the seat of government. I would venture to say there is not a single government agency here in Washington that does not directly benefit from the presence of a West Point graduate.

It has been my experience that West Point graduates are more often focused on the challenges of a job and society's need for that job to be done than they are on the personal financial rewards and recognitions that any employment slot may offer. They do not shy away from the difficulties and the sacrifices we are required to work with within government, but rather they embrace the challenges and seek the reward of knowing they have made a difference in that important mission.

Mr. Speaker, our Nation has benefited in many ways from these remarkable citizens. While we treasure the graduates, we must also honor the institution that gave these wonderful Americans the opportunity to learn and grow.

Mr. Speaker, I would particularly like to extend a word of thanks to the gentleman from Illinois (Mr. SHIMKUS) for his leadership and for his hard work in helping to bring this resolution to the floor. We are all deeply in his debt.

So, Mr. Speaker, S.J. Res. 32 correctly congratulates the United States Military Academy on its 200th anniversary as a leadership institution that upholds and promotes the highest virtues of American society. I would like to also add my personal thanks to the men and women, past and present, who have made it a bastion of learning in which students may witness and assimilate the individual qualities that we have come to hold dear and view as authentically American; and specifically I speak of the professors, the faculty, the staff, and, of course, the administrative staff, who have really led this institution and have helped form it and in the process helped to form so many great young American men and women to fill an invaluable role, both in our military and our society in general.

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

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

Mr. Speaker, I rise in support of Senate Joint Resolution 32, which recognizes the bicentennial of the United States Military Academy, commonly referred to as West Point.

The United States Military Academy has been nurturing and developing a spirit of duty, honor, country in our Nation's Army cadets for 200 years since its founding in 1802 by President Thomas Jefferson. As a member of West Point's Board of Visitors, it is an American tradition of excellence I am honored to be proud of. During the Revolutionary War, General George Washington considered West Point to be the most important strategic position in America.

Nestled on nearly 16,000 acres in West Point, New York, along the Hudson River, the United States Military Academy is dedicated to attracting diverse young men and women to our Nation's military leadership. For 2 centuries, West Point has been both home and training academy to thousands of cadets who have committed themselves to serve our Nation and the virtues of duty, honor, and country.

□ 1230

Among the graduates of this distinguished institution are: Presidents Ulysses S. Grant and Dwight D. Eisenhower, ''Stonewall'' Jackson, Robert E. Lee, John J. Pershing, Douglas MacArthur, George S. Patton, Omar Bradley, Edwin E. ''Buzz'' Baldwin, Brent Scowcroft, and H. Norman Schwarzkopf.

Other honorable graduates include: Dennis Hart Mahan, a distinguished educator and writer who taught the science of war; Henry O. Flipper, the first African American graduate in 1877; Henry H. ''Hap'' Arnold, a pioneer of Army aviation; astronauts Frank Borman, who commanded the first circumlunar flight; Edward White II, the first American to walk in space and who tragically perished in the Apollo spacecraft fire; and Michael Collins, who participated in the first manned lunar landing; Roscoe Robinson, Jr., the first African American four-star Army general; Andrea Lee Hollen, the first woman to graduate from the Academy and a Rhodes Scholar; and Kristin Baker, the first woman brigade commander of the U.S. Corps of Cadets.

These and many other well-known and not so well-known graduates of West Point have made an impact on our Nation's history.

The United States Military Academy's mission is ''to educate, train, and inspire the Corps of Cadets so that each graduate is a commissioned leader of character committed to the values of Duty, Honor, Country; professional growth throughout a career as an officer of the United States Army; and a lifetime of selfless service to the Nation.'' For 200 years, the Academy has faithfully and dutifully carried out the ''West Point Experience'' by challenging intellect, requiring rigorous physical stamina, and developing the military and moral and ethical character of cadets.

I urge my colleagues to join me in congratulating the United States Military Academy on its bicentennial and support S.J. Resolution 32.

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

Mr. MCHUGH. Mr. Speaker, let me first commend my fellow Board of Visitors member, the gentlewoman from California (Mrs. TAUSCHER), for both her work on this resolution and for her very eloquent statement in support. I think she very effectively outlined the specific contributions of this great institution.

Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. KELLY); not just from New York but a very special part of New York who, beyond being also a member of the Board of Visitors, has the honor of representing in her congressional district this fine institution.

Mrs. KELLY. Mr. Speaker, I, too, have been a member of the Board of Visitors of West Point for 8 years.

Mr. Speaker, the freedom of this Nation was bought through the ideas of democracy and independence of our Founding Fathers, but those ideas would never have come into a reality without a commitment of men to fight for those ideals.

Throughout our country's history, we have been led through tumultuous times by the men and women of the military who are motivated by a deep patriotism and a willingness to put their lives on the line to defend our Nation and keep us safe. It is no secret that many of the great leaders of these brave men and women have been trained on the hallowed grounds of West Point.

As mentioned before, George Patton, Dwight D. Eisenhower, Ulysses Grant, and Douglas MacArthur are just a few of the names on a long list of the leading American soldiers who obtained the tools to become great American leaders as cadets on the banks of the Hudson River at West Point. Our Nation owes a continuing debt of gratitude to strong men and women who are at The Point and who have graduated from The Point and are leading our armies even now. I am proud that this illustrious institution is in my district.

The history of The Point, dating from the very first days of the revolutionary war to the present, is one of heroism and leadership. I wish a happy anniversary to the U.S. Military Academy and congratulate all of those who have had an association there on 200 years of dignified service to this Nation.

I congratulate the men and women who teach at The Point and those who have taught there. Thank you for training generations of young people to understand just what the motto ''Duty, Honor, Country'' stands for.

Congratulations to all of our West Point grads, past and present and future. Our Nation is grateful to you for your selfless service.

Mrs. TAUSCHER. Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. MCNULTY).

Mr. MCNULTY. Mr. Speaker, I thank the gentlewoman for yielding me this time.

I am delighted to join with my colleagues in congratulating the Military Academy of West Point on the occasion of its bicentennial celebration. The reason I like West Point so much is because West Point produces veterans. If we remember to keep our priorities straight, we will remember that, had it not been for the men and women who wear the uniform of the United States military through the years, we would not have the privilege of going around bragging, as I often do, about how we live in the freest and most open democracy on the face of the earth.

Freedom is not free. We have paid a tremendous price for it, and I try not to let a day go by without remembering with deep gratitude all of those who, like my brother, Bill, made the supreme sacrifice and all of those who served and were willing to put their lives on the line as servicemen and women are doing right now, for all that we hold dear. That is why, Mr. Speaker, when I get up in the morning, the first two things I do are to thank God for my life and veterans for my way of life.

So on this special day I salute and pay tribute to all of the graduates of the Military Academy at West Point through the years, including my own Albany County Executive, Mike Breslin, who went on to serve as a company commander in the Vietnam War, all the way to Colleen O'Malley, who will graduate this year. West Point is a great national treasure. May it endure for many generations to come.

Mr. MCHUGH. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. SHIMKUS), the gentleman I mentioned earlier, a graduate of West Point and someone who, to this day, returns on a regular basis and instructs in the classrooms and helps to mold those leaders that all of us have been speaking about and are in such deep admiration of. Also, of course as I mentioned, the gentleman is the primary driving force behind having this resolution before us today.

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

Mr. SHIMKUS. Mr. Speaker, many of our Founding Fathers, particularly George Washington, wanted to establish a military academy to teach the technical arts of war. On March 16, 1802, Congress passed legislation to establish such a military academy to be located at West Point, New York. Thomas Jefferson signed this bill into law.

The Academy daily fulfills its mission: ''To educate, train and inspire the Corps of Cadets so that each graduate is a commissioned leader of character, committed to the values of Duty, Honor, Country; professional growth throughout a career as an officer in the United States Army; and a lifetime of selfless service to the Nation.''

The Academy was the first school in America to teach engineering, produce graduates who were responsible for the construction of the Nation's first railroad lines and many of its early harbor improvements, bridges, roads, and canals.

Graduates of the Academy have served with character and distinction in all of America's wars and military actions since the War of 1812.

For 200 years, the military academy has educated and trained some of the best and brightest in the Nation.

The ''West Point Experience'' includes a challenging academic program in the arts and sciences, military training, physical education, and moral and ethical development.

From the day of its founding, West Point has remained committed to the task of producing commissioned leaders of character for America's Army.

The Academy continues to provide men and women of all races and cultures to receive a college education

and begin a life of service to the Army and to the Nation, and this resolution highlights some of the leaders that we know about from our history books.

But I want to give my colleagues a snapshot of just one class, and that is my class, the graduating class of 1980 that entered in 1976, the first class at West Point with women. We admitted 1,366 men, 119 women, for a total of 1,485 cadets. Of that, upon graduation in 1980, 855 male graduates, 62 female graduates, a total of 917. Of that class, four were Olsmstead Scholars, one was a Rhodes Scholar, and one went on to be an astronaut.

In September of 2001, of that graduating class of 1980, after our 20 years of service had expired, we still have 188 males serving in the active Army of our country and 12 females serving in the active Army of our country; and we are very, very proud of all of those graduates. That is a snapshot of just a class from West Point.

But I also want to expound on those characters and attributes of those who are not always remembered and those who are not named. Dennis Michie introduced football to the military Academy and trained the first Army football team. When war broke out with Spain in 1898, Lieutenant Michie proved he was every bit of a soldier as he was an athlete. Acting as a runner with messages for the far right of the U.S. line during the battle of San Juan Hill, he traversed the entire length of the front during the morning of July 1. Somewhere along the way back from the forward battalion, Dennis Michie was killed. He was only 28 years old.

Thomas Truxtun excelled in both soccer and lacrosse. When he was not on the playing fields, Truxtun was leading the Corps of Cadets. During World War II, near Tabio on June 6, 1945, Lieutenant Colonel Truxtun went forward with the infantry unit his battalion was supporting, he commanded a field artillery battalion, to ensure the fire his men provided was doing what the infantry needed. Far forward in an exposed position, he was shot and killed by a Japanese sniper. He was only 31 years old.

Thomas Shea was born in Virginia. After serving as an Infantryman, he got an appointment to the Academy. He then excelled in track. He then made a life-changing decision upon his graduation. He had the opportunity to train as a track runner for the upcoming Olympics or continue his military training and go to Korea. He went to Korea.

On July 6, 1952 Lieutenant Shea's company was stationed on Pork Chop Hill and was attacked by a numerically superior Communist force. Shea personally led a counterattack against the enemy and held the enemy back. On July 8, the Communists came again and, despite additional wounds, Shea led the counterattack. He died in hand-to-hand combat with the enemy. Richard Shea was only 26 years old.

Thomas Hayes was an athlete and a leader at West Point. Lieutenant Hayes called for covering fire, left his covered position and ran through concentrated fire to a wounded soldier and pulled him to safety. Lieutenant Hayes then began directing his platoon's fire against the well-entrenched enemy. Lieutenant Hayes died during this fight when a Viet Cong sniper opened fire and mortally wounded Hayes. Hayes' actions that day saved the lives of two of his soldiers. Thomas Hayes was only 25 years old when he was killed in action in 1968.

More than 1,250 Academy graduates have been killed in action or died from battle wounds. At least another 500 were the victims of nonbattle deaths in military actions of our country. This is why we hold so dear our alma mater which says, in the last verse, ''And when our work is done, our course on earth is run, may it be said, 'well done, be thou at peace.' E'er may that line of gray increase from day to day. Live, serve, and die, we pray, West Point for thee.''

We have a national treasure in the upper highlands of the Hudson Highlands in New York. It is fitting that we recognize its bicentennial and its commitment to our country: ''Duty, Honor, Country.''

Mrs. TAUSCHER. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from New York (Mr. HINCHEY), another member of the Board of Visitors.

Mr. HINCHEY. Mr. Speaker, I thank the gentlewoman from California for yielding me this time.

Mr. Speaker, I am very proud to join with my colleagues in sponsoring this House Resolution to recognize the United States Military Academy on its bicentennial. This venerable institution was chartered by Congress 200 years ago on March 16, shortly after the birth of the Nation.

Known most commonly by the name of the town where it is located, West Point, New York, the United States Military Academy was born out of the experience of our Founding Fathers during the Revolutionary War. Many of the key battles in the fight for independence were fought along the banks of the Hudson River. At the time, the Hudson was the main artery of transportation and commerce as well as security in the Nation.

George Washington chose a site at the bend in the river on the bluffs overlooking the west bank about 50 miles north of New York City to establish an academy to train the military leaders of our country. Today, the view from West Point is one of the most breathtaking sites in America. Two hundred years ago, it was one of the most militarily strategic locations in America.

I grew up near West Point, near its halls. It is an important part of the Hudson valley, and the contributions that it makes are mighty to all of our communities.

□ 1245

It is more than just West Point football games in the fall. It is also the academy support for local cultural institutions, schools, and athletic programs that make it such a fine neighbor.

''Duty, honor, country,'' the school's motto, is the foundation of West Point education. West Point graduates have served our country with distinction. They have led our troops into battle in every war, military conflict, and police action, from the war in 1812 through the current conflict in Afghanistan. Seventy-four have won a Congressional Medal of Honor. Countless others have received numerous decorations for bravery and valor on the battlefield.

More than waging war, West Point graduates have also negotiated peace treaties and served in our Diplomatic Corps. School of Engineering West Point graduates built the infrastructure of our Nation. They constructed the first harbors, bridges, canals, roads, and railroads. They made manifest destiny a reality as America expanded westward.

West Point graduates have led our country as Presidents, Governors, Senators, Members of the House of Representatives. My colleague, the gentleman from Illinois and the sponsor of this resolution, is a fine example.

West Point graduates have walked on the Moon, headed up major corporations, written best-sellers, competed in the Olympics, and excelled in every walk of life. Every year it produces more winners of Rhodes, Truman, Fulbright, and Marshall International scholarships than nearly every other school in the country.

I am proud to serve this institution as one of the newest members of the Board of Visitors. As West Point celebrates its bicentennial, I look forward to helping lead it into the future.

Again, I wish to thank the gentleman from Illinois for sponsoring this legislation and the leadership for placing it on the calendar today. This is a fitting tribute for an institution that has served our Nation long and well. I know that everyone in this House will support this resolution.

Mrs. TAUSCHER. Mr. Speaker, I urge my colleagues to vote for this resolution, and I yield back the balance of my time.

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

Mr. Speaker, I have a final word of praise for all those Members who are here today, and to the gentleman from Illinois for his special effort in urging our fellow Members to join us in commemorating this very worthy resolution on this 200th anniversary.

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

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the motion offered by the gentleman from New York (Mr. MCHUGH) that the House suspend the rules and pass the Senate joint resolution, S.J. Res. 32.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of

those present have voted in the affirmative.

Mr. MCHUGH. 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.

ENCOURAGING THE NEGOTIATED SETTLEMENT OF TRIBAL CLAIMS

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1857) to encourage the negotiated settlement of tribal claims.

The Clerk read as follows:

S. 1857

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

SECTION 1. SETTLEMENT OF TRIBAL CLAIMS.

(a) IN GENERAL.—Notwithstanding any other provision of law, for purposes of determining the date on which an Indian tribe received a reconciliation report for purposes of applying a statute of limitations, any such report provided to or received by an Indian tribe in response to section 304 of the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4044) shall be deemed to have been received by the Indian tribe on December 31, 1999.

(b) STATEMENT OF PURPOSE.—Subsection (a) is solely intended to provide recipients of reconciliation reports with the opportunity to postpone the filing of claims, or to facilitate the voluntary dismissal of claims, to encourage settlement negotiations with the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from West Virginia (Mr. RAHALL) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

Mr. Speaker, this bill is a bill to encourage the negotiated settlement of tribal claims. S. 1857 allows Indian tribes to postpone the filing of lawsuits against the United States for either the loss of money held in trust for the tribe or the mismanagement of those funds, such as the loss of interest income or the crediting of the wrong tribal trust fund account.

Under present law, the statute of limitations does not run against such claims until each tribal account holder receives an accounting ''from which the beneficiary can determine whether there has been a loss.'' Although the United States began to provide Indian tribes with reconciliation reports in early 1996, no one knows for sure whether these reports commenced the running of the statute of limitations.

The Government Accounting Office has given Congress real reason to doubt that these reports constitute a sufficient accounting to satisfy the Federal Government trust obligation. However, if, as many Indian tribes fear, the report serves to trigger the statute of limitations, a tribe may feel obligated to file a lawsuit to protect its interests. S. 1857 will help prevent a flood of litigation and the costs it will incur.

I commend my friend, the gentleman from Michigan (Mr. KILDEE), for introducing a House companion bill, H.R. 3815, of which I am an original cosponsor. As we have learned from the ongoing class action lawsuits that began as Cobell v. Babbitt in 1996, we will all be best served if there are as many of these trust fund accounting claims as possible settled through negotiation without litigation.

S. 1857 will give the Federal Government until December 31, 2005, to create a process for settling these claims. I applaud the administration for its foresight in assisting with these efforts.

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

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

Mr. Speaker, the mismanagement of the Indian trust funds is truly one of the worse embarrassments of this Nation. Sadly, we have become the United States of broken promises to many of our first Americans.

Today, as we consider S. 1857, there is a multi-billion dollar lawsuit pending where the court has already ruled that the Interior Department is in breach of its trust responsibility to Indian account holders. Two cabinet Secretaries have already been held in contempt of court, and a third may also be found in contempt at any time.

The Federal Government has held monies in trust for the American Indians since 1820, and almost immediately the criticism started on how funds intended for the benefit of Indians were handled. In 1828, Henry Rowe Schoolcraft, a noted negotiator of several Indian treaties, wrote, ''The derangements in the fiscal affairs of the Indian department are in the extreme. One would think that appropriations had been handled with a pitchfork.''

In 1834, the House Committee on Indian Affairs filed a report which characterized the administration of Indian Affairs as being ''expensive, inefficient, and irresponsible.''

Were these warnings heeded? No. Let us fast forward almost 160 years to 1992, when the House Committee on Government Operations released a report on the mismanagement of Indian trust funds. The report detailed numerous basic problems, including the inability of the Department of the Interior to give account holders proper account balances, the lack of uniform written policies governing how accounts are to be managed, the insufficient training of personnel needed to carry out the duties required, and the inadequate automated and recordkeeping systems.

Some of us remember our response to that 1992 report. We sat down with tribal and individual Indian account holders, the Department of the Interior, banking and trust management experts, and the computer experts and together developed legislation to address these problems.

Well, Mr. Speaker, it is unfortunate but true that even after that legislation was signed into law and sent to the Department of the Interior for implementation, as of today the four basic problems I just outlined still exist. Indeed, there are no written uniform policies. Personnel charged with such an important job are not given sufficient training. The promise of a greater computer system has become a multi-million dollar disaster, and the Department cannot provide account holders with a full and complete accounting of their funds.

This last point brings me to the issues raised by the pending legislation, S. 1857. Congress appropriated $20 million, which was contracted to Arthur Andersen to provide each Indian tribe with an accounting of their federally held trust fund accounts. It was clear when these reports were sent to Indian tribes in 1996 that they were not a full and accurate reconciling of the tribal accounts.

Now, 6 years later, Indian tribes fear that a statute of limitations could run out on them and they could be precluded from challenging the accuracy of those Arthur Andersen reports.

While I think it is unlikely any court would find in favor of the government in any such case, we need to allay the concerns and put off this deadline. S. 1857 would extend the statute of limitations for another 3 years in order to give an extension of time for negotiations between Indian tribes and the Federal Government over trust fund account balances.

I am an original cosponsor of the companion legislation in the House, and I urge my colleagues to support this bill and head off dozens of additional lawsuits filed against Secretary Norton.

This is an important step to take, but it is only a temporary one. We must settle the issue of all Indian trust fund account balances, and we must set up a system where future Congresses are not quoting us when describing a still-continuing problem.

Let me be clear: the Federal Government cannot give a full and accurate historical accounting of Indian trust funds to the account holders. Members do not have to take my word for it. Numerous reports exist detailing trust fund documentation that are too damaged to read or are lost entirely. Members can read testimony from BIA employees of storing documents in a barn in Oklahoma, only to toss them out to make room for new documents. Members can ask Secretary Gale Norton, who admitted as much before the House Committee on Resources just last month.

Just this past November, Secretary Norton announced the establishment of a new agency within the Department of the Interior to handle Indian trust activities. She made a dreadful mistake by not working with the account holders before bursting forth with this proposal. I know she realizes that now, but not after precious time has slipped by.

I do not claim to have all the answers; but I do know that the answer will come only when we all stand up and face our responsibility, admit the mistakes, and work openly and honestly with Indian country.

I urge passage of the pending legislation.

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

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

Mr. RAHALL. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. KILDEE), a gentlemen, I might add, who has been very much on the forefront on this and other Indian issues, and a valued member of our Committee on Resources.

Mr. KILDEE. Mr. Speaker, as co-chairman of the congressional Native American Caucus, I rise today in strong support of S. 1857, a bill to encourage the negotiated settlement of tribal claims.

I introduced the House companion bill, H.R. 3851. I want to thank my colleagues, the gentleman from West Virginia (Mr. RAHALL), the gentleman from Utah (Mr. HANSEN), the gentleman from Arizona (Mr. HAYWORTH), and the gentleman from California (Mr. GALLEGLY), for agreeing to be original cosponsors.

Mr. Speaker, this bill has deep bipartisan support and the support of the administration. I want to commend my colleagues in the Senate for their swift action to address the issue of tolling the statute of limitations on legal claims Indian tribes may assert against the United States relating to the management of tribal trust funds.

This issue is certainly not new to Congress. Since 1991, Congress has approved language in the Department of the Interior's appropriations acts to toll the statute of limitations until the tribal account holders have been provided an accounting of such funds.

In addition, since 1987, Congress has required the Department of the Interior to reconcile tribal trust fund accounts. By providing an accounting of these funds, Indian tribes will have the opportunity to determine whether there has been a mismanagement of trust funds. These requirements were included in the President's budget request for fiscal year 2003.

The problem this bill seeks to address relates directly to the reconciliation reports that the Department of the Interior provided to tribal account holders in 1996. Several Indian tribes believe that the reconciliation reports do not constitute an accounting.

Since the statute of limitations for filing legal claims is 6 years, the tribe's concern is that the Department may claim that the 1996 reconciliation reports commence the running of a statute that would expire this year. In an attempt to preserve their legal claims against the United States, many tribes have already filed claims in Federal courts across the country.

This bill does not address the legal issues involved in those lawsuits. This bill, however, will facilitate the voluntary dismissal of these legal claims. Also, it provides the tribal account holders an opportunity to postpone the filing of claims from 2002 to 2005 and encourage negotiations for the settlement of tribal accounting or resource management claims.

Mr. Speaker, I urge my colleagues to support this bill.

Mr. RAHALL. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. PALLONE), another very valuable leader and friend of Indian country.

Mr. PALLONE. Mr. Speaker, I want to thank our chairman and our ranking member, and also the chairman of our Native American Caucus, the gentleman from Michigan (Mr. KILDEE), for their work on this legislation.

Mr. Speaker, I rise today in strong support of the bill, S. 1857. This bill gives tribal trust fund account holders the opportunity to postpone filing legal claims until 2005. Technically, the bill tolls the statute of limitations on legal claims that Indian tribes may assert against the U.S. relating to the management of tribal trust funds.

The bill is necessary, as I know my colleagues have already said, because many tribes believe their legal claims may be time-barred because the statute of limitations expires as early as this year.

I really wanted, though, to talk about the larger issue, that the BIA has grossly mismanaged the remaining tribal lands and has squandered billions of dollars worth of resources that should have gone to the benefit of often-impoverished American Indians.

□ 1300

Today, the Secretary of the Interior is faced by a mandate of Congress to clean up the accounting and management of Indian trust funds, and by a lawsuit alleging a great failure of the Secretary's trust responsibility for Indian lands. In response, the Secretary has proposed a plan to create a new Bureau of Indian Trust Asset Management and remove the trust functions from the Bureau of Indian affairs.

I am very much opposed to this proposal. I am greatly concerned that this plan is repeating the failures of the many past trust reform efforts. Recently, 193 Indian tribes unanimously adopted a resolution opposing this reorganization and the transfer of the responsibilities to the BIA. I strongly believe that this reorganization effort cannot go forward until the Department consults with Indian tribes in the development of a business processes plan for trust reform, a clear plan for performing the basic trust functions of accounting, collections, record keeping, inspections, enforcement and resource management. The plan has to include policies, procedures and control.

I know the Secretary is now saying she is doing this, but she is consulting with the tribes after the fact. The fact is many of them do not feel they are still being properly consulted even today. This criticism, as my colleagues know, came up at the hearing that we held on the issue in the Committee on Resources.

It is notable that this criticism, a lack of structural foundation, is exactly the same as has been leveled against the Department's development of the Trust Asset and Accounting Management System, TAAMS. All tribal leaders strongly support trust reform and want to work constructively with the Department and with Congress to ensure strong management of tribal assets. In fact, it is the tribes that have the greatest interest in ensuring that tribal assets and resources are properly managed.

Given such BIA and TAAMS mismanagement practices, the passage of this bill will give tribal trust fund account holders the opportunity to postpone filing legal claims until 2005. Such time is necessary in order for the tribal trust funds account holder to unravel the financial accounting mess that the BIA and TAAMS have put them in.

I think, obviously, this is the right thing to do. We have to support the bill, but I know we also have to look at the larger issue of trust reform and make sure it goes forward only with consultation with the tribes. I know my colleagues that are here all believe very strongly in that.

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

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

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the Senate bill, S. 1857.

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

A motion to reconsider was laid on the table.

FALLON RAIL FREIGHT LOADING FACILITY TRANSFER ACT

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1870) to provide for the sale of certain real property within the Newlands Project in Nevada, to the city of Fallon, Nevada, as amended.

The Clerk read as follows:

H.R. 1870

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 ''Fallon Rail Freight Loading Facility Transfer Act''.

SEC. 2. CONVEYANCE TO THE CITY OF FALLON, NEVADA.

(a) CONVEYANCE.—

(1) IN GENERAL.—Subject to subsections (b) and (c), the Secretary of the Interior shall convey to the city of Fallon, Nevada, all right, title,

and interest of the United States in and to approximately 6.3 acres of real property in the Newlands Reclamation Project, Nevada, generally known as ''380 North Taylor Street, Fallon, Nevada'', and identified for disposition on the map entitled ''Fallon Rail Freight Loading Facility''.

(2) MAP.—The map referred to in paragraph (1) shall be on file and available for public inspection in—

(A) the offices of the Commissioner of the Bureau of Reclamation; and

(B) the offices of the Area Manager of the Bureau of Reclamation, Carson City, Nevada.

(b) CONSIDERATION.—

(1) IN GENERAL.—The Secretary shall require that, as consideration for the conveyance under subsection (a), the city of Fallon, Nevada, shall pay to the United States an amount equal to the fair market value of the real property, as determined—

(A) by an appraisal of the real property, conducted not later than 60 days after the date of enactment of this Act by an independent appraiser approved by the Commissioner of Reclamation and paid for by the city of Fallon, Nevada; and

(B) without taking into consideration the value of any structures or improvements on the property.

(2) CREDIT OF PROCEEDS.—The amount paid to the United States under paragraph (1) shall be credited, in accordance with section 204(c) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 485(c)), to the appropriate fund in the Treasury relating to the Newlands Reclamation Project, Nevada.

(c) LIABILITY.—The conveyance under subsection (a) shall not occur until such data as the Commissioner of Reclamation certifies that all liability issues relating to the property (including issues of environmental liability) have been resolved.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. GIBBONS) and the gentleman from Guam (Mr. UNDERWOOD) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

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

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

Mr. GIBBONS. Mr. Speaker, I rise today to express strong support for H.R. 1870, the Fallon Rail Freight Leading Facility Transfer Act; and I want to thank the gentleman from Utah (Mr. HANSEN) and my good friend, the gentleman from Guam (Mr. UNDERWOOD), and the Committee on Resources for moving this bill expeditiously to the floor for a vote.

H.R. 1870 will privilege the city of Fallon, Nevada, the exclusive right to purchase approximately 6.3 acres of public land located in the downtown area of the city.

The Fallon Rail Freight Loading Facility Transfer Act will enable the city of Fallon to make the necessary long-term investments and capital improvements to the property to ensure the future viability of this important municipal asset is maintained.

Fallon is a rural agricultural community of approximately 8,700 residents located in northern Nevada approximately 70 miles east of the city of Reno. Since 1984, the city of Fallon has leased approximately 6.3 acres of property from the U.S. Bureau of Reclamation that it utilizes as a rail freight yard and loading facility. The city, the State of Nevada, the U.S. Department of Transportation, and the Southern Pacific Railroad have collectively invested a significant amount of money in this rail facility, providing more than 400 jobs in the community.

On January 1 of 2000, the long-term lease between the city of Fallon and the Bureau of Reclamation expired. As negotiations began for a new long-term lease, the city of Fallon and the bureau came to the common conclusion that it would be in the best interest of both parties to have ownership of this property transferred to the city of Fallon. The city would be able to make long-term investments to a facility that it owned without having to worry about renegotiating new leases and the possibility of losing access to the property. The Bureau of Reclamation would be able to divest itself from an asset that no longer serves a purpose to its core mission, allowing more of its scarce resources to be focused on the traditional roles of the bureau.

Of course, Mr. Speaker, this transfer will be contingent upon the satisfactory conclusion of all necessary and environmental reviews, and it will be purchased by the city at fair market value.

Finally, Mr. Speaker, H.R. 1870 has strong support from Nevada's bipartisan congressional delegation. On behalf of the city of Fallon, I urge my colleagues to pass the Fallon Rail Freight Loading Facility Transfer Act, a bill which will create a win-win situation for everyone involved.

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

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

Mr. Speaker, H.R. 1870 would direct the Secretary of the Interior to convey to the city of Fallon, Nevada, all right, title and interest in approximately 6.3 acres of property within the Newlands project. The city would like to use the property for a planned truck-to-railroad transfer structure. The bill reflects changes recommended by the Interior Department. It would require the city to pay fair market value without regard to the value of structures or improvements in the property. I urge adoption of the bill, and I congratulate my colleague, the gentleman from Nevada (Mr. GIBBONS).

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

Mr. GIBBONS. Mr. Speaker, I urge everyone to support this bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the bill, H.R. 1870, as amended.

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

A motion to reconsider was laid on the table.

BURNT, MALHEUR, OWYHEE, AND POWDER RIVER BASIN WATER OPTIMIZATION FEASIBILITY STUDY ACT OF 2001

Mr. WALDEN of Oregon. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1883) to authorize the Secretary of the Interior to conduct a feasibility study on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River basin, Oregon.

The Clerk read as follows:

H.R. 1883

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 ''Burnt, Malheur, Owyhee, and Powder River Basin Water Optimization Feasibility Study Act of 2001''.

SEC. 2. STUDY.

The Secretary of the Interior may conduct a feasibility study on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River basin, Oregon.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from Guam (Mr. UNDERWOOD) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN of Oregon. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank you for the opportunity to speak in favor of H.R. 1883.

This legislation would authorize the Secretary of the Interior to engage in a feasibility investigation for the Burnt, Malheur, Owyhee River basins in eastern Oregon. It is the next step in the United States Bureau of Reclamation process now that their initial study has been completed. The United States Bureau of Reclamation's earlier studies examined problems associated with such issues as excess nutrients in surface water, sedimentation, high-water temperatures, degraded fish habitat, low-stream flows and lack of adequate stream-side vegetation.

The feasibility study that H.R. 1883 authorizes would help find the most logical approaches to address these issues.

Mr. Speaker, the farmers and ranchers are the driving force behind this legislation. As they have proven over and over again, it is the farmers and ranchers who are some of our strongest environmentalists. They care deeply about the land and water that they use

to grow the crops that feed us all. This bill will set a process in motion that will allow the farmers to leave more water in stream while maintaining their current yields.

The bill is supported by the Burnt River Irrigation District, the Power Valley Water Control District, the Baker Valley Irrigation District, the Owyhee Irrigation District, the Owyhee Ditch Company, the Vale Oregon Irrigation District, and the Warm Springs Irrigation District. It is a simple, straightforward bill that deserves our support.

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

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

Mr. Speaker, I rise in support of H.R. 1883. This bill is a simple and discretionary authorization to allow the Secretary of the Interior to conduct a feasibility study on water optimization in three river basins in northeastern Oregon. The bill would authorize appropriations as are necessary to carry out the study.

During the summer there is no remaining unappropriated water in these river basins. In low-water years, available water may be inadequate to supply junior water rights holders. The Bureau of Reclamation developed the multi-purpose irrigation facilities in these basins, but the projects are now operated by the local water users. Local interests want to continue the involvement of the Bureau of Reclamation to construct small-scale water management projects, and H.R. 1883 provides for the study of appropriate projects. I urge my colleagues to support H.R. 1883.

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

Mr. WALDEN of Oregon. Mr. Speaker, I thank my colleague for his support of the legislation. I appreciate the assistance of the minority in helping us move this bill forward. It will be good for fish. It will be good for farmers. I urge passage of the bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 1883.

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

A motion to reconsider was laid on the table.

DESIGNATION OF GEORGE ROGERS CLARK NORTHWEST CAMPAIGN TRAIL FOR STUDY FOR POTENTIAL ADDITION TO THE NATIONAL TRAILS SYSTEM

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1963) to amend the National Trails System Act to designate the route taken by American soldier and frontiersman George Rogers Clark and his men during the Revolutionary War to capture the British forts at Kaskaskia and Cahokia, Illinois, and Vincennes, Indiana, for study for potential addition to the National Trails System.

The Clerk read as follows:

H.R. 1963

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

SECTION 1. DESIGNATION OF GEORGE ROGERS CLARK NORTHWEST CAMPAIGN TRAIL FOR STUDY FOR POTENTIAL ADDITION TO THE NATIONAL TRAILS SYSTEM.

Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) is amended by adding at the end the following new paragraph:

''(41) GEORGE ROGERS CLARK NORTHWEST CAMPAIGN TRAIL.—The George Rogers Clark Northwest Campaign Trail, tracing the water route and overland route of the 1778 and 1779 expedition of Lieutenant Colonel George Rogers Clark and his Virginia militia against the British in which he captured the British forts at Kaskaskia and Cahokia, in what is now Illinois, and twice captured Vincennes, in what is now Indiana.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from Guam (Mr. UNDERWOOD) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

Mr. Speaker, H.R. 1963, introduced by the gentleman from Illinois (Mr. COSTELLO), would amend the National Trail System to authorize the Secretary of the Interior to conduct the suitability and feasibility study for including the route taken by Colonel George Rogers Clark during the American Revolutionary War as part of the National Trails System.

Colonel George Rogers Clark, the older brother of William Clark of the famous Lewis and Clark expedition, led a daring and, some might say, suicidal mission 180 miles from Kaskaskia and Cahokia, Illinois, and I probably fouled that up, through flooded prairies and freezing temperatures in 1779 to capture British Lt. Colonel Henry Hamilton in Vincennes, Indiana.

Colonel Hamilton, also known as ''hair buyer,'' supported the Indian Nations west of the Appalachian Mountains by paying for the scalps of our pioneers.

Mr. Speaker, as a result of this historic act, the British ceded what is now Ohio, Illinois, Indiana, Michigan, Wisconsin, and the eastern portion of Minnesota to the United States. Mr. Speaker, this bill is supported by the majority and the minority of the committee and the administration. I urge my colleagues to support H.R. 1963.

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

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

Mr. Speaker, H.R. 1963, introduced by our colleague from Illinois (Mr. COSTELLO), provides for a study of the route used by George Rogers Clark and his troops during the military campaign of 1778 and 1779 in what is now Illinois and Indiana. From February 5 through the 23rd, 1779, Lt. Colonel George Rogers Clark and his Virginia militia marched 180 miles through freezing weather and flooded country side to defeat British Lt. General Henry Hamilton and his troops. During this campaign the Americans captured the British forts at Kaskaskia and Cahokia, in what is now Illinois, and twice captured Vincennes, in what is now Indiana.

The military campaign conducted by George Rogers Clark is regarded as an important event in the Revolutionary War.

The purpose of the trail study authorized by H.R. 1963 would be to determine whether portions of the route used in that campaign meet the criteria for designation as a national historic trail.

Mr. Speaker, the George Rogers Clark Northwest Campaign Trail would commemorate a historic march and campaign. I support a trail study of this important event in American history. I commend the gentleman from Illinois (Mr. COSTELLO) for his legislation, and I urge its passage by the House.

Mr. Speaker, I yield as much time as he may consume to the gentleman from Illinois (Mr. COSTELLO).

Mr. COSTELLO. Mr. Speaker, I thank my friend for yielding me time.

Mr. Speaker, I rise in strong support of H.R. 1963, legislation I introduced to authorize the study to include the path taken by George Rogers Clark into our National Trails System.

George Rogers Clark was born in 1752, the second oldest of 10 children and the older brother of William Clark of Lewis and Clark fame.

□ 1315

During the Revolutionary War in 1778, Clark led his troops from Redstone, Pennsylvania, to Kaskaskia, Illinois, which is in the Congressional District I am privileged to represent. They surprised Kaskaskia on the night of July 4, 1778, and occupied the fort and town without a single shot being fired. Clark offered the French settlers in Kaskaskia the privileges of American citizenship and won the support of the French in the region. He also won the neutrality of the Native Americans.

This support was key as Clark led his troops on the final leg of their journey as they moved to overtake the British in Vincennes, Indiana. Banking on the element of surprise, Clark led his troops across what is now known as the State of Illinois, from Kaskaskia to Vincennes. The journey would normally take between 5 and 6 days, but because of the freezing flood waters, the journey took 18 days. At times in icy water up to their shoulders, it was

Clark's determined leadership that led his men through this incredible midwinter journey.

Once arriving in Vincennes on February 23, 1779, Clark and his men forced the British to surrender just 2 days later on February 25, 1779. As a result of Clark's outstanding military achievements, the British ceded a vast area of land to the United States, which is now Ohio, Indiana, Illinois, Michigan, Wisconsin, and a portion of Minnesota. His actions were paramount in the establishment of the upper Midwest.

The designation of the George Rogers Clark Trail would pay homage to an American hero who is seldom recognized for his contributions in American history. The designation would also promote tourism in three of Illinois' State historic sites and draw visitors to retrace Clark's historic path. Tourism is a growing and very important industry in southern Illinois, and establishing a national trail would be highly beneficial to the region.

Mr. Speaker, I strongly support this legislation and urge my colleagues to join me in authorizing a study to designate the route of George Rogers Clark during the Revolutionary War for potential addition to the National Trails System, and I thank the chairman of the committee and the ranking member for bringing this legislation to the floor today.

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

Mr. UNDERWOOD. Mr. Speaker, I yield myself such time as I may consume to point out that our side pronounced the names correctly.

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

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 1963.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous material in the RECORD on the four bills just considered, S. 1857, H.R. 1870, H.R. 1883, and H.R. 1963.

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

There was no objection.

SENSE OF CONGRESS ON HUNTING SEASONS FOR MIGRATORY MOURNING DOVES

The SPEAKER pro tempore (Mr. BALLENGER). Pursuant to House Resolution 353 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the concurrent resolution, H. Con. Res. 275.

□ 1319

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the concurrent resolution (H. Con. Res. 275) expressing the sense of the Congress that hunting seasons for migratory mourning doves should be modified so that individuals have a fair and equitable opportunity to hunt such birds, with Mr. SHIMKUS in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from Guam (Mr. UNDERWOOD) each will control 30 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

As the author of H.Con.Res. 275, I am pleased to present this legislation to provide badly needed relief to millions of dove hunters throughout the United States.

Mourning doves are the most widely distributed and harvested game bird in North America. Dove hunting is a cherished and honored tradition in this country. Dove hunters pay millions of dollars in excise taxes each year that are deposited in the Federal Aid to Wildlife Restoration Fund. These monies are used to acquire and manage thousands of acres of critical wetlands that provide essential habitat for many species of migratory birds.

Under current law, the hunting season for doves and all migratory bird games is September 1 to March 10 of each year. I am not aware of the rationale for these arbitrary dates and there is little, if any, discussion as to why that period was selected. While these dates may be fine for dove hunters in Southern California, they have a long-term negative impact on sportsmen in dozens of northern States. In fact, because of rapidly changing weather conditions, it is not unusual to have a dove hunting that lasts less than a week or even just a day in States like Colorado, Montana, Utah, Wyoming, et cetera.

Furthermore, this is not simply a western States problem. I have been told that even States like Maryland have a very short dove hunting season.

The goal of this legislation is to allow all hunters a fair and equal opportunity to pursue doves. Under the terms of this resolution, the Bush administration would be asked to begin discussions with the other signatories of the Migratory Bird Treaty with the goal of moving the season up from September 1 to the last week of August. Thirty-four northern States would be eligible for this earlier opening in the dove season.

I have been advised by wildlife biologists that the last week of August is the traditional week that doves are not sitting on their nests, and that by advancing the hunting season it would not have an adverse effect on migratory dove populations. In addition, game managers will be free to update any regulations necessary to allow for a lengthened season and this legislation would not affect those States that do not have a dove hunting season.

This measure is supported by a number of conservation organizations, including the Grand National Waterfowl Association, Quail Unlimited, Safari Club International, and the U.S. Sportsmen's Alliance.

In summary, all hunters should have an equitable chance to harvest this tasty but apparently thin-skinned little bird. This is a common-sense solution to a problem that has frustrated northern hunters for years.

I urge an ''aye'' vote so that all hunters can have an equal shot.

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

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

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

Mr. UNDERWOOD. Mr. Chairman, neither myself nor the ranking Democratic member of the Committee on Resources, the gentleman from West Virginia (Mr. RAHALL), have objected to H. Con. Res. 275. The nonbinding resolution of the gentleman from Utah (Mr. HANSEN), chairman of the committee, seeks to expand the hunting season for mourning doves in the United States.

As I have stated during consideration of the resolution in the Committee on Resources and again at yesterday's meeting of the Committee on Rules, the nonbinding context of the resolution does not make this a contentious matter at all.

Nevertheless, if a bird in the hand is worth two in the bush, I think it is worth repeating that even if this legislation were to pass, several important issues would have to be addressed nationally and internationally before the intent of the resolution becomes reality. Amending the Migratory Bird Treaty Act and the underlying Convention for the Protection of Migratory Birds would not be routine. In fact, no one should underestimate the potential difficulties.

The Migratory Bird Treaty Act of 1918 and the underlying Convention agreed to by the United States and Great Britain in 1916 are two of our Nation's earliest and most enduring conservation agreements; and, as I have

noted in previous discussion, the Convention and MBTA has been amended only once since 1916, and that change was to allow for the subsistence taking of birds and eggs in Alaska and northern Canada. Additionally, that amendment was agreed to only after 20 years of negotiation.

Opening the Migratory Bird Convention on the MBTA amendment for amendment for a single species would require the administration, the States, and our international partners to investigate the status of the entire continental mourning doves population. No one disputes that the population of mourning doves remains abundant across its range, and for many people, including hunters, that is indeed good news, because the bird is a species favored by sportsmen and women.

If time had been available, I would have preferred for the Committee on Resources to look into this issue a little bit more. However, this is just the type of critical biological question I am sure the Flyway Councils will want to investigate before recommending any action which could conceivably impact the population in a negative way.

There are other administrative and social considerations, but, frankly, there is little need to belabor the point.

In closing, I want to reiterate that I am supportive of H. Con. Res. 275, and I urge other Members to keep in mind the nonbinding nature of this resolution.

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

Mr. PUTNAM. Mr. Chairman, I rise in support of Housing Concurrent Resolutions 275.

For thousands of years before the first Europeans set foot on the continent of North America on the East Coast of Florida in 1513, Native Americans were already the great hunters and stewards of the New World that was to become America. They hunted, gathered and farmed as a way of life, which allowed them to live and prosper long before the great societies of Europe began to flourish. The native tribes of Florida fished in the great bays and estuaries, such as Tampa Bay, and hunted in the vast swamps and prairies up and down the Manatee River where Hernando De Soto landed to embark on the exploration of the new continent of America. The Native Floridian way of life depended on the game they hunted, the fish they caught and the crops they could grow. They only harvested what they needed and never took from the wild more than they could use. This was the birth of the American hunting tradition of being a steward of game and wildlife while engaging in the sport of hunting.

When Florida was acquired by the United States in 1821, Florida pioneering families, affectionately called ''Crackers'' for the sound their whips made when driving cattle, came to settle on the vast Florida peninsula to stake out a claim for a new life. They depended on the abundance of wildlife to support themselves and their growing families. What the Native Floridians taught the Florida pioneers was the same lesson that was taught to the Pilgrims at Plymouth hundreds of years earlier; the reward of being good stewards of the land.

These basic truths, passed down through so many generations of Americans, Native and immigrant alike, are the values of stewardship and sportsmanship involved in hunting. The stewardship of the game populations that provide a bounty of food and sport is crucial in the survival of many game animal species. The gains achieved in the scientific management of game species can be linked to the efforts of hunters to maintain the populations and quality of the game they hunt. Populations of game animals have more than flourished through proper game management by concerned and devoted hunters. The populations of deer and turkey alone are far greater now at the beginning of this century than they ever were at the beginning of the last.

It is in a hunter's best interest to maintain game populations so that they may continue to practice the tradition they love. Licensed game hunters are deeply involved in game management on many levels. They pay taxes on their arms and ammunition, stamps and permits; funds that all go to help protect and maintain the sport that they hold so dear to their hearts. The rules and code that today's sportsmen follow, serve to protect and improve the quality of game species for generations to come.

In honor of the men, women and youth who continue to practice the time honored American tradition of hunting I urge the support of this legislation.

Mr. BEREUTER. Mr. Chairman, this Member wishes to state for the RECORD that had there been a recorded vote on H. Con. Res. 275, he would have voted ''nay'' based on the concerns expressed by the Nebraska Game and Parks Commission.

According to the Nebraska Game and Parks Commission, dove populations have been declining and biologists are concerned that lengthening the hunting season could be detrimental. Also, many fledgling doves are still in nets around the time of the opening of the current annual hunting season. Extension of the hunting season could have an adverse effect on fledgling survival rates. It appears that further study is needed before a change such as this is made.

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

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

The CHAIRMAN pro tempore (Mr. LAHOOD). All time for general debate has expired.

Pursuant to the rule, the concurrent resolution is considered read for amendment under the 5-minute rule.

The text of House Concurrent Resolution 275 is as follows:

H. CON. RES. 275

Whereas the vast majority of mourning doves that hatch, fledge, and nest in States north of 37 degrees north latitude migrate south beyond the boundaries of those States before the national hunting season opening date of September 1, thus denying hunters in those States an equitable opportunity to harvest this species;

Whereas mourning doves are the most widely distributed and harvested game birds in North America;

Whereas current regulated hunting for mourning doves has been conclusively found to cause no significant effects on recruitment of fledglings in mourning dove populations;

Whereas sportsmen have a strong commitment to the health, conservation, and enjoyment of wildlife, as demonstrated by the millions of dollars they have voluntarily paid over the past 70 years into the Federal Aid to Wildlife Restoration Fund established by the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.);

Whereas mourning dove hunting has been a cherished and honored tradition in the United States for generations;

Whereas migratory bird hunters provide millions of dollars to wildlife conservation and local economies; and

Whereas millions of hunters in States north of 37 degrees north latitude are currently unable to experience hunting conditions similar to conditions in other regions of the country with respect to game availability because of the current unfair hunting season restrictions: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that, to provide a fair and equitable opportunity for individuals to hunt for mourning doves—

(1) the Migratory Bird Treaty Act of 1918 should be modified to allow for mourning dove hunting during the last week of August in areas north of 37 degrees north latitude, as approved by the parties to the appropriate international agreement;

(2) such an extended hunting season will—

(A) improve hunting opportunities in the United States without causing negative impacts on mourning dove populations;

(B) through the sale of hunting permits, generate additional revenue that may be used for the better management and conservation of mourning doves and other wildlife species; and

(C) continue to provide for the conservation and enhancement of mourning dove populations;

(3) the United States should take immediate steps to begin discussions with the appropriate parties to ensure that all Americans have an opportunity to harvest migratory mourning doves in an equitable manner; and

(4) hunters in all States located north of 37 degrees north latitude and the wildlife management agencies of those States should support an earlier opening date for the mourning dove hunting season.

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

Are there any amendments to the text of the concurrent resolution?

Are there any amendments to the preamble of the concurrent resolution?

If not, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BALLENGER) having assumed the chair, Mr. LAHOOD, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the concurrent resolution (H. Con. Res. 275) expressing the sense of the Congress that hunting seasons for migratory mourning doves should be modified so that individuals have a fair and equitable opportunity to hunt

such birds, pursuant to House Resolution 353, he reported the concurrent resolution back to the House.

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

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that all Members may 5 legislative days within which to revise and extend their remarks and to include any extraneous material on H. Con. Res. 275, the concurrent resolution just agreed to.

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

There was no objection.

EXPRESSING SUPPORT FOR DEMOCRATICALLY ELECTED GOVERNMENT OF COLOMBIA AND ITS EFFORTS TO COUNTER THREATS FROM U.S.-DESIGNATED FOREIGN TERRORIST ORGANIZATIONS

Mr. HYDE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 358) expressing support for the democratically elected Government of Colombia and its efforts to counter threats from United States-designated foreign terrorist organizations.

The Clerk read as follows:

H. RES. 358

Whereas the democratically elected Government of Colombia, led by President Andres Pastrana, is the legitimate authority in the oldest representative democracy in South America;

Whereas the Secretary of State, in consultation with the Attorney General and the Secretary of the Treasury, is required to designate as foreign terrorist organizations those groups whose activities threaten the security of United States nationals or the national security interests of the United States pursuant to section 219 of the Immigration and Nationality Act;

Whereas the Secretary of State has designated three Colombian terrorist groups as foreign terrorist organizations, including the Revolutionary Armed Forces of Colombia (FARC), the United Self-Defense Forces of Colombia (AUC), and the National Liberation Army (ELN);

Whereas all three United States-designated foreign terrorist organizations regularly engage in criminal acts, including murder, kidnapping, and extortion perpetrated against Colombian civilians, government officials, security forces, and against foreign nationals, including United States citizens;

Whereas the FARC is holding five Colombian legislators, a presidential candidate, and Colombian police and army officers and soldiers as hostages and has recently escalated bombings against civilian targets, including a foiled attempt to destroy the city of Bogota's principal water reservoir;

Whereas, according to the Colombian Government, the FARC has received training in terrorist techniques and technology from foreign nationals;

Whereas, since 1992, United States-designated foreign terrorist organizations in Colombia have committed serious crimes against United States citizens, kidnapping more than 50 Americans and murdering at least ten Americans;

Whereas the Drug Enforcement Administration believes that members of the FARC and the AUC directly engage in narcotics trafficking;

Whereas individual members of Colombia's security forces have collaborated with illegal paramilitary organizations by, inter alia, in some instances allowing such organizations to pass through roadblocks, sharing tactical information with such organizations, and providing such organizations with supplies and ammunition;

Whereas while the Colombian Government has made progress in its efforts to combat and capture members of illegal paramilitary organizations and taken positive steps to break links between individual members of the security forces and such organizations, further steps by the Colombian Government are warranted;

Whereas in 1998 Colombian President Andres Pastrana began exhaustive efforts to negotiate a peace agreement with the FARC and implemented extraordinary confidence-building measures to advance these negotiations, including establishing a 16,000-square-mile safe haven for the FARC;

Whereas the Government of Colombia has also undertaken substantial efforts to negotiate a peace agreement with the ELN;

Whereas the United States has consistently supported the Government of Colombia's protracted efforts to negotiate a peace agreement with the FARC and supports the Government of Colombia in its continuing efforts to reach a negotiated agreement with the ELN;

Whereas the United States would welcome a negotiated, political solution to end the violence in Colombia;

Whereas, after the FARC hijacked a commercial airplane and took Colombian Senator Jorge Eduardo Gechem Turbay as a hostage into the government-created safe haven, President Pastrana ended his government's sponsorship of the peace negotiations with the FARC and ordered Colombia's security forces to re-establish legitimate governmental control in the safe haven;

Whereas President Pastrana has received strong expressions of support from foreign governments and international organizations for his decision to end the peace talks and dissolve the FARC's safe haven; and

Whereas the Government of Colombia's negotiations with the ELN are continuing despite the end of the negotiations with the FARC: Now, therefore, be it

Resolved, That—

(1) the House of Representatives—

(A) expresses its support for the democratically elected Government of Colombia and the Colombian people as they strive to protect their democracy from terrorism and the scourge of illicit narcotics; and

(B) deplores the continuing criminal terrorist acts of murder, abduction, and extortion carried out by all United States-designated foreign terrorist organizations in Colombia against United States citizens, the civilian population of Colombia, and Colombian authorities; and

(2) it is the sense of the House of Representatives that the President, without undue delay, should transmit to Congress for its consideration proposed legislation, consistent with United States law regarding the protection of human rights, to assist the Government of Colombia protect its democracy from United States-designated foreign terrorist organizations and the scourge of illicit narcotics; and

(3) it is the sense of the House of Representatives that the Secretary of State should designate a high-ranking official to coordinate all United States assistance to the Government of Colombia to ensure clarity of United States policy and the effective delivery of United States support.

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

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

GENERAL LEAVE

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

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

There was no objection.

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

I rise in strong support of this resolution. In our ongoing war on terrorism, we have an extremely volatile situation in our own hemisphere that cannot be ignored any longer: the threat against democracy in Colombia.

Colombia has been beset by many years of violence that have culminated in numerous terrorist attacks in the past month. This oldest representative democracy in South America is under attack as we speak by terrorists known as the Revolutionary Armed Forces of Colombia, otherwise known as the FARC, another violent left-wing group, the National Liberation Army, known also by its Spanish acronym ELN, and illegal right-wing paramilitary groups. The Secretary of State has designated all three groups as foreign terrorist organizations that threaten the security of the United States and our citizens.

□ 1330

These groups regularly engage in criminal acts, such as murder, kidnapping, extortion and narcotics trafficking. They are currently holding captive dozens of Colombian security force officers, soldiers and civilians. The FARC and the ELN have kidnapped more than 50 Americans and have murdered 10 of our citizens.

Colombian President Pastrana invested his presidency, indeed his entire political fortune, in an attempt to negotiate peace with the FARC for the past 4 years. This protracted peace process ended February 20 when the FARC hijacked a commercial airliner and kidnapped a prominent Colombian senator, the leader of the Colombian Senate Peace Commission. The senator is now the fifth legislator being held captive by the FARC.

On that same day, President Pastrana ordered the Colombian military into the 16,000 square mile demilitarized zone that he ceded to the FARC in his efforts to negotiate peace. Since that time, the FARC has waged even more bloody terrorism against the Colombian Government, its democratic

institutions, and its civilian population.

In fact, in the past 5 weeks or so, there have been more than 120 separate terrorist attacks committed by the FARC, including numerous bombings, the kidnapping of a presidential candidate, and a foiled attempt to destroy the city of Bogota's principal water reservoir.

Colombia's elected representatives have been targeted by these terrorists. Seven members of the Colombian Congress have been killed in the past 4 years. This past weekend, yet another legislator, Senator Martha Catalina Daniel, was tortured and murdered.

The FARC and the paramilitary forces are destabilizing democracy in Colombia. Legislative elections are this month. Presidential elections are in May. Colombia is calling on the United States for help in defending itself against terrorism by providing intelligence-sharing, spare parts for equipment, and the unburdening of restrictions on equipment currently being used in counter-narcotics operations. The administration has decided to move forward to respond to some of these concerns. The administration must now quickly complete this policy review and work with Congress to help Colombia save itself from terrorism.

The global war against terrorism is our administration's highest priority. We are training troops in the Philippines, the former Soviet Republic of Georgia, and Yemen all in the name of fighting this global war. However, in the meantime, a conflagration is burning at the foot of the land bridge that joins North and South America.

It is imperative that we recognize the dire consequences of inaction in this horrific situation, not just for Colombians, but for the rest of the hemisphere. It is time to help the Colombian people defend themselves. As a major defender of democracy, we must try to bolster it wherever we see it seriously threatened, especially in our own hemisphere. Passing this resolution is an important first step. I urge my colleagues to join me in supporting this measure.

Mr. Speaker, I yield the balance of my time to the gentleman from North Carolina (Mr. BALLENGER) and ask unanimous consent that he be permitted to control that time.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of this resolution. I commend the gentleman from Illinois (Mr. HYDE), the chairman of the Committee on International Relations, for bringing forth this measure in such a calibrated and thoughtful fashion. I would also like to express my appreciation to our colleague on the Committee on International Relations, the gentleman from Massachusetts (Mr. DELAHUNT), for his enormous contributions to this effort.

Mr. Speaker, Colombia has entered a new and brutal phase in its history. The Revolutionary Armed Forces of Colombia and the United Self-Defense Forces of Colombia, better known by their Spanish acronyms, the FARC and the AUC respectively, and other illegal paramilitary groups have launched unprecedented campaigns of terror against the people and the democratically elected Government of Colombia.

I strongly deplore these criminal acts of murder, abduction, and extortion that the terrorist organizations have inflicted upon the people of Colombia and which the resolution and the gentleman from Illinois (Mr. HYDE) so richly describe. I wish to extend our friendship and our support to President Pastrana and his administration as they confront this menace.

Mr. Speaker, the resolution also calls upon the President to submit his legislative proposals for addressing the crisis in Colombia to Congress for our consideration and deliberation. Let me be clear with regard to this point. While I appreciate the horror of the vile acts which the FARC and the AUC are committing almost on a daily basis in Colombia, I believe that any substantial change in U.S. policy toward Colombia must occur only after we in Congress have had an opportunity to add our voices and our concerns.

Thus, while we have not made any ultimate conclusions on how to assist the Colombian Government better to deal with terrorism and narcotics, we certainly look forward to an active and spirited debate on this floor.

Mr. Speaker, I believe that future U.S. policy toward Colombia should be conditioned upon the Government of Colombia dealing with two very stubborn issues: first, the Colombian Government must decisively break all links with illegal paramilitary organizations, and it must launch a serious effort to combat them. According to the Colombian Commission of Jurists and international human rights groups, the paramilitaries account for over 75 percent of all concombatant killings in Colombia. The just-released human rights report of our State Department echoes this fact and states: ''Members of the security forces sometimes illegally collaborated with paramilitary forces last year.'' This link must be completely severed.

Second, the Government of Colombia must dramatically increase its own contribution to both the war and the peace effort. By most estimates, the army would need to at least triple in size to take on the FARC and the AUC effectively. Currently, the Colombian Army has about 130,000 members, but only 40,000 of them can be deployed into battle. The rest are at desk jobs or tied down to guarding static infrastructure like pipelines and power lines. The United States cannot fill this need alone, and we would be foolish to try.

Complicating matters, there are reasons to doubt the commitment of some of Colombia's political and economic elite to sacrifice for the war effort. For example, currently Colombian law excludes high school graduates, meaning all but the poor, from serving in combat units. I think that is an outrage.

Furthermore, U.S. policy toward Colombia should include more than counternarcotics and, potentially, counterterrorism support. Colombia's long-running war is deeply rooted in historical, social, and economic causes that must also be addressed if any sustainable peace is to be achieved. Here, dramatic expansion of support to the provision of basic services to the Colombian people, but particularly in the long neglected rural areas, is absolutely paramount.

Mr. Speaker, Colombia and U.S. policy toward that country is at a crossroads. How we choose to help the people of Colombia confront not only terrorism but its sources as well will determine the quality of the lasting peace we hope will be able to help them build in the region. I urge all my colleagues to support this resolution.

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

Mr. BALLENGER. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I rise in support of this resolution. The gentleman from Massachusetts (Mr. DELAHUNT) and I have been to Colombia many times on many occasions since I became chairman of the Subcommittee on Western Hemisphere. I have seen a terrible situation unfold in that troubled nation. On my last trip in January, we met with President Andres Pastrana as he was forced to issue an ultimatum to the FARC in a last-ditch effort to get them to come back to the negotiating table.

No one has done more to hold the door open to a negotiated, political solution to end the violence in Colombia than President Pastrana. His perseverance and forbearance have made one thing clear: it is the FARC's willful disregard for the rule of law and human rights that led President Pastrana to make the decision to end the safe haven and send in Colombia's security forces to reestablish legitimate government authority.

Colombia today is a nation under siege by three terrorist organizations. Two of these terrorist organizations, the FARC and the ELN, have kidnapped over 50 Americans and murdered at least 10 Americans. The third, the United Self-Defense Forces of Colombia, is a vicious, violent terrorist organization that indiscriminately murders Colombians. Individuals who aid those terrorists dishonor and discredit themselves and the institutions that they represent.

All three of these terrorist groups have been designated by the Secretary of State as foreign terrorist organizations because it has been determined that they are a threat to our Nation's

security. Terrorism in Colombia is financed by illegal trafficking in narcotics that kill and destroy the lives of our young people in the United States.

The FARC has, in essence, declared war on the Colombian people. This group is attacking Colombia's democratic institutions. Five Colombian legislators are being held hostage by the FARC. The FARC has been attacking the infrastructure. It attacks police stations with propane gas cylinder mortars that indiscriminately kill innocent people.

The Colombian Government is continuing its efforts to negotiate a peace agreement with the ELN, and we should support those efforts.

It is time, however, that we reassess our policy towards Colombia. This resolution expresses the sense of the House that the President, without undue delay, should transmit to Congress for its consideration proposed legislation, consistent with United States law regarding protection of human rights, to assist the Government of Colombia protect its democracy from United States-designated foreign terrorist organizations and the scourge of illicit narcotics.

We cannot afford to fail to help the people of Colombia in their darkest hour. Colombia is a democracy and an ally of the United States, and it is under attack by terrorist organizations funded by illegal drugs. Colombia is not asking us to send troops. The democratically elected Government of Colombia is asking that we make it possible for us to help them defend their democracy from these terrorists. I urge my colleagues to join me in supporting this reasonable, bipartisan resolution.

Mr. LANTOS. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. DELAHUNT), who has worked tirelessly on this issue and is one of the nationally recognized authorities on Colombia.

□ 1345

Mr. DELAHUNT. I thank the gentleman for his generous words and for yielding me this time.

Mr. Speaker, as others have alluded to, almost 4 years ago, President Andres Pastrana embarked on what was truly a courageous effort to bring peace to his nation. He began negotiations with the FARC and the ELN, the country's two main guerilla groups. He did so because he realized that, after almost 40 years of conflict, a negotiated agreement was the only answer to end the violence.

These efforts focused world attention on Colombia. For the first time, the international community was brought directly into the negotiations. Hope prevailed that the brutal violence that has plagued that nation for decades would at long last end. I shared that hope. At President Pastrana's request, I myself went to the so-called demilitarized zone. I met with the FARC, which is the largest party to this conflict.

I left, hopeful that the FARC was genuinely serious about the search for peace. They claimed that they were prepared to work to create a new Colombia that would embrace social and economic justice and bring peace to a population exhausted by violence.

Sadly, they have proven they were not serious. At great political cost, President Pastrana gave the FARC every opportunity to prove their good faith. But they, the FARC, could not summon the political resolve, the will, the courage, if you may, to choose peace. Sadly, they were not serious.

From an insurgency that once based its legitimacy on a promise of social and economic justice for all Colombians, the FARC have degenerated into criminal syndicates that traffic in drugs, that extort, that kidnap and that murder civilians. The FARC have failed to meet the challenge of peace. They have failed the Colombian people. So now I share what I know to be the profound disappointment felt by President Pastrana and the people of Colombia.

But, fortunately, the peace process with the ELN is still continuing. Like the FARC, the ELN claim to want to address the social inequities that are at the root of the conflict. But the ELN have actually proposed how to do that; and, at least at this point in time, they appear to have the will to make peace. However, tragically, even while negotiating, the ELN also continue their armed campaign of kidnapping and sabotage.

But what disturbs me most profoundly is the recent rapid growth of right-wing paramilitary groups, commonly referred to as the AUC. They commit more than 70 percent of the massacres in the course of the Colombian conflict, and their brutality knows no bounds of human decency. Their leadership readily admits to deriving most of their funding from drug trafficking. Klaus Nyholm, the head of the U.N. drug control program in Colombia, says that they are substantially more involved in the drug trade than the FARC.

Most significantly for U.S. policy, the AUC, as mentioned by the gentleman from California, the ranking member, have extensive links with the Colombian military, according to our own Department of State report that was issued this week. That explains the reluctance of so many of us in this body to provide unconditional military assistance to the Colombian armed forces.

While President Pastrana and Colombian armed forces chief Fernando Tapias deserve credit for taking steps to professionalize the military, unfortunately, far too many of these unsavory links remain. Until all relationships, at every level, between the military and the AUC are ended, the U.S. can and should condition its assistance.

Unbelievably, these paramilitary groups rationalize their acts of terrorism as what is needed to fight the guerillas. They say they traffic in drugs only to support that fight. They say that what they really want is peace. They even claim that they are the Northern Alliance of Colombia, ready to help the United States fight the FARC.

They are not Colombia's Northern Alliance. They are Colombia's al Qaeda.

Let us be clear. There is no place for an AUC in a democracy. In a democratic society, it is the exclusive role of the armed forces and the police, working under the legitimate government, to maintain public order, to defend the nation, and protect individual civil liberties. And there is a legitimate government in Colombia duly elected by the Colombian people. The AUC are not the answer to Colombia's problems. In a very real way, the AUC are cooperating with the FARC and the ELN in sending Colombia into chaos and more bloodshed.

We know what the FARC's position is. We have learned it the hard way. Now it is very important for us to be clear with both the ELN and the AUC. Let me say to them, now is the time to reveal your true selves, to show the world what you really want for your nation. You say you want peace. You put it on your websites. You make these public statements. Prove it. Declare an immediate, unilateral ceasefire and an immediate suspension of all criminal activities. Lay down your arms. You can do it today. Now.

That way, the Colombian military can concentrate its efforts on the FARC; and the world can see that the other parties to the conflict are willing to act for peace, not just talk about it.

So Senor Gabino, who is the leader of the ELN, and Carlos Castano, the leader of the AUC, now is the time, now, to decide which side you are on. Are you with the Colombian people who desperately want to end 40 years of horror? Or are you with those who would drown your nation in the blood of its own citizens?

This resolution today makes clear which side the United States is on. This is just the beginning of our debate. We still must have an extensive review, including hearings, on the details of any U.S. assistance, just as there should be a peaceful debate inside Colombia on how to address that country's very real problems, particularly its glaring social and economic inequities.

But there should be no doubt as to which side the United States is on. We are with the Colombian people.

Mr. BALLENGER. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. OSBORNE).

Mr. OSBORNE. Mr. Speaker, 6 weeks ago, I went with members of the Committee on Agriculture to Colombia. We were fortunate enough to have dinner one evening with President Pastrana at

his version of Camp David, which is in Cartagena. During that evening, we were able to get well acquainted. He described his being kidnapped by guerillas a few years ago and all that he went through and the general lay of the land down there and his struggles with the FARC and the ELN and the AUC.

In the progress of that evening, what we learned is that there are roughly 600,000 acres of coca plants under cultivation in the country of Colombia. This allows them to provide roughly 90 percent of the cocaine that comes into the United States. As a result, FARC and these other vigilante groups are very well funded. I would imagine that their funding may exceed that of other legitimate enterprises within the country of Colombia. And so the people in Colombia have paid a great price.

Last year, we were told that 29,000 civilians lost their lives in this conflict. They are caught in between the various groups. In many cases, they have no place to go and no place to hide. As has been mentioned earlier, seven members of Congress have been killed in the last 4 years, and five lawmakers are currently hostages in that country.

So the present negotiations, or the negotiations that have gone on for the last 3 or 4 years, have broken down and now Colombia is basically under a reign of terror, where some of the things that we have seen around the world are now being perpetrated on the Colombian people. We have seen bridges blown up, water supplies such as in Bogota have been damaged and threatened.

So it appears at this time that the only solution is that the United States provide help. We already have provided quite a bit. But the big issue is helicopters, because the pilots that are doing the spraying of the coca to try to eliminate it are certainly under a great deal of duress.

So we need also some commitment from Colombia, but they need our aid.

Mr. LANTOS. Mr. Speaker, I am delighted to yield 4 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), an indefatigable fighter for social justice in the hemisphere.

Mr. MCGOVERN. I thank the gentleman for yielding me this time and appreciate all his work on behalf of human rights.

Mr. Speaker, I rise to oppose this resolution. I want to be very clear about my concerns regarding this bill and the critical crossroads confronting U.S. policy in Colombia.

Like every Member of this House, I support the democratically elected government of Colombia. I have met with President Pastrana, including in Colombia, and I am a strong supporter of his efforts for social and economic reform. Having traveled to Colombia, I know how very complex the society and the conflict are. I have seen the harm done to the Colombian people by the guerillas, by paramilitary groups and by the Colombian army. I believe very strongly that Congress should not rush to signal support that would increase our involvement in Colombia's escalating civil war.

The Colombian civil war has been going on for nearly 40 years. The armed actors remain nearly unchanged. Leftist guerilla groups battle the Colombian army for control of the territory, while right-wing paramilitaries increase their own involvement in the war and violence against civilians. All of these armed actors, including the Colombian military, have been involved in drug trafficking. All have a history of human rights abuses. Human rights groups continue to document the close ties between the Colombian army and the paramilitaries who commit the majority of human rights abuses in Colombia.

Colombia is hardly a new front in the war on terrorism. Terrible acts of terror, assassinations, kidnappings, bombings and disappearances, are part and parcel of their 40-year civil war. But Colombia is not part of the internationally supported campaign to dismantle and destroy al Qaeda and other international terrorist networks.

So let us not hide behind euphemisms. A so-called war on terrorism in Colombia is simply a set of code words to become even more deeply engaged in a counterinsurgency war that has been going on for nearly 40 years.

Mr. Speaker, I have been a strong supporter of President Pastrana, but the message we send today will be heard and acted upon more by his successor when elections take place in the coming months. The leading presidential candidate has long rejected any type of negotiations process, and he has the support of the right-wing paramilitary groups, the very groups we rightly are condemning today.

In my opinion, Mr. Speaker, our current policy in Colombia has been a failure. It has not stemmed the production of coca. It has not provided peasant farmers with alternatives to growing coca. It has not lessened the number of internally displaced people. It has not broken the ties between the Colombian army and the paramilitaries. It has not decreased the number of civilians who are victims of human rights abuses and violence. And it has not promoted the administration of justice.

The current attorney general, unlike his predecessors, is not an advocate for human rights. He has dismissed or stopped investigations on many of the cases involving high-level military and government officials. As a result, most of the key officers and prosecutors in the Justice Ministry responsible for investigating and prosecuting human rights and corruption cases have resigned or been forced out of office.

For our part, Mr. Speaker, and I say this sadly, the United States demonstrates its commitment to human rights by consistently waiving the conditions on our aid every 6 months because the Colombian military continues to fail to comply.

□ 1400

Now, in my view, Mr. Speaker, this resolution wants to give a green light to involve the U.S. more deeply and directly in Colombia's escalating civil war, and I simply cannot support this.

I have high regard for the gentleman from Illinois (Chairman HYDE); the ranking member, the gentleman from California (Mr. LANTOS); and the gentleman from North Carolina (Chairman BALLENGER). These Members have done a great deal to focus attention on human rights challenges in Latin America. But I must dissent, and I urge my colleagues to join with me in opposing this resolution.

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

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

Mr. Speaker, I rise today in support of House Resolution 358, which expresses support for the Government of Colombia.

There were many in Colombia that criticized President Pastrana for making the peace process a priority above almost any other issue that faced the Colombian people, but none I think would criticize the commitment that he made to bringing peace to that troubled country. Now, rightly, in my opinion, he has called off the negotiations. He has moved troops into the demilitarized zone. He is facing a long struggle against a renewed urban terrorism campaign that is targeting the country's most important infrastructure assets.

But we are proceeding as nothing has changed, as if Colombia is only fighting a counternarcotics war. I believe we have to face several realities and counter with a clear U.S. policy in response.

The aggressive timetable that Plan Colombia was to follow, eradicating coca, providing alternative development, cannot be adhered to during a full scale war with the FARC and the paramilitaries. The alternative development plans were already failing from a lack of basic security for non-governmental organization workers and transport of alternative commodities, thereby putting the entire program at risk.

It is true that Colombia is a source of 90 percent of the cocaine in the United States; but conversely, the United States is Colombia's largest trading partner of legal industries. As such, it is in the interest of the United States to promote better stability in Colombia by helping it to address these longstanding approximate and more recent escalations.

I might remind my colleagues in the other body that of all the requests from the Government of Colombia, at the top of their list is the renewal of the Andean Trade Pact.

Because it shares borders with five other countries, Brazil, Peru, Ecuador, Panama, Venezuela, Colombia's instability is a threat to regional stability.

While only 3 percent of U.S. oil consumed comes from Colombia, 14 percent comes from neighboring Venezuela. Oil imports from South America play a vital role in our strategy to diversify the sources of U.S. oil.

The Colombian economy has faced a number of economic shocks that have limited its ability to contribute to Plan Colombia and the defense of its own people. Oil pipelines have been bombed, the price of oil has fallen, the price of coffee has fallen, foreign investment in Colombia has fallen. The internal shocks are only going to be made worse by the escalation of war.

Colombians have traditionally shown a long-term tolerance for violence, but this is changing; and we can see evidence of this in the popularity of presidential candidates in Colombia that strongly support countering the FARC guerillas.

The deteriorating economic conditions not only have threatened the Colombian Government's commitment to Plan Colombia, but the worsening unemployment only encourages the narcotics industry in Colombia. It has become a vicious cycle.

I would urge my colleagues to recognize the changed situation in Colombia and that we must respond by clarifying U.S. policy. Let us begin an open debate about our role in Colombia and not rely on State Department lawyers to look for loopholes in current law. This resolution begins that debate, and I urge my colleagues to vote in favor of the resolution.

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

Mr. Speaker, I strongly urge all of my colleagues to support this carefully crafted and balanced resolution.

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

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

Mr. Speaker, I would like to note the Colombian Army has made progress in this area, and, while not perfect, no one is. At least they are trying and have made good progress.

I also note that an alternative to a well-trained and respectful Colombian Army is the AUC, and that right-wing paramilitary respects no one's rights, engages in terrorism, illicit drugs, and kills innocent civilians.

No one here is proposing that we repeal the Leahy amendment that prohibits aid to the units of Colombian military that engage in human rights abuses. Leahy is existing law. The Leahy restriction will remain law and has my strong support, and human rights concerns will not be thrown out the window in a new Colombian policy.

I also note the counter-drug aid that we provided to the Colombian police, their antinarcotics unit, has been delivered and used in the last 2 years without even one allegation of a human rights abuse; I repeat, not even one allegation.

The Colombians can and will respect human rights if we help them and we train them and we stand shoulder to shoulder next to them in the fight. The police antinarcotics unit is a case of study for engagement.

Absent a new U.S. policy, the right-wing paramilitaries will fill the void in Colombia, and the human rights of no one, especially civilians, will be safe. We can stay on the sidelines or help our neighbor. The answer is clear, especially since September 11. We need to fight global terrorism whenever and wherever it raises its ugly head.

Mr. SERRANO. Mr. Speaker, I rise today to express my opposition to this resolution on Colombia. I am troubled as to why we are voting on this resolution today. It concerns me that the purpose of this resolution is for the Congress to give this administration the green light to become more heavily involved in the civil war in Columbia.

I have the utmost respect for President Pastrana, but at the same time I am not in favor of expanding our involvement in Columbia by using our response to the terrorism threat after September 11 as a justification to participate in Columbia's civil war. The FARC might be on the terrorist list, but the reasons that have been given for our involvement in Colombia have been counternarcotics and not counterterrorism. I do not want to erase this important distinction.

Mr. Speaker, I read the Spanish press, and let me assure you that in Latin America and in my congressional district the support does not exist for having the United States exert its military power in Columbia. There are atrocities committed on all sides of this conflict.

Today, Secretary Powell testified before the Commerce, Justice, State and Judiciary Subcommittee, on which I am the ranking member, and I told him that I understand that drug trafficking is a problem in Columbia, but that has never before been a reason to send American troops. Let me be clear that the new threat of terrorism is not and never should be a reason to change our policy toward Columbia.

Mr. GILMAN. Mr. Speaker, I move to strike the last word in support of the bipartisan resolution on Colombia and the need for a change in our policy, now before the House.

While, I have long followed events in Colombia, I long gave the benefit of the doubt to the Pastrana administration in Colombia with its protracted negotiations and its Switzerland sized DMZ safe haven provided the FARC, that naivete has finally ended, hopefully not too late.

The FARC has attacked cities, towns, police stations, bridges, dams, and power lines all across Colombia since the peace talks ended last month. Let there be no mistake, the FARC are terrorists, and I have been financed by illicit drug proceeds.

Along with their ELN terrorist friends in the last 10 years, the FARC and ELN have kidnaped 50 Americans in Colombia and killed at least 10 of them. Their trade in illicit drugs help take numerous American lives here at home as well from their illicit drugs. For example, it is noted that the DMZ, now abandoned in Colombia, was loaded with opium growth for heroin production eventually destined for American streets and communities.

Bogota, the capital of Colombia, is only 3 hours from Miami, and the beleaguered democratic nation of Colombia is up against the wall from these narcoterrorists and right wing paramilitaries all financed with the illicit drug trade and all engaged in terrorism per our own U.S. State Department.

While our Nation is engaged in fighting global terrorism in Afghanistan, Yemen, Georgia, and the Philippines, we still maintain the fiction that the battle in Colombia in our nearby neighborhood is only about illicit drugs, and our aid has been limited to counternarcotics

We have maintained the fiction of counternarcotics aid only for Colombia long enough. The same people who kidnap, blow up pipelines, and who kill Americans trade in illicit drugs to finance their other criminal and terrorist activities. Only our State Department maintains the drugs only fiction, on the ground the reality was different and the Colombian democracy slipped further and further away.

This resolution calls for our administration to take off its rose color glasses that President Pastrana and our State Department wore for far too long and let Colombian democracy slip away. It is time we get serious and fight terrorism and the illicit drugs that finances it in Colombia and threatens American national interests in our very back yard.

Protecting pipelines from terrorist attacks is but one way to help Colombia. It is not enough for a Colombian policy and as the Bob Novak column noted this week, it is a sorry excuse for a real antiinsurgency strategy in Colombia. We need to do more.

We must help the Colombian police antikidnaping unites with helicopters to rescue victims, including Americans in the often hard to reach terrain. We ought to also restore the clarity we need by giving the anti-drug mission in Colombia mainly to the excellent antidrug police, who have a stellar human rights record.

Our assistance to the Colombian military should be antiterrorist assistance, and not operate under the failed antidrug fiction of the past. Let us bear in mind that no one here, nor anyone in Colombia has ever asked for, or called for American combat troops for Colombia.

The Colombians want and deserve the equipment and training they need to defend themselves and their democracy from the terrorist threat at their and at our door.

Accordingly, I urge support for this resolution.

Mr. EVANS. Mr. Speaker, I would like to express my support and solidarity with the people of Columbia in their pursuit of stability and peace. Along with my colleagues, I condemn the horrible violence that has been inflicted on the Columbian people by the AUC, ELN, and the FARC. But, I cannot in good faith support a resolution that expresses praise to Columbia for improving it's human rights record, when in fact it has eroded.

Many Member of Congress have joined me in expressing their profound concern to the Columbian Government over the many murders of trade union leaders that have gone without investigation or prosecution. The scourge of murders of trade unionists in Columbia is the highest in the world, thereby making Columbia notorious as the most dangerous place in the world to be a union member. The government of Columbia has over and over again demonstrated their unwillingness to pursue prosecution of these attacks on organized labor. Columbia's de facto immunity extended to these assassins has been

clearly condemned by the International Labor Organization, United Nations Human Rights Commission, Amnesty International, and our own Department of State.

Columbia can drastically reduce the violence against trade unionists. It begins with effectively halting the impunity enjoyed by these perpetrators, many of which have credible ties to the military and police. Columbia must aggressively prosecute these criminals and restore its people's confidence in justice.

Mr. Speaker, this resolution fall short in condemning the impunity enjoyed by human rights violators and the violence perpetrated against all levels of society, including organized labor. Many of my fellow Members have actively engaged the Columbian Government with these concerns but without success. Passing a resolution basically congratulating Columbia on improving its human rights record is wrong and counterproductive.

It is my hope that Columbia will choose to aggressively improve it's human rights record, so in the future we may pass a similar resolution, with unanimous consent.

Mr. PAUL. Mr. Speaker, as a member of the House International Relations Committee and the Subcommittee on the Western Hemisphere, I would like to state my strong objections to the manner in which this piece of legislation was raised. I was only made aware of the existence of this legislation this morning, just a couple of hours before I was expected to vote on it. There was no committee markup of the legislation, nor was there any notice that this legislation would appear on today's suspension calendar.

This legislation represents a very serious and significant shift in United States policy toward Colombia. It sets us on a slippery slope toward unwise military intervention in a foreign civil war that has nothing to do with the United States.

Our policy toward Colombia was already ill-advised when it consisted of an expensive front in our failed ''war on drugs.'' Plan Colombia, launched nearly 2 years ago, sent $1.3 billion to Colombia under the guise of this war on drugs. A majority of that went to the Colombian military; much was no doubt lost through corruption. Though this massive assistance program was supposed to put an end to the FARC and other rebel groups involved in drug trafficking, 2 years later we are now being told—in this legislation and elsewhere—that the FARC and rebel groups are stronger than ever. So now we are being asked to provide even more assistance in an effort that seems to have had a result the opposite of what was intended. In effect, we are being asked to redouble failed efforts. That doesn't make sense.

At the time Plan Colombia was introduced, President Clinton promised the American people that this action would in no way drag us into the Colombian civil war. This current legislation takes a bad policy and makes it much worse. This legislation calls for the United States ''to assist the Government of Colombia protect its democracy from United States-designated foreign terrorist organizations . . . '' In other words, this legislation elevates a civil war in Colombia to the level of the international war on terror, and it will drag us deep into the conflict.

Mr. Speaker, there is a world of difference between a rebel group fighting a civil war in a foreign country and the kind of international terrorist organization that targeted the United States last September. As ruthless and violent as the three rebel groups in Colombia no doubt are, their struggle for power in that country is an internal one. None of the three appears to have any intention of carrying out terrorist activities in the United States. Should we become involved in a civil war against them, however, these organizations may well begin to view the United States as a legitimate target. What possible reason could there be for us to take on such a deadly risk? What possible rewards could there be for the United States support for one faction or the other in this civil war?

As with much of our interventionism, if you scratch the surface of the high-sounding calls to ''protect democracy'' and ''stop drug trafficking'' you often find commercial interests driving U.S. foreign policy. This also appears to be the case in Colombia. And like Afghanistan, Kosovo, Iraq, and elsewhere, that commercial interest appears to be related to oil The U.S. administration request for FY 2003 includes a request for an additional $98 million to help protect the Cano-Limon Pipeline—jointly owned by the Colombian Government and Occidental Petroleum. Rebels have been blowing up parts of the pipeline and the resulting disruption of the flow of oil is costing Occidental Petroleum and the Colombian Government more than half a billion dollars per year. Now the administration wants the American taxpayer to finance the equipping and training of a security force to protect the pipeline, which much of the training coming from the U.S. military. Since when is it the responsibility of the American citizen to subsidize risky investments made by private companies in foreign countries? And since when is it the duty of American service men and women to lay their lives on the line for these commercial interests?

Further intervention in the internal political and military affairs of Colombia will only increase the mistrust and anger of the average Colombian citizen toward the United States, as these citizens will face the prospect of an ongoing, United States-supported war in their country. Already Plan Colombia has fueled the deep resentment of Colombian farmers toward the United States. These farmers have seen their legitimate crops destroyed, water supply polluted, and families sprayed as powerful herbicides miss their intended marks. An escalation of American involvement will only make matters worse.

Mr. Speaker, at this critical time, our precious military and financial resources must not be diverted to a conflict that has nothing to do with the United States and poses no threat to the United States. Trying to designate increased military involvement in Colombia as a new front on the ''war on terror'' makes no sense at all. It will only draw the United States into a quagmire much like Vietnam. The Colombian civil war is now in its fourth decade; pretending that the fighting there is somehow related to our international war on terrorism is to stretch the imagination to the breaking point. It is unwise and dangerous.

Mrs. TAUSCHER. Mr. Speaker, I rise to express my support for the people of Colombia and ask my colleagues to support this resolution.

The people of Colombia have suffered through years of violence, deprivation, and discord. They have seen their country torn apart in a violent war between their government and various rebel factions.

Despite the best efforts of President Pastrana, the murder and kidnapping of Colombian citizens, government officials, and even American visitors have increased. His efforts to reach a peaceful settlement have been rejected by the rebel groups.

Mr. Speaker, the United States has made a commitment to addressing the root cause of these problems in Colombia—the drug trade. Through Plan Colombia we are working with our Andean allies to destroy drug production and interrupt drug traffic.

Our assistance will help Colombia's Government lead the country and, eventually, end drug production and stabilize the Andean region.

As Colombia continues working to secure lasting peace, the United States should continue to offer support and assistance.

This resolution is an important expression of that support, and I urge my colleagues to vote for it.

Mr. BALLENGER. 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 Illinois (Mr. HYDE) that the House suspend the rules and agree to the resolution, H.Res. 358.

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.

CONGRATULATING THE UNITED STATES MILITARY ACADEMY AT WEST POINT ON ITS BICENTENNIAL ANNIVERSARY

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the Senate joint resolution, S.J. Res. 32.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MCHUGH) that the House suspend the rules and pass the Senate joint resolution, S.J. Res. 32, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 407, nays 1, not voting 26, as follows:

[Roll No. 50]

YEAS—407

Abercrombie	Bartlett	Bono
Ackerman	Barton	Boozman
Aderholt	Bass	Borski
Akin	Becerra	Boswell
Allen	Bereuter	Boucher
Andrews	Berkley	Boyd
Armey	Berman	Brady (PA)
Baca	Berry	Brady (TX)
Bachus	Biggert	Brown (FL)
Baird	Bilirakis	Brown (OH)
Baker	Bishop	Brown (SC)
Baldacci	Blumenauer	Bryant
Baldwin	Blunt	Burr
Ballenger	Boehlert	Burton
Barcia	Boehner	Buyer
Barr	Bonilla	Callahan
Barrett	Bonior	Camp

Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
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
Miller, Dan
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sullivan
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Conyers

NOT VOTING—26

Bentsen
Blagojevich
Calvert
Condit
Cubin
Dooley
Doolittle
Filner
Hyde
Kilpatrick
Lee
Lewis (CA)
Lofgren
Millender-McDonald
Miller, Jeff
Napolitano
Roybal-Allard
Sanchez
Sanders
Solis
Traficant
Waters
Watson (CA)
Wexler
Wilson (NM)
Woolsey

□ 1450

Mr. TERRY and Mr. CROWLEY changed their vote from ''nay'' to ''yea.''

So the Senate joint resolution was passed.

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. 50 on congratulating the United States Military Academy at West Point I was unavoidably detained. Had I been present, I would have voted ''yea.''

Mr. FILNER. Mr. Speaker, on rollcall No. 50, I was conducting official business in my San Diego, California district. Had I been present, I would have voted ''yea.''

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, due to business in the District, I respectfully request a leave of absence from legislative business scheduled for today, Wednesday, March 6. Had I been present, I would have voted ''aye'' on rollcall No. 48 on approving the Journal; ''no'' on rollcall No. 49, the motion to proceed to the previous question during the consideration of H. Con. Res. 275; and ''aye'' on the motion to suspend the rules and pass S.J. Res. 32.

PERSONAL EXPLANATION

Ms. SANCHEZ. Mr. Speaker, I was attending important business in my Congressional District on March 6th, which included activities relating to the Primary election in California.

I request that the CONGRESSIONAL RECORD reflect that had I been present and voting, I would have voted ''yea'' on rollcall No. 48, ''no'' on rollcall No. 49, and ''yea'' on rollcall No. 50.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. SIMPSON). 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.

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

(Mr. LIPINSKI addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. GANSKE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CEASEFIRE BETWEEN THE SRI LANKAN GOVERNMENT AND THE LTTE

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

Mr. PALLONE. Mr. Speaker, I come to the House floor this evening to bring to the attention of my colleagues a historic peace initiative between the Sri Lankan Government and the LTTE.

On February 22, 2002, the Prime Minister of Sri Lanka, the Honorable Wickremesinghe, and the leader of the LTTE, Mr. Prabhakaran, signed an agreement that established a long-term cease fire by both sides that signifies the beginning of peace talks and, simply, a new era of peace for war-torn Sri Lanka.

For nearly 2 decades now, there has been a civil war taking place between the Government of Sri Lanka and the LTTE, one of the world's most dangerous guerilla groups. The cease fire was negotiated by Norway and will be overseen by Norway, Sweden, Finland, and Denmark.

I am optimistic about this movement towards peace and feel the United States should extend its support for this agreement to end years of violent blood shed. Indeed, the LTTE will have to show great will to bring an end to its violent attacks that have claimed tens of thousands of innocent lives. However, the current global situation has provided a glimpse of hope that this cease fire will be a successful endeavor.

Mr. Speaker, since the September 11 attacks, there has been a desire throughout the world to move away from senseless violence; and clearly, we began a new campaign against terrorism. This new atmosphere may potentially foster improved relations between Sri Lanka and the LTTE. Additionally, the LTTE may have been more apt to agree to this peace agreement since their popularity and their financial support was waning through countries that formerly favored them or provided support.

We see this hope for peace in Sri Lanka is already coming to fruition. Since December, medicine, supplies and other goods are being shipped to Tamil Tiger-controlled areas. Shipment of goods to these areas has been under the control of the Sri Lankan Government, but the controls have been relaxed for the past several months.

Mr. Speaker, I should note that President Kumaratunga has been outspoken in her criticism of the terms of the cease fire. As President she has the power to suspend parliament and dismiss the government. If she is not satisfied with certain provisions within the peace agreement, the deal may be canceled.

The differences between the President and Prime Minister must be worked out so Sri Lanka can proceed with dealing with this deadly conflict between Sri Lanka and the LTTE. In any case, the Prime Minister has announced that any peace agreement would have to be supported by a referendum, which ensures that the people of Sri Lanka would be participating in the peace process.

In the upcoming months, it is important to watch closely how this peace process unfolds in Sri Lanka. The Prime Minister is willing to negotiate all forms of settlement with the LTTE, except for establishment of an independent homeland for the Tamil community.

I encourage the LTTE to shed its terrorist negotiating tactics and come to the table with the Sri Lankan Government and engage in a substantive debate that I hope will lead to a permanent cease fire, peace in Sri Lanka, and greater stability throughout the South Asian region.

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

(Mr. OSBORNE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

FIGHTING HATE CRIMES IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Mrs. CAPPS) is recognized for 5 minutes.

Mrs. CAPPS. Mr. Speaker, it is with great sadness that I rise on the floor of the House this afternoon.

Two weeks ago in my California district, which includes Santa Barbara, a 37-year-old man named Clinton Scott Risetter was brutally murdered, burned to death in his bed. Such a killing would be tragic under any circumstances. Yet this is particularly painful because Mr. Risetter was murdered because he was a homosexual. Let me say that even in a community as tolerant as Santa Barbara, intolerance still has an ugly and evil face.

I am heartened by much of what has transpired since the tragic incident. I am proud that local law enforcement agencies have responded swiftly and thoroughly. The police department and district attorney are working closely with the community, including gay rights organizations, for which I am pleased and very grateful. But I also believe that we must confront the ugly specter of hate crimes on a national, as well as a local, level.

Last year at this time, an important bill was introduced in the House, the Hate Crimes Prevention Act. This bill, sponsored by the gentleman from Michigan (Mr. CONYERS), would strengthen the Federal response to hate crime violence which is motivated by race, color, religion, or national origin. It would also expand the law to cover hate crimes committed against people because of their gender, sexual orientation, or disability, as well as to expand Federal jurisdiction to cover the most violent of these hate crimes.

As it stands now, Federal authorities cannot act on cases involving death or serious bodily injury based on gender, sexual orientation, or disability when local law enforcement is not available. Now fortunately this does not impact the case in Santa Barbara; but even so, many people throughout the country are left without any chance for justice when their own States fail to act.

So I am pleased that Santa Barbara has, as a community, responded with outrage and compassion to this recent event, the vicious hate crime which has occurred there. But as a society we must continue to confront what lies at the root of these horrendous hate crimes, and that is where our Federal legislation comes in and why it is so very important.

The Hate Crimes Prevention Act would provide communities with important prevention tools, including grants to State and local programs designed to combat hate crimes committed by juveniles and training for local law enforcement officers in investigating, prosecuting, and preventing hate crimes altogether.

We cannot ignore the facts. Since 1996, hate crimes committed against individuals based on sexual orientation have increased nearly 28 percent. I will not remain silent on this issue. I am compelled to do whatever I can to prevent another hostile and tragic act on anyone because of his or her sexual orientation.

In a post-September 11 society, where tolerance and acceptance are strongly encouraged and promoted by our government and local communities, these types of crimes must not go unpunished or unexplored. Let us make the Hate Crimes Prevention Act a reality. Let us make a true commitment to every American citizen, be they gay or straight, Muslim, Christian, white, black, Hispanic or Asian. It should not take a brutal murder to jar the Congress out of acting out of common sense and basic human decency. It is too late to save the life of Mr. Risetter, but it is not too late to take the kind of action which will honor his memory.

HONORING DEREK PARRA

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

Mr. LEWIS of California. Mr. Speaker, I thank my colleagues for cooperating with me in pressing calendar circumstances.

I have come to the floor because I will be inserting in the RECORD some detailed information about a young man from my hometown, San Bernardino, California, by the name of Derek Parra who won, among other things, a gold and a silver medal at the Winter Olympic Games, a fabulous young person who is an inspiration to our entire community. Not only has he made a difference to our community, he is impacting young people across the country.

It is my pleasure to mention, among other things, as I have done some homework on him, he is an employee of Home Depot. I have learned that Home Depot is doing a fantastic job of helping the Olympics by having employees who work for them have a good deal of flexibility in terms of their schedule and the way their jobs are funded, et cetera.

□ 1500

They have, in a very substantial way, demonstrated what the private sector can do to improve our ability to effectively impact a wonderful event such as the Winter Olympic games.

So my hat is off to Home Depot, and I hope all my colleagues will recognize these good works and encourage them across the country.

Mr. Speaker, the people of my hometown, San Bernardino, were specially thrilled by the Olympic heroism of Derek Parra, who became the first Mexican-American to win a medal at the Winter games when he took both a gold and silver medal in speed-skating. His story is one of making sacrifice and working tirelessly to achieve his life's dream of winning at the Olympics.

Derek Parra twice left family and home behind to pursue his dream—once moving to Florida to become an international star at in-line skating races, and then again heading to Utah to train for speed-skating, a sport he had never tried as a child in sunny Southern California. Those who know San Bernardino recognize that hard-working spirit, and our hometown celebrated with daylong events that included a spirited parade and packed awards dinner.

While it is clear that Derek Parra meant to reach for his Olympic dream in any way he could, his time in Utah was made easier by The Home Depot, the national hardware chain that is known for its orange aprons. When he arrived in Salt Lake City, Parra landed a job in floors and walls at the West Valley Home Depot, which helped him provide for himself and his family during the year leading up to the Olympics.

The Home Depot company is justly proud that it has contributed to Parra's success, as well as that of fellow employee Tristan Gale, who won a gold medal in the women's skeleton event. In fact, the company has hired and given job flexibility to 140 Olympics and Paralympics hopefuls throughout the country in a display of corporate patriotism and civic involvement. Twenty of those hopefuls were in Salt Lake City.

The company's Olympic Job Opportunity Program offers full-time pay and benefits to athletes for a 20-hour week during competition and training seasons. Not surprisingly, Home Depot managers have found these dedicated athletes are also among their most hard-working employees and in most cases would be delighted to have them back after the competition has ended.

Home Depot has joined many other U.S. companies in sponsorships that have helped show the world that it is possible to stage a successful Olympics without losses to public coffers or excessive commercialization. But The Home Depot has taken this civic spirit to the next level, supporting those dedicated athletes who are the centerpiece of the Olympic Games.

Mr. Speaker, I would ask you and my colleagues to please join me in praising the American spirit of determination that led Derek Parra to shock the world and win gold and silver medals in record-breaking times at speedskating. And also in praising The Home Depot for showing the world that American business can join with athletes like Derek to bring success and pride to them both.

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

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

TRIBUTE TO FALLEN HEROES IN THE WAR ON TERRORISM

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

Mr. PENCE. Mr. Speaker, it is written that, ''If you owe debts, pay debts; if honor, then honor; if respect, then respect.''

I can think of no more fitting time to apply this verse than today, 1 day after we as Americans watched the flag-draped caskets of seven U.S. servicemen being off-loaded from a C–130 transport plane at Ramstein Air Force Base in Germany. We owe these men of the United States Special Forces and the 101st Airborne a great debt of honor, a debt that words on this floor cannot even begin to repay.

A century and a half ago, Abraham Lincoln spoke on another battlefield where American soldiers had spilled their blood to preserve our liberty. In his address, Lincoln charges the survivors of the conflict as follows:

''It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us, that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion.''

Mr. Speaker, the soldiers who died in the mountains of Afghanistan laid down their lives for the same great task as the soldiers at Gettysburg, the preservation of our liberty and our very way of life.

Throughout our history, Mr. Speaker, America has faced enemies of her peace and her freedom. Two decades ago, President Ronald Reagan encouraged a country beset by terrorism. The words of his first inaugural address should steel the resolve of Americans today who face a similar intractable enemy.

President Reagan said, ''As for the enemies of our freedom, those who are potential adversaries, they will be reminded that peace is the highest aspiration of the American people. We will negotiate for it, sacrifice for it, but we will not surrender for it now or ever. And, above all else, we must realize no arsenal, no weapon in the arsenals of the world, is so formidable as the will and moral courage of free men and women. It is a weapon our adversaries in today's world do not have. It is a weapon that we as Americans do have.''

Mr. Speaker, it is especially poignant to me, as I see the sacrifices in the 101st Airborne, to reflect that twice in the last 6 months I traveled, at the invitation of Major General Richard Cody, to Fort Campbell, Kentucky, the home of the Screaming Eagles. There I met with officers and enlisted men of that fabled division, perhaps maybe even some of the very same soldiers that are coming home in the silence of death to their families, men who we can say without a doubt did not lack the will or moral courage to preserve our way of life.

I opened with a scripture verse. Allow me to close with one, Mr. Speaker. As we consider the lives of those who have had paid the ultimate price to secure our freedom, I am reminded of the verse that, ''Greater love hath no man than this, that he should lay down his life for his friends.''

And allow me to add these modest words on behalf of the people of eastern Indiana and a grateful Nation. To the grieving spouses, parents, children, and friends that these heroes have left behind, we commend them humbly for their sacrifice as families and for having in their midst those who have shown no greater love to that dream which is the United States of America.

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

(Mr. MCGOVERN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

LIBERAL BIAS IN AMERICA'S COLLEGES AND UNIVERSITIES

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

Mr. DUNCAN. Mr. Speaker, it was reported last week that an invitation to author Doris Kearns Goodwin to speak at the University of Delaware's commencement exercises had been withdrawn. This invitation was pulled because Ms. Goodwin has admitted that her books contain many sentences, facts, even whole paragraphs plagiarized from other writers.

But today, Mr. Speaker, I am not concerned as much about Ms. Goodwin's plagiarism or shoddy research as about what the invitation to her says about almost all of our colleges and universities.

It is well-known that Ms. Goodwin colors her history with a very strong liberal bias. We will soon be in the season of college and university graduation ceremonies. If my colleagues have ever looked at a list of commencement speakers, they have seen almost immediately that almost all come from a very liberal or left-wing background. Two or three years ago, Evergreen State college in Washington State even invited as its speaker a man who had been convicted of killing a policeman.

Conservative speakers are almost never invited to speak at commencement or graduation exercises. People who started businesses with nothing or very little, and thus tend to be very conservative, are almost never invited to speak. The only business leaders who are ever invited are those from extremely big business and who can safely be identified as liberal or at least very politically correct. I know there are always a few exceptions, but I would guess that liberals outnumber conservatives 50 or 100 to 1 as speakers at graduation ceremonies.

This reflects the fact that there is less true academic freedom, at least for conservatives, on U.S. college campuses than anyplace else in U.S. society today. College faculties, at best, have only a few token conservatives in fields that deal with political questions. Even professors in nonpolitical fields, such as English, often work in comments or assign books that show their liberal bias.

The very liberal bias of our national news media has been well documented and is not even questioned today. However, there is a much greater or stronger liberal or left-wing bias on most college and university faculties than even in the national news media. Conservative students, unless they are unusually courageous, learn very quickly to, many times, remain silent or not express their true opinions in statements they make or papers that they write.

Most colleges and universities have gone to great lengths to make sure minorities are well represented in their faculties and that they have diversity, and that is fine. But the most discrimination today is against conservative

professors and speakers, especially at very liberal schools like Antioch, Oberlin, the University of Colorado, and some of the Ivy League schools.

Mr. Speaker, I hope that colleges and universities around this Nation will strive for full diversity and true academic freedom by allowing at least a few token conservatives onto their faculties, or at least as graduation speakers.

IMPORTANCE OF SOCIAL SECURITY TO LATINO COMMUNITY

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

Mr. RODRIGUEZ. Mr. Speaker, I rise today to talk about the importance of Social Security and how it impacts the Latino population throughout this country.

We must remember that the initial intent and purpose of the Social Security retirement system was to help alleviate the poverty among our elderly Americans and to meet the retirement needs of all workers. We must not forget the severe poverty that our seniors suffered prior to Social Security. Social Security has become the single most effective Federal anti-poverty program in our history, lifting more than 11 million seniors out of poverty.

Latinos are critically affected by any proposed changes in the Social Security System. A significant segment of the workforce, Latinos, and especially Latinas, women, represent a disproportionate percentage of those who lack employer pension coverage. We, as Hispanics, tend to work in small companies, small businesses, which do not have pensions. We are underrepresented in government jobs and for that reason do not have a lot of the pensions that others do. More than other segments of the population, Latinos depend heavily on Social Security to live their senior years in dignity.

The Latino population is growing rapidly. Currently, Latinos constitute 8 percent of the total U.S. workforce, and by 2010 Latinos are projected to account for 13.2 percent of all the workers. From 1997 to the year 2020, the number of Latinos that are aged 65 will double.

Unfortunately, despite the gains in education and other areas, Latinos still remain concentrated in low-wage jobs that provide few benefits. While more than 51 percent of Anglos workers have employer pension coverage, the same is true for only one-third of the Latino workers. Accordingly, Latino retirees are more than twice as likely as Anglo retirees to rely solely on Social Security benefits as a means of economic support.

In addition, Latinos are less likely than Anglos to receive incomes from interest on savings and investments. For example, in 1998, of all the persons reporting interest income, only 5.3 percent went to Latinos.

I would like to also applaud the efforts of some groups that are looking at the impact that any changes in Social Security will have on women. While reforming the Social Security System, we have serious implications for women, and especially Latinas. The women in our community, Latinas, may be the most severely impacted of all populations. The Latinas are more likely than other women to work inside the home and are less likely than other women to have retirement savings accounts.

Moreover, Latinas are less likely than other workers to have access to private pension coverage, and they tend to receive the lowest wages of any group in the work force. Relying heavily on Social Security benefits, changes in marital status or the loss of a principal wage earner places Latinas in a particularly vulnerable situations.

Given the paramount importance of Social Security to Hispanic men and women, we must approach so-called reform efforts with caution, weighing the impact on this key, fast-growing population. I am concerned that the plans to privatize Social Security would drain needed resources from the Social Security Trust Fund and jeopardize benefit payments to retirees, the blind, disabled workers and survivors.

The leading plan proposed by the administration's hand-picked Social Security commission would drain $1.5 trillion from the trust fund in just the next 10 years, money that is already being used for other purposes. Privatization of Social Security would require cuts in guaranteeing Social Security benefits. The President's Social Security commission recommended a privatization plan that cuts benefits for future retirees by up to 46 percent. Everyone would be subject to these cuts, not just workers who choose to have individual accounts, and Latinos would be hit the hardest.

Social Security privatization would expose individual workers and their families to greater financial risks. Under privatization, benefit levels would be determined by the volatile stock market, by the worker's luck in making investments, and by the timing on his or her decisions to retire. In light of the Enron disaster, we know the risks.

Latinos, who are, more than other groups, dependent on Social Security as a guaranteed income stream in retirement, would lose under privatization.

Other proposals, while well-meaning, would not help us reach our goal of ensuring future solvency. I ask that, as we look at Social Security, we make sure we look at its impact on special populations as well as the baby boomers and what we consider the baby echos, those kids of those baby boomers.

PRESIDENT BUSH STANDS TALL FOR DOMESTIC STEEL INDUSTRY

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

Mr. ENGLISH. Mr. Speaker, allow me to take a moment to applaud President Bush for standing tall in favor of our domestic steel industry. He has, at a very critical moment, stood up for steel. If we have a domestic steel industry in coming decades, I believe it will be because of this courageous action and an administration that was willing to listen to steelworkers, listen to steel producers, and also listen to all other interested parties in order to craft a creative policy. He clearly listened to those who were calling for substantial relief for an industry in crisis. It has been running the risk of being hollowed out by unfair trade practices.

It is obvious that the President carefully weighed the issue. His judicious decision will provide breathing space to the domestic steelworkers and the industry. Enacting tariffs of up to 30 percent for most steel products provides help for those hardest hit by unfavorable conditions in the steel market. This administration has stepped up to the plate for the American steel industry and its workers, something that previous administrations, regrettably, had been unwilling to do.

Without the concrete actions taken by this President, the industry was facing a meltdown. The President recognized that the American steel industry and its workers have done their part in recent years. This is something that critics do not really willingly acknowledge, but the fact is our steel producers have taken dramatic steps to reduce inefficient capacity and modernize operations to become among the most productive steel producers in the world, with as few as one-and-a-half man hours needed per ton of steel produced.

□ 1515

That is an extraordinary transformation of an industry that was very inefficient a few decades ago.

To achieve these advances in productivity, the U.S. steel industry reduced capacity by more than 23 million tons, closed numerous inefficient mills, and significantly cut jobs. The workers have endured their fair share of pain and suffering as the workforce was reduced by hundreds of thousands of workers in an effort to become the most efficient producers of steel. But we all know that when competing with the unfair trading practices of some of our competitors, it was simply not enough.

Let us understand, Mr. Speaker, what the President did was WTO compatible. It was based on remedies approved by the International Trade Commission, and it utilized our 201 process, which the WTO contemplated. While opponents of this 201 action are crying foul, saying the cost will be prohibitive, Mr.

Speaker, allow me to assure Members that their arguments are without substance.

According to a study by Professor Jerry Hausman, an economist at MIT, the assumptions from opponents such as the Consuming Industry's Trade Action Council were fundamentally flawed. Hausman's study, which unlike the CITAC study so often quoted in the media, accurately reflected the current steel market, showed the tariffs would cost the average consumer about $2 a year and have no negative impact on the U.S. economy. This was a study of stronger remedies than were actually proposed by the International Trade Commission. Hausman's study showed that the section 201 remedies would provide a net benefit of $9 billion a year to the U.S. economy. Steel constitutes only a small share of the total cost of most products that contain steel, so the cost to the consumer and the costs on a single consumer item would be minimal.

For a typical family car, the increase caused by the imposition of a 40 percent tariff would be about $60, a 30 percent tariff in the tariff structure proposed by the President would be substantially less. For a refrigerator, the increase would be less than $3.

Again, I have to congratulate the President for being engaged on these issues, looking past the cannot at the substance, and being concerned about many of the communities we have in places like western Pennsylvania, Ohio, and West Virginia where people have built a living and built living wages around a steel industry that we need to have in this country for strategic reasons, and if we are going to maintain our industrial base.

Mr. Speaker, this administration has had the courage to take on this tough issue. We need to do more in Congress. We need to look at the issue of legacy costs. We need to look at ways potentially of participating in a global effort to rationalize the industry; but in the end, we can build on this 201 decision, we can build on the President's courage, and working with the administration, we have an opportunity to lay the groundwork for a strong, healthy competitive world-class American steel industry that is allowed to compete on a level playing field.

INTEGRITY ABOVE ALL

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

Mr. MCINNIS. Mr. Speaker, this morning the Committee on Resources heard testimony from investigators and from the Forest Service, Fish and Wildlife and others in regards to a scheme put forward by several Federal employees to alter a lynx study in the northwestern part of the Nation.

It is very important for us as government employees to maintain the integrity of the process, and a part of that goes clear down to our field employees upon whom we depend very heavily to deliver a product that they are required by protocol to deliver. What do I mean by this? What happened is we had several biologists, Ray Scharpf, Mitch Wainright, Sarah LaMarr and Tim McCracken, Federal employees involved in a lynx study in the northwest part of this Nation. These are professional biologists or associated with professional biologists.

Their job was to go out and determine whether or not there was any evidence of lynx in a forest, to then determine whether or not further investigation was necessary. What these individuals did was go out and planted evidence. They planted evidence, just like a bad cop goes into a house and plants drugs. They planted lynx hair and submitted the lynx hair to the laboratory in hopes that the laboratory would assume that there were now lynx in this area that they had studied.

The average biologist that we have working for the Forest Service or for the Fish and Wildlife are people of high integrity. I cannot think of a biologist that I have met that I have not been fairly confident of the integrity and the standards that they rise to.

But in this case, these Federal employees brought a disgrace upon the United States Government and brought a disgrace upon these agencies by planting evidence and submitting false samples for a survey. Unfortunately, these employees are still employed by the Federal Government. Fortunately, we had a whistle blower. An employee on his last day called in the fact that false samples had been submitted to this survey.

My point in taking the floor today is that I appreciate the Members who attended the hearing today, and I especially appreciate the investigators who went out and came up with these conclusions. We know that these employees knew that what they were doing was wrong and outside their protocol, but they still carried out their actions.

Mr. Speaker, today we had a good hearing about it, and I think we will be able to install some fire walls that will prevent this type of scheme from happening again. In the meantime, it has unfortunately cast a small shadow upon the profession. What we need to do is assure that that profession has no shadow at all because their importance in our studies out there are absolutely critical. We depend on them very much, very much; and we have good reason to depend on them. They are the experts, but integrity comes first and above all.

STOP IMPENDING RAID ON SOCIAL SECURITY

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

Mr. CARSON of Oklahoma. Mr. Speaker, I rise today, along with several of my colleagues, to discuss the most pressing domestic issue of our time, that of Social Security.

Let me first begin by thanking my fellow freshman Democrat, the gentleman from Rhode Island (Mr. LANGEVIN), for his leadership in organizing with me this Special Order about the impending raid of Social Security. I also want to thank the gentlewoman from California (Ms. MILLENDER-MCDONALD) for her leadership and assistance in organizing our colleagues here today.

Our Nation faces incredible challenges; this we all know as we stand united in a war on terrorism. All of our thoughts and prayers are with our men and women in uniform today. This afternoon I stand before this House to talk about one of the most pressing domestic issues of our time, an issue that cannot be ignored even as we fight a war abroad, and that is Social Security.

Around the world as populations of developed countries grow older, the cost of paying for pension and health benefits rise. In the United States, more than 44 million people collect benefits from our Social Security system. Social Security represents one of the most important and depended-upon programs in this Nation's history.

Social Security is a great American success story, having reduced the percentage of poverty among our Nation's retirees from over 50 percent to 11 percent since the program's inception in 1935. Moreover, Social Security is not simply a retirement program; it is also a program that provides disability and survivor's benefits to over 13 million workers and their families.

Last year this House and this country had a 10-year estimated $5.6 trillion unified surplus, which included $3 trillion in non-Social Security surplus. But how times can change. In less than a year, $4 trillion of that surplus is now gone due to tax cuts, the downturn in our economy, and the war effort.

The greatest tragedy is not simply the diminution of the surplus, but also the fact that the proposed budget now before us in this House diverts $1.4 trillion of the Social Security trust fund and $556 billion from the Medicare trust fund to pay for spending and new tax cuts.

I have supported and continue to support tax cuts, specific tax cuts, but not tax cuts that undermine our ability to honor our promises and commitments. I support, as do so many Members of this House, a fiscally responsible plan for our Federal budget, a plan that recognizes the current health of the Social Security trust fund, while also recognizing the need in the future to protect it.

Because of the current strength of the trust fund, we have an opportunity before us as a Nation that we will not have too much longer to protect the reserves that will be vital in ensuring the

program's survival for future generations. The question today is when are we going to stop talking about saving the Social Security trust fund and finally do it.

Legislation has been proposed, but no action has been taken. We continue to use duplicitous accounting to hide the real deficits this country faces in the coming years when the largest generation in American history, the baby boomers, begin to retire.

It is hard for me to understand how, in what is obviously the most successful and popular Federal program ever conceived, how it can be subtly cut and raided for short-term convenience. The time has come for us as a Nation and as a House to make the tough decisions to save Social Security for our children and for our children's children.

There is a very real and looming threat that we may not be able to meet all of the promised obligations unless we commit to make the prudent fiscal choices today. As I mentioned, we have been presented with a budget that proposes a spending deficit in the Social Security trust fund of $1.5 trillion. Before we even begin the debate on long-term solvency of Social Security, I find it irresponsible that the Congress is being asked to force Social Security's obsolescence by raiding the trust fund and risking the fiscal health of a system that has been so successful. When, I ask, are we going to make the hard decisions of financial prudence?

I believe that we can achieve our long-term goals of preserving our Social Security system to prevent our Nation's seniors from falling back into poverty while also updating and reforming Social Security to meet the challenges of our modern era. It is true the baby boomers are rapidly approaching retirement. The oldest will be retiring by 2008, and it is true by 2021, the Social Security system will be taking in less revenue than it pays out in benefits. But as we proved in 1983 and as we can prove again today, we can save a program that has worked so well for so many for so many years, and it is incumbent upon us to make these tough decisions.

As the recent Enron debacle reminds us, it is critical to have a safety net in place, and a solvent one at that, to protect seniors when they retire. As workers across the country have watched their life savings, their 401(k)s lose 24, 35, even 50 percent of their value, and some regrettably have seen their 401(k)s and pensions evaporate altogether, it is critical that Americans know Social Security will be there to ensure that their minimum needs are met.

Mr. Speaker, in the last election perhaps the most used phrase was the Social Security trust fund would always remain in a so-called ''lockbox'' unable to be touched by the spending desires or tax cuts of some in Congress or of the administration. I do not believe any American argues against making sure that there are adequate resources to fighting the war on terrorism or defending the home front. However, we cannot allow the Social Security trust fund to become the credit card on which we charge a smorgasbord of new spending for tax cuts.

□ 1530

Mr. Speaker, today is the day, finally, in which we stand on principle as a Congress to send a clear message to this generation as well as the future generations of retiring workers that there will be, forever, a solvent, secure and dependable public Social Security program in this country.

Mr. Speaker, I yield to the gentleman from Rhode Island (Mr. LANGEVIN) to also address this subject.

Mr. LANGEVIN. I thank my colleague for yielding.

I would like to begin by thanking my colleagues and friends, the gentleman from Oklahoma (Mr. CARSON) and the gentlewoman from California (Ms. MILLENDER-MCDONALD), for joining me in focusing attention on this critically important issue. Together with a number of our esteemed colleagues, we are declaring that we will not accept a budget that jeopardizes Social Security or Medicare, programs that are essential to my constituents in Rhode Island and to Americans everywhere.

As we consider this year's budget, we have a choice, to preserve Social Security and protect our Nation's elderly from poverty, or divert funds for this program to less critical priorities. To meet the needs of our country's rapidly growing senior population, I choose to prioritize Social Security and Medicare and will fight for a budget that reflects that choice.

The administration's budget, on the other hand, raids $1.5 trillion of the Social Security Trust Fund surplus, the very fund Congress voted five times to place in a lockbox to ensure its solvency. This choice is unacceptable to me, and it is unacceptable to the two-thirds of recipients who rely on Social Security for the majority of their income and the almost 20 percent who rely on it for their entire income.

Last year, the Congressional Budget Office projected a 10-year non-Social Security surplus of $3.1 trillion. Just 1 year later, the projection has plunged to a deficit of $742 billion. The administration uses a series of gimmicks and unrealistic assumptions to disguise the fact that the government will run a much larger deficit than its budget predicts, virtually guaranteeing that the Social Security surplus will disappear over the next decade, leaving 200 million Americans who currently rely on Social Security, or will in the future, with no financial security in their most vulnerable years. A raid on the Social Security Trust Fund today is a promise to cut Social Security tomorrow.

In Rhode Island, Social Security provides a vital lifeline for a significant percentage of the population. Rhode Island ranks fifth in the Nation for the percentage of residents over 75 and sixth in the Nation for those over 65. In my district alone, 110,000 people rely on Social Security for their livelihood. These Rhode Islanders worry about whether Social Security will continue to be there when they need it, and they are tired of hearing promises from politicians that are not backed up with action.

Mr. Speaker, I am proud to stand with my Democratic colleagues to fight to preserve Social Security's core structure and ensure that we do not revert to an era of overwhelming poverty among the elderly. We have a choice. I choose America's seniors. I choose a responsible, honest budget that does not sacrifice the most vulnerable among us. I know those Members who join me today have made that same choice. I urge the rest of my colleagues to do the same.

Mr. CARSON of Oklahoma. I know the gentleman from Rhode Island (Mr. LANGEVIN) has worked hard on these issues over the last few months as well. We appreciate his comments on the issue.

Mr. Speaker, I yield to the gentleman from Texas (Mr. RODRIGUEZ) who has also worked passionately on these issues and whose words are always eloquent on this subject. Mr. RODRIGUEZ. I thank the gentleman for allowing us to talk about the important issue of Social Security. I also thank the gentleman from Rhode Island (Mr. LANGEVIN) for his efforts. I know that we are all concerned. I also wanted to take this opportunity to thank the gentlewoman from California (Ms. MILLENDER-MCDONALD), who is not here but I know who also is concerned and who might join us a little later as well as the gentleman from Oklahoma (Mr. CARSON).

Let me just indicate that, when it comes to Social Security, it is one of the issues that hits home and it is one of the areas that we forget that, during the time prior to Social Security, we had the largest problems that we had regarding poverty among our seniors. This has been one of the best programs to alleviate poverty among our seniors. So I am pleased to stand today and make some comments as we reach this critical time of reviewing and dealing with the issue of how we respond to the difficulties that we find ourselves in.

As a country, we are often faced with challenging obstacles on our quest to do what is just. The resources we have at our disposal are not infinite, as we all recognize. At these critical moments Americans expect their leaders to stand strong and make decisions that reflect all that makes this country great. Our seniors are facing a dilemma, one that threatens the security and trust they have as they reach retirement. We must fight to preserve our Social Security Trust Fund and honor our country's commitment to our seniors.

The President's budget does not honor the commitment to our seniors

and, in turn, fails all Americans. The President's new budget raids the Social Security surplus to pay for other government programs, not just one year but every year for the next 10 years. Ultimately, the President's plan would spend $1.5 trillion in Social Security surplus dollars to fund programs other than Social Security. This year alone, $262 billion in Social Security surplus funds are redirected. In the year 2003, the President's budget projects using $259 billion. All this money would be taken out of the trust fund and used to fund other programs.

One of the things that bothers me and irritates me is that we dealt with the tax cut and at a time right now when our first response should be in terms of defending our homeland, taking care of the war, we are choosing to respond to all the problems with a tax cut, when we ought to be telling those corporations they also have an obligation to pay for defending this country, and our seniors should not be carrying the burden for that to be occurring.

Now is the time for us to focus on a long-term budget plan that will recover as the economy recovers, returning us to an era where we can fully protect and even strengthen the Social Security Trust Fund. We need to recommit to the idea of Social Security surplus dollars only for Social Security and paying down the national debt. Our national debt now stands at $3.4 trillion. Paying down the national debt will strengthen the financing of the Social Security Trust Fund over the long term and will allow us to keep our commitment to seniors.

Our seniors deserve better than a piece of paper which attempts to guarantee their rights to receive benefits. That piece of paper means nothing. You can tell that to our veterans who have been told that they should have access to health care and we have not delivered for them. This piece of paper also will mean nothing. What we need to do is do the right thing in our budget, be able to pay down debt and be able to take care of our seniors.

As we look, and I would hope that we just do not look at those that are now receiving those benefits but we reach out and look at those baby boomers that are getting ready to reach that age, because they have also paid into the fund. In addition to them, we all recognize that the kids of the baby boomers, what we call the baby echo, we also need to consider the baby echo.

As we move forward on Social Security, there are special populations, Hispanics, for example, one out of every three Hispanics only have another pension, while one out of two Anglos have other pensions. So there are certain special populations out there that get disproportionately hit and depend on Social Security much more than other populations, especially Hispanic women who are the ones that are hit the hardest and if there is any move to privatize will be in complete jeopardy.

One of the things, and I want to thank the Members that are here tonight, because we need to talk about this. There is a great deal of talk right now, but what is transpiring and what is occurring already in the budget has a direct impact on our Social Security. I do not care, and I hate to see people come and talk about it and then they vote for those tax cuts that jeopardize not only our economy but the Nation as a whole and our fight in this war on terrorism. We are fighting this war on terrorism on the backs of our seniors.

Every single war we have had, we have always had a tax. When we had the Spanish American War, we had a tax on phones. When we had World War II, we had taxes. This is the only war that we have decided to give tax cuts to the wealthiest at the same time that we burden our seniors by taking their trust fund and their security from them. So it is unfair that we do this, but it is a good opportunity to begin to talk about where we are at.

Once again, I want to thank the gentleman for allowing me to say a few words. I know we have some additional colleagues that have come on board. I thank the gentleman for his efforts.

Mr. CARSON of Oklahoma. Mr. Speaker, I thank my friend from Texas for his impassioned words about the future of Social Security and the imperative on all of us, especially those of us with a real commitment to our seniors, and to remember that so many promises to our veterans were made more in rhetoric than in reality and that we should not do the same thing with Social Security. I thank the gentleman for his comments.

Mr. Speaker, I yield to the gentleman from North Carolina (Mr. ETHERIDGE).

Mr. ETHERIDGE. I thank my friend from Oklahoma for yielding and my other colleagues who have commented.

It is easy for folks who have not been in this body over a period of time or who are not old enough to realize and remember some of our folks who have had it so tough. Those of us who understand history remember that Social Security is a retirement system that has really been a bedrock. It is really that foundation that a lot of the other retirement systems were built on. Whether a person has no other plan, whether they have a 401(k), a 201(k) or no K, we always start with Social Security. If you go to a retirement planner and they want to help you if you have money, they still want to start with looking at Social Security, because that is the foundation or bedrock.

It has been that way since President Roosevelt signed it into law in 1935. It has been one of the most successful government initiatives, lifting millions of seniors and working families out of poverty in the 20th century.

But there was a time before Social Security, I remember my history, when seniors suffered in abject poverty. Too many people could not afford the basic human needs of food and shelter, and even some died homeless on the streets, far more than we see today.

The creation of Social Security is one of the landmark achievements, as I have said, of the 20th century. Together, we declared that seniors should not be forced to live in Third World poverty here in America. Together, this Congress, I was not here, but this Congress did it, a previous Congress. The House and Senate, along with the President, said that we are going to make a compact and we are going to make it with our seniors, seniors like my mother and my mother-in-law, that we are going to deal with generation to generation. The younger generation is going to help the older generation, and you are not going to be left in poverty.

My mother-in-law lost her husband when she was, I think, a relatively young lady of 59. My dad lost his life early on. People forget the survivor benefit that the wives tap into. Yes, there is a disparity now in what women draw because they are not in the workforce as long, but there is that provision to make it available. You cannot buy it with any other insurance. Congress in my opinion does not have the right to break that contract.

There is no question that Social Security is facing a serious challenge. The system has been deteriorating over recent years in terms of money available. But we made a lot of progress in the 1990s when we had a full economy, we had a growing budget, we had money available. It seems to me I remember last year that we were talking about having surpluses as far as the eye could see. What a difference a year makes. Now we are looking at deficits as far as the eye can see. But over the next few decades, we must act and we must act to make sure that it is secure, that it is safe. Otherwise, we will not be holding up our end of that compact.

There are those, including the people who served on the President's commission, who feel that privatizing Social Security is the answer to this problem. I respectfully disagree. Last year, when the President appointed his commission on Social Security, that commission, I think, was stacked and stacked with members, every one, who wanted to privatize it.

□ 1545

Now, if you want to privatize, that is one thing; but do not do it to the folks without letting the people involved be involved in it. There should have been on that commission beneficiaries. There should have been minorities on it, there should have been women, there should have been seniors. In the end, the commission offered only three flawed plans to privatize Social Security and failed to provide any kind of plan to restore the solvency of the system.

In that regard, I cannot support any privatization plan that would jeopardize the retirement security of our seniors and working families, because for many families in America, that is the only security they have. The recent

Enron scandal clearly demonstrates that we cannot allow the retirement security of our working Americans to become the victims of unrestrained corporate greed and mismanagement.

Social Security was designed to be a safety net, a safety net, and a compact between generations, as I said earlier, not a privatized vehicle of massive wealth for some and massive poverty for others.

Some would say, well, you know, look at what the stock market has done. Look at those who had 401(k)s last year and 201(k)s this year, and some of them may have zero(k)s if they have it in the wrong stock. That is just absolutely not what Social Security was meant to be; and there are many problems, in my opinion, with privatizing Social Security.

First, if you take money out of the trust fund to put in private accounts, then you weaken the system. One of the plans offered by the President's commission would remove $1.5 trillion, that is with a T, from the trust fund over 10 years.

Privatization also means benefit cuts. Another of the commission's plans would have reduced the benefits promised to future retirees by as much as 46 percent. Every privatization plan that I have seen thus far has what is called a ''clawback'' provision. That means in a privatized system beneficiaries will not receive both the full value of their private accounts and, along with that, their full Social Security benefit, so you lose something. That is not the commitment that was made.

In addition, a system based upon individual accounts would also disproportionately hurt women because they would suffer from low account deposits and likely lose their spousal benefits, because, for a lot of women, that is how they step up to higher incomes. Minorities would be literally shortchanged because private accounts would erode the progressivity of the system. Finally, the transitional costs associated with privatization puts the system solvency and the retirement security of those who depend on it at risk at a much more rapid pace.

The majority in this House now proposes to issue what are called certificates to Social Security recipients. I call them sham certificates. That reminds me last year they also sent out letters, the administration did, to folks and said you are going to get a tax cut, $300 or $600. I held a town hall meeting a little over a month after those letters went out and this lady came in and she was quite upset. She had been expecting that $600, she and her husband were. They did not tell her you had to pay so much in income taxes. They said you are going to get the check. She got $3 and some change. She lost her job and had to sell her car to keep her family together.

This Congress has a responsibility not to play charades and sham games, not to be playing gotcha and ideology. We have a responsibility to do the people's business. People who draw a Social Security check do not want games being played. They want their check, they want their money, and they want that contract and commitment to be there. People count on their Social Security benefits too, and these certificates would only be worth no more than the paper they are written on, because if the other stuff is not worth anything, it is sort of like the locked box. You know, you can lock a box, but what happened to the locked box? It is about having the integrity to tell people the truth and then following through and doing it.

We can find something better to do with the $10 million we are talking about using to send worthless certificates. Folks in my district learned the hard way to be skeptical when they are promised something that they know does not come through.

I, like my other colleagues who have been on the floor this evening, am willing to work with anyone in good faith to strengthen the bedrock that is Social Security; but we really must put aside partisan gimmicks and ideological differences, like certificates that are not worth the paper they are written on, or privatization plans that only make Social Security budgetary problems worse. We really ought to have a major study, if we are really serious about doing what we ought to do for the people, and bring the people to the table.

I was really disappointed last year that no one from this body was on the commission. If you are going to get something done, you ought to have Members of Congress involved who ultimately are going to have to be involved in the process. I urge all my colleagues in this House to get serious about Social Security reform if we are going to do it, because the time is here.

I want to thank the gentleman from Oklahoma for putting together this Special Order this afternoon. This is an important issue. It is important not just to the people who are now drawing Social Security; it is important to a lot of folks who ultimately are going to be drawing it. But, more importantly, it is important to the young people who are paying into it. They have a right to know that we are going to keep that commitment and that contract that has been made over generations to them as they pay in. And it has to get beyond gimmicks, and who has got the best idea to play gotcha with or get ready for the next election.

It is about good policy, not good politics. It is about doing what is right for our seniors, people like my mother and mother-in-law and their friends and others like them all across America who depend on Social Security every month. If the stock market is up, they get their check. If the stock market is down, they get their check. They do not worry about where the stock market is. They know that the United States Government stands four square behind the commitment it made, and we as Members of this Congress have that same solemn obligation that Members who have stood here before us had, and we cannot drop the ball now.

I thank the gentleman for putting together this Special Order and allowing me a few minutes to participate in it.

Mr. CARSON of Oklahoma. Mr. Speaker, I would like to thank the gentleman from North Carolina for his well-informed comments, and I also appreciate the fact that he brought up the ill-conceived nature of sending certificates to millions of seniors and Americans out there, certificates that provide no new rights and are not an enforcement mechanism for any existing rights, all at the cost of more than $10 million, all of this in a year when our budgets are strapped and so many very meritorious projects are going to have to go unfunded and left on the drawing room table. So I thank the gentleman for his comments and thank him for being here this afternoon as well.

Mr. Speaker, I would like to yield to someone who is equally impassioned about the subject of Social Security, the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, I want to thank the gentleman from Oklahoma (Mr. CARSON) for bringing us together for this very important discussion and also want to compliment the gentleman from North Carolina (Mr. ETHERIDGE) for doing such a fine job in simplifying what could be a complicated debate.

I wanted to add my words this afternoon to the very important issue of Social Security, probably the premier program of the last century, that helped lift one-third of the Nation out of poverty. Even today, if you think about many of our seniors, certainly women, the majority receive checks in a month that average maybe around $550, $580 per month. Social Security for them is not pocket change; it is a lifeline. Without Social Security and Medicare, they simply could not survive.

So you would think America, during this period of the stunning collapse of Enron, would have learned an important lesson, and that certain Members of this Congress who are trying to tinker around with Social Security would have learned an important lesson, and that is that the vagaries of the market and the private sector's penchant for gambling with other people's money is no substitute, can never be a substitute, for the rock-solid guarantee of Social Security, an insurance program and a disability program. Any one of us, any one of our family members, can be struck by a disability. Social Security is the social safety net for this country.

Yet what we see in the Bush administration's proposal in the wake of Enron is not retirement security, but retirement insecurity. In fact, the lockbox that the gentleman from North Carolina (Mr. ETHERIDGE) referenced, where

we all promised we would not touch the Social Security trust fund, in that in fact that trust fund would be there to pay dollars, the billions of dollars to our seniors across this country this year, next year, and as the baby boom generation retires, what the Bush administration is actually doing is taking these dollars and giving them away; and it is giving them away by the billions.

How is that actually happening? It is happening because this trust fund is being borrowed from now to pay tax rebates to some of the wealthiest and most profitable corporations in our country, not just this year, but over the next 10 years.

If you think about who is getting the benefit, let us take a look at Enron. If you look at the tax proposals that were passed here in this House, which I did not support, what they essentially meant was that we are taking money from the trust fund, and we are giving it to companies like Enron.

Enron, unless we stop it, is going to be getting rebates, rebates that basically are transfers from the trust fund which are the accumulated savings of the American people, taken out of every worker's check, and put there for their parents or grandparents. Those dollars are being transferred, not by the thousands, not even by the millions, but by the billions, which is the amount that is in the trust fund; and if you take Enron, for example, just in the years we are serving here, the first 3 years they probably will get $350 million in rebates.

Guess where that comes from? It comes from the one source of accumulated savings that the American people have, and that is the Social Security trust fund. So my aunt in Toledo and maybe your grandmother in Chicago, those savings that are there are being transferred because of consolidated accounting.

The Republican Party has invaded the lockbox that we promised would be there in perpetuity. Overall, the numbers show that the Congressional Budget Office projected a 10-year non-Social Security surplus of $3.1 trillion; and now, just 1 year later, that projection has plunged to a deficit of $742 billion, almost $1 trillion. So the surplus that had existed technically in the annual budgets has been turned almost overnight into a deficit, and the borrowing is continuing from the Social Security trust fund.

Now, Enron just does not get a little bit. I mean, $350 million in rebates, that is one-third of $1 billion. None of my relatives can even imagine how much money that really is. But that is what is going on here. And if there is any program that has marked the Democratic Party, and in fact it is one of the reasons I am a Democrat, is because of this Social Security program. It meant the difference for our grandmother between the poor house and being able to live out her final years in dignity. It was very meager, but at least it was something. It was something. To see this program violated for the likes of a chief executive officer like Ken Lay is absolutely abhorrent to me.

If I look at other corporations that are benefiting and the money coming out of the Social Security trust fund and going to them, we can look at General Electric, because General Electric is one of the companies that is not just going to get millions. Enron is going to get millions; General Electric is going to get billions out of the Social Security trust fund.

With the changes in the alternative minimum tax, it means that all of these little tax breaks and loopholes that the very well-paid accountants from companies like Arthur Andersen can find for these large corporations, they are going to get rebates through the Social Security trust fund, which sounds incredible because we were supposed to have put it in a lockbox and not touched it, and yet it is being drawn down to give money back to really the wealthiest people in our country and the wealthiest interests.

□ 1600

And they are not having trouble. These companies like General Electric, they are not going bankrupt. Now, Enron went bankrupt because of wrongdoing, criminal wrongdoing, it appears. And many of these other corporations, take Chevron, take Texaco, we are not talking about pennies, we are talking about hundreds of millions of dollars. The Social Security Trust Fund is being invaded to give nearly $200 million to Texaco, three-quarters of a billion dollars to Chevron. Think about that. Think about the transfer of wealth that is occurring.

So some people are saying, well, let a senior family or someone who is going to be of retirement age someday, let them put money aside. We just have to encourage responsibility in the American people. How do we do that on minimum wage? How do we do that when we do not earn a minimum wage? How do we do that when we have no health benefits?

Yesterday I sat in the Committee on Veterans Affairs thinking about this Special Order tonight and the fact that we were taking money out of Social Security Trust Fund to give it to some of the wealthiest corporations in the country, and we have a proposal from the Bush administration to charge veterans for prescription drugs. Now, we have always had a $2 copayment for various prescriptions, and many of our veterans average 10 prescriptions per month. What the Bush administration is doing is raising that copayment to $7 per prescription which, per month, would be $70, with a cap annually of over $850 for prescription drugs for veterans.

I am sitting there and thinking, well, is this not interesting. We hear all of these patriotic speeches on behalf of our military; and yet, when it comes to serving those who have put their life on the line, then, as they are very elderly and unable to fend for themselves, they say, now you have to pay additional money for prescription drugs. Is that what Lincoln had in mind when he said we would care for the veteran, his widow, his orphan? Is that the promise? Was it a false promise that was made?

So what we see happening is, why are we charging for prescription drugs for veterans, for those who have created and preserved the freedom that we have here in this country? Why are we charging them? Because we have to borrow. We have to take the money that should be placed into paying for those pharmaceuticals for those who have served our Nation. We are giving it away. We are giving it away to Enron in rebates, we are giving it away to General Motors in rebates, we are giving it away to Chevron in rebates, we are giving it away to IBM in rebates. That is where the money is going.

So I want to say to the gentleman from Oklahoma (Mr. CARSON), I am really very pleased that he has taken the leadership in pulling this together today, because this truly is; this is not a tangential issue for the Democratic Party, this is the core of the Democratic Party.

I was here in 1983 when we saved Social Security. It was the key issue in the election of 1992, along with the recession. We were able to reconstitute a healthy Social Security Trust Fund which served us well into this millennium. I am certainly one Member that will do nothing to weaken the system.

Mr. Speaker, I am proud to be a Democrat. I am proud to be holding the Social Security Trust Fund in our hands, and we literally do, and preserving it for the American people for this generation and generations to come.

I thank the gentleman again for giving this time this evening and urge him on in his efforts to inform the American public and to re-create that lockbox permanently.

Mr. CARSON of Oklahoma. Mr. Speaker, I would like to thank the gentlewoman from Ohio for her comments today. She is quite right in saying that, if the American public is wise, the upcoming election will be about this important issue, the most successful social program the United States has ever had. A social program that once, in 1935 when seniors were the poorest group in America, has lifted them out of poverty, so that those people in retirement no longer have to worry about making basic ends meet. Indeed, the election and this entire debate about the future of Social Security is between those people who would preserve this important program and those people who, in the name of reform, seek to dismantle it.

It is so important that people watching this today and those people who are across America and are going to be casting their ballots recognize the importance of Social Security. It is not as

a 401(k) program is, it is not as a pension program is at a private business. Those programs are important; and I in Congress, along with my colleagues, have voted to make those more accessible to our retirees. We should encourage people to invest and to save on their own. But the genius of Social Security has been always that it is a program below which we allowed no one to fall, a safety net, below which no one was allowed to fall. We can make good on the promise of retirement and the harvest of a bountiful life.

SOCIAL SECURITY: AMERICA'S MOST IMPORTANT GOVERNMENT PROGRAM

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

Mr. DEMINT. Mr. Speaker, I appreciate being here today to continue the discussion on this important issue, the issue of retirement security for America's seniors.

There has been a lot of discussion about the need to have an honest debate. I think that is very important. But we cannot have an honest debate when we have one side who is just criticizing with no plan, and our side who has been working diligently to develop a plan to guarantee benefits for today's seniors as well as to improve the Social Security system and guarantee even higher benefits for the next generation.

It is important that we recognize that Social Security is America's most important government program. It is a sacred promise to the American people. It is a Social Security contract that we cannot ignore.

Social Security is a plan that Republicans believe in, and we think that it cannot only make Americans free and secure, but it can secure our future indefinitely if we plan correctly. But we cannot have an honest debate, again, with a side that is full of critics, but no plans.

The Democrats at this point have put forward no plan to improve and save Social Security in the future. This is something we must challenge every day.

About two-thirds of retired Americans get their primary source of income from Social Security. It is too important to leave to chance. So our purpose here today is to talk about Social Security as it is and how it needs to be, how we can guarantee the benefits for today's seniors and improve the program for tomorrow.

In order for that to happen, there has to be more truth about the current Social Security program. It will not do to give a lot of statistics and a lot of misrepresentations.

We just heard the gentlewoman speaking of money coming out of the trust fund to go to corporations. This simply is not true. We want to refute these things today and tell Americans the truth about Social Security.

The first thing we need to do before we begin the debate is to stop this shameful frightening of senior citizens. The gentleman from Missouri (Mr. GEPHARDT) was on the floor last night and talked about a secret plan to reduce benefits after the election. They say we do not need to issue a written guarantee to seniors. We must issue a written guarantee if the other side continues to say that this plan is in jeopardy, that their benefits are in jeopardy. One moment they are saying it is a rock-solid investment; the next moment they are saying that someone is going to take it away from seniors.

We have a plan to tell every senior citizen in writing that their benefits are guaranteed. The current Social Security program will meet the promised benefits of today's senior citizens. They do not need to worry that any reform plan will change that. The President has said that he will consider no plan that reduces benefits for current seniors or those near retirement. The plans introduced by Republicans, none of them reduce benefits for seniors. The plan that the Democratic side has, which is no plan, means that we will continue with the program that we know is going bankrupt.

We need to tell people the truth. The first part of that truth is to reassure our seniors that no one will reduce their benefits.

The next thing we need to do is to clarify for today's workers the true nature of this Social Security system. The other side has just suggested that it is the only accumulated savings program for many Americans. Yes, it is the only savings program for many Americans. The problem is that, even though over 12 percent of everything workers make goes into Social Security for their retirement, not one penny of that is saved for their retirement. All of that money is spent on current retirees, paying down debt, or other government programs. The current Social Security system is not set up in a way that allows it to accumulate savings.

So, again, we work all of our lives. Many Americans, 20 percent, who do not live over 65, lose everything they put into Social Security, because there is no accumulated savings.

We need to guarantee benefits to today's seniors, but for today's workers, we need to tell the Social Security Administration something very simple and something Americans already think that we are doing for them. We tell the Social Security Administration to start saving some of the money that workers are putting into the Social Security program. We do not need to privatize anything. The same Social Security system, the same structure, the same payroll withholding, can continue just as it is. The only difference is is we begin to save some of that money for the future retirement of today's workers. We can do that without compromising in any way the security and benefits of today's seniors.

There are several reform plans on the Republican side, and I want to talk about one today that the gentleman from Texas (Mr. ARMEY) and myself have introduced here in the House. This is a plan that answers many of the questions that were posed by the other side, who has no plan. This plan is called the Social Security Ownership and Guarantee Plan.

Let us talk about the words ''ownership'' and ''guarantee.'' Today's Social Security program, while it may be the only savings program for most Americans, saves no money for seniors. We need to start saving and allow individuals to own their Social Security retirement account. At the same time, we need to tell every American that no American will ever receive less from Social Security under the DeMint-Armey plan than they would have received under the existing plan. They have a choice not to leave the current plan at all. So they can stay where they are, or they can begin to save some of the money that is coming out of their paycheck for their retirement.

What will happen over the next 20, 30, 40 years is my children and folks in their 20s and 30s will begin to accumulate large sums of money in a personal Social Security account that guarantees them that they will have at least as good or better benefits than the current system. So instead of retiring after a whole life of putting money into Social Security, under the DeMint-Armey plan, Americans will retire with hundreds of thousands of dollars in a Social Security savings account that is theirs. It can be turned into a monthly income and can be used to pass on to their children and grandchildren.

We need to recognize that for many poor working Americans the only opportunity for them to leave something to the next generation is from Social Security, and the way Social Security is set up today, all of one's benefits die with them. They have no opportunity to pass along anything that one puts into Social Security.

The DeMint-Armey plan allows individuals to save, to invest in safe investments, in government bonds, and to have the money they need for retirement and money to pass on to the next generation.

Perhaps even more importantly, the DeMint-Armey plan recognizes that we need to set aside even more of the income for the working poor so that they will have enough when they retire to have their own income as well as money to leave. The DeMint-Armey plan allows folks at the lower income level to keep a larger part of their payroll withholding. They do not take out any more taxes. The taxes stay exactly the same. But they put up to 8 percent of their total salary into the savings account so that, when they retire, they will have something of their own.

This is a plan that helps the poor, it helps seniors, it helps America. Because what changes with this DeMint-

Armey plan is, when the next generation arrives at retirement, they are no longer dependent on the government for their income.

□ 1615

They do not have to listen every election that somebody is going to take their income from them, or there is some secret plan to reduce benefits. They will have their own retirement account, their own retirement income. Many Americans will be wealthy from the Social Security system.

There are a lot of folks trying to frighten us today, to say if this money is saved that somehow they will not be as secure. We need to remind Americans that if they have no savings and they are totally dependent on politicians to give them a retirement income, they are not secure at all. In fact, they will continue to be frightened and manipulated, like we have heard today.

It is critically important that we talk about the truth, that we debate real plans for Social Security reform, and that we do not continue the charade of the other side that nothing is wrong and nothing has to be changed. If we do not change Social Security, within 30 years benefits will be cut nearly 30 percent. Those cuts will continue, along with increases in payroll taxes over the years. That will happen in about 2038.

Social Security is a promise of the future. This is not a problem that we cannot solve. In fact, it is an incredible opportunity for us as a Congress to reshape the Social Security program in a way that makes people not only secure but makes them free and independent in retirement. It gives the poor an opportunity to save and pass along wealth to the next generation. This is the opportunity that we need to give to the American people during the debate on Social Security.

Mr. Speaker, I yield to the gentleman from Indiana (Mr. PENCE).

Mr. PENCE. Mr. Speaker, I thank the gentleman, not only for yielding to me, but for his leadership on the issue of Social Security reform in this Congress.

Mr. Speaker, this Congress has a responsibility to inform the American people that Social Security faces serious financial problems in the not-too-distant future. We cannot afford to sit idly by while our Social Security system continues to mirror corporations that have become insolvent, like ones that have made their way onto the front pages of America's newspapers.

At present today, there are four workers supporting every one beneficiary on Social Security. By the year 2020, that ratio will dwindle to two workers for every one beneficiary. Americans will either have to endure enormous payroll tax increases or support systemic reform.

I am here today, along with the gentleman from South Carolina (Mr. DEMINT) and other colleagues, to stand in support of systemic and visionary reform that even includes the idea of personal retirement accounts. Mr. Speaker, the personal accounts proposals that are being debated in Congress today are completely voluntary, and, I would offer and emphasize, completely safe. Investments would be made in highly diversified companies plus government and corporate bonds, a popular pension plan among many Members of Congress.

If it is an option for those of us in this Chamber, it should certainly be an option for American taxpayers. Let us give workers real ownership of their Social Security by making it free from the influence and political control of Congress.

But Mr. Speaker, let us move on to some of the myths from the left that are hovering above our Social Security system today, and it makes this Special Order and this time on the House floor so urgent and so important as a beginning in this debate.

Myth number one: the President's budget raids Social Security. I offer that this is absolutely false. The President has proposed a budget well suited to this unique moment in American history when our country is at war, our homeland and our citizens have been attacked, and our economy is weak. This budget is an appropriate blueprint to craft our response to the challenges before us. In fact, Mr. Speaker, the Social Security trust fund continues to grow under the President's budget. It provides for every penny of current law benefits and full cost-of-living adjustments.

Myth number two: last year's tax cuts in some way threatened Social Security. Again, Mr. Speaker, this is entirely false. Last year's tax cuts have not affected the Federal Government's ability to pay benefits, and the trust fund remains unchanged.

Some of those in this debate can and will continue to point to tax cuts as a threat to Social Security, but the truth lies in the simple demographics of an aging population. Eliminating tax cuts will not improve worker-retiree ratios. It will not encourage seniors to delay retirement. It will not encourage workers to save more for their own retirement.

Myth number three: Social Security reform will somehow erode the trust fund. In fact, that, again, Mr. Speaker, is false. Research indicates that the creation of the proposals for personal retirement accounts actually increase benefits for retirees well above what the current Social Security system could ever imagine to pay. Without these accounts, today's workers could face as much as a 30 percent cut in benefits when they retire.

The research is accurate, and the myths have been dispelled. We as a body must now move in the direction of offering a plan; and the Republicans, Mr. Speaker, have a plan. We will save Social Security from its bankruptcy and the course upon which it is headed in the next 20 years while guaranteeing that current retirees receive their promised benefits.

Let me say again, Mr. Speaker, I think it is absolutely imperative, and I extol the leadership of the gentleman from South Carolina (Mr. DEMINT) and others in this Chamber who have said we as leaders in this country in both political parties should make an affirmative statement to the American people that we will meet our obligations in the Social Security system; that what people expect to receive from Social Security in income and in benefits they will receive, and no less. I believe the time has come for us to make this imperative statement clear to the American people, and perhaps this Congress will do so this year.

This leadership and this majority will ensure that workers are allowed to earn higher benefits than under current law, as we have before. We will give workers ultimately real ownership of Social Security when reform finally arrives. We will enable younger workers to build wealth through voluntary participation in their own personally owned accounts that they can pass along to their heirs. We will preserve the important disability and survivors components of the program. We will reduce the financial burden on children and grandchildren. We will improve the rate of return for all beneficiaries.

Mr. Speaker, the Good Book tells us that if anyone does not provide for his relatives, and especially for his immediate family, he has denied the faith and is worse than an unbeliever. I submit today that we must, in this country, make it more possible for more Americans to not only provide for themselves but to provide for their families.

We do that through strengthening Social Security today. We do that through strengthening the people's confidence in the commitments that this government has made to Social Security, that we will meet those commitments, that income and benefits from Social Security will remain firm, and we will also keep the promise of Social Security alive, Mr. Speaker, by being a reform Congress; by recognizing that if we simply allow Social Security to continue along its way, that it is headed for the shoals.

But if we will step in with the leadership that the gentleman from South Carolina (Mr. DEMINT) has provided in this Congress, that our majority leader continues to provide, and that other visionary leaders in this Congress have offered in this area, I am altogether confident that there will be one bright, shining day when we will have a Social Security system in America that builds wealth rather than dependency; a Social Security system in America that engenders confidence about those retirement years for all Americans; a bright, shining future when some day, Mr. Speaker, perhaps Americans would not look longingly to the Capitol dome hoping that their retirement security

would be in place, but rather, they could look to themselves. They could look to their own retirement accounts. They could look to a system, and they could look to statements with their own resources, and be confident on their future because of the resources that they have placed in that trust.

It is a vision, it is a long-term vision; but it begins, I submit today, as the gentleman from South Carolina (Mr. DEMINT) has laid out so eloquently, it begins with a promise. It begins with strengthening the commitment that this Congress has to maintaining the income and benefits of Social Security at the level of expectation that Americans have today.

Once we reiterate this Congress's and this government's commitment to Social Security, once we have laid the foundation of confidence with the American people, then we will lead with reform that will ensure not only Social Security for our parents but also for our peers and for their children and for our grandchildren for years to come through much-needed reforms.

Mr. DEMINT. Mr. Speaker, I thank the gentleman. It is so refreshing to hear someone dispel the myths; to talk about the need to guarantee benefits, to talk about real ideas that cannot only guarantee the benefits for today's seniors, but to guarantee that no American will ever receive less from Social Security than is promised by the current system.

This is leadership, and I want to thank the gentleman from Indiana (Mr. PENCE) for being here today and helping us dispel the myths. We no longer need to listen to the fear tactics, to the manipulation.

Surely the other side does not want us to issue a guarantee because they do not want seniors to know that their benefits are safe, because in the upcoming election, Mr. Speaker, they want to run these ads that tell the seniors that someone is going to take their Social Security from them.

I can guarantee today's seniors that as long as President Bush is in the White House and the Republicans are leading the Congress, that no American will ever receive less from Social Security than is promised by the current system.

Mr. Speaker, I yield to the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Speaker, I thank the gentleman for yielding to me, and I thank him for doing this Special Order.

If we can convey one message, it is that Social Security has real problems. I think the temptation in a political election year is for anyone that comes up with suggestions on how to solve Social Security, how to keep it solvent, to criticize them, to maybe win some points from seniors by scaring seniors that their retirement benefits might be in jeopardy with any change.

Mr. Speaker, I have a couple of charts. This chart represents the complications of the increased cost of Medicaid, Medicare, and Social Security. So as we see, the percentage of the total gross economy of the country, which is now around 7 percent, is going to go to about 15 percent in terms of the cost of these particular programs. Trillions of dollars does not have a great deal of meaning for most Americans, and probably not for most Members of Congress; but the unfunded liability of Social Security right now in today's dollars is $9 trillion. That means we would have to take $9 trillion, put it in a bank account with a return of approximately 4 percent to accommodate the money that we are going to need over and above the FICA tax, the money coming in, the Social Security tax, to pay Social Security taxes in the future. That is if we do nothing.

So if there is one message that the gentleman has been so successful in conveying, and many of us have tried to pitch in, it is the fact that the cost of doing nothing is so much greater than trying to reform the program and get a better return on some of those dollars. This just represents the portion of Social Security as it consumes the current budget. So it is one of the biggest expenditures; 21 percent of everything that government spends is now spent on Social Security.

Here is the danger. The danger is not doing anything, and we will wait until the last minute and then increase taxes and reduce benefits. That is what this country has done several times since 1934, because this Congress, in very emotional, vulnerable areas such as Social Security, waits until the last minute. They wait until it is almost a catastrophe, running out of money, and then they do something. Here is the something that they have been doing is raising taxes.

□ 1630

On this chart you see in 1940 the rate was 2 percent on the first $3,000; and the maximum tax was, of course, $60 a year. By 1960 they raised the rate again to 6 percent on the first $4,800. In 1980 they raised it to 10.16 percent on the first $25,900; and in 2000 it is 12.4 percent. In 2000 it was on a base rate of 76,200. Today it is 86,000. So it is 12.4 percent of the 86,000. So as the number of workers has declined in relation or in the ratio to the number of seniors, then you charge those existing workers more and more.

So we have got that kind of demography facing this country. In 1940 there were about 40 workers for every one retiree. Today there are three workers for every one retiree. And they expect in the next 25 to 30 years it will be two workers for every one retiree. The tremendous burden on those two workers. And what we are suggesting now, nobody is suggesting privatization, privatization is a word that the demagoguers use to try to scare people.

Every plan that I have seen by every Republican, including some of those that are joined in by Democrats, have a Social Security program that gives the protection of benefits to current and future retirees. The challenge is can we get a little better return than no return at all on the money. Right now, with a little extra surplus coming from the Social Security tax, it is put into government bonds; and when interest accrues, another IOU is written but there is no real money. So in 2016 when the revenues coming in from Social Security tax are less than what is sent out to pay benefits, look, everybody needs to know there is no account with your individual name on it as an American worker that gives you any entitlement to Social Security benefits; and that should be obvious over the past years when we have simply increased taxes and reduced benefits.

If we can get some of that in individual workers' names and limit it to certain kinds of indexed accounts, that is what the gentleman from South Carolina (Mr. DEMINT) does in his bill, that is what I do in my bill, then you own it. If you die before you are 65, then it goes into your estate because it is your money. Right now if you die before you are 65, you get $225-or-something death benefits.

Can we get a better return on the money? And how dangerous is it to keep putting this bill off? I chaired the bipartisan Social Security Task Force last session, and I introduced four Social Security bills since I came here in 1993 that were to keep Social Security solvent. Every term, every session over the last 9 years that I have introduced a bill, it had to be a little more drastic. And if we continue putting this off, then it is going to be that much more drastic later on.

It is going to cost a lot of money to pay benefits. We are going to pay benefits. The question is can we save almost 20 percent of the cost by changing the programs now and getting some real return on that investment.

Mr. DEMINT. Mr. Speaker, I thank the gentleman for taking the time to understand the problems with the Social Security system and to tell the truth about it. But even more importantly, for taking the time to develop a plan to make Social Security better in the future. That is what has been missing in this debate, truth about the current program and a plan to make Social Security better in the future and to guarantee the benefits. That is what we need to bring to this honest debate that has been requested by the gentleman from Missouri (Mr. GEPHARDT) is a plan in truth.

Again, I want to thank the gentleman. I want to thank the Speaker. I want to thank everyone here for recognizing the importance of the Social Security program, but to also recognize that it is Republicans that have a plan to guarantee the future of Social Security. Our head is not in the sand as the other side's is. We are not denying that there is a problem.

We are recognizing the problem, but we are developing plans to guarantee

that no American will ever receive less from Social Security than is promised by the current program. And we want to put that in writing, and we want it put it down in a plan that will last.

Mr. SMITH of Michigan. Mr. Speaker, will the gentleman yield?

Mr. DEMINT. I will yield to the gentleman from Michigan.

Mr. SMITH of Michigan. Just to emphasize the point, we talk about the magic of compound interest. I paid my grandson to come in and paint the fence. And I said, Look, will you put this $36 in a Roth IRA? He said, Geez, Grandpa, I want to put this in an account and buy a car with it when I am old enough. So I explained to him, Look, if you put this $36 in an IRA it doubles almost every 8 years. So I figured it out and projected it out so at age 65 he had $70,000 that that money would be worth because of the magic of compound interest; and if he waited another 7 years to age 72, then it would be worth $140,000. He said, Gosh, Grandpa, that is good; but could I just put most of it towards the car and a little bit towards the Roth IRA?

So the magic of compound interest is what can make today's workers that are modest or median income retire as rich people. That is what we are trying to do is having something more than just Social Security but promise the Social Security, but then have the opportunity with the magic of compound interest to have retirees gain even more in their retirement years.

Mr. DEMINT. Mr. Speaker, I thank the gentleman, although I do think he should have paid his grandson more than $36. But he makes an excellent point. If Americans knew that even the poorest worker, if we start now for those in their 20's and 30's, they will all have several hundred thousand dollars that is theirs that can be turned into a monthly income for their own retirement security, but even more importantly, to have some additional income for their retirement, to pay off a house, to help children or grandchildren. We need to help the poor of America develop wealth that they can pass on to the next generation and Social Security is that only opportunity.

We have plans to help them save more and at the same time guarantee that their retirement income will always be as much or more than the current Social Security system.

This has been a great start to the discussion. You will hear more from the Republicans because it is the Republicans that have the plans, and it is the Republicans that will tell you the truth.

SOCIAL SECURITY, WOMEN'S HISTORY MONTH, AND PREVENTING RECIDIVISM

The SPEAKER pro tempore (Mr. TIBERI). Under the Speaker's announced policy of January 3, 2001, the gentleman from Illinois (Mr. DAVIS) is recognized for 60 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, I must confess that I have been intrigued with some of the discussion that has taken place relative to Social Security and what we need to do with it. And I count myself as one of those who believe that our Social Security system, which was actually developed and generated by Democrats, a Democratic President, of course, undergirded much of it; and, of course, Democrats want to preserve and protect it.

I am one of those who believe that at all costs we must, in fact, protect and preserve our Social Security system as we have known it. But that is not what I really came to talk about this evening. As a matter of fact, I have two things that I am going to discuss.

WOMEN'S HISTORY MONTH

Mr. DAVIS of Illinois. Last month we praised our forefathers as we observed President's Day, and this month is Women's History Month. And as it gets underway, I want to recognize some of the outstanding women; women who dared to be first; women who strove for equality and social justice; women who not only broke ceilings but shattered spheres in pursuit of rights that should have been inalienable at the time, and whose contributions continue to pave the way and continue to inspire others.

Of course, Mr. Speaker, as you know I am from Chicago, a city that is rich in women pioneers and trailblazers in both the past and the present. One such woman that I would like to mention is Ida B. Wells, who founded the first black female suffrage club in Illinois as well as the first kindergarten in a black neighborhood.

Ida B. Wells was born in 1862, was a slave for the first 6 months of her life, and spent the remainder of her life fighting for civil and economic rights for African Americans and for others. Declaring that one had better die fighting against injustice then die like a dog or rat in a trap, Wells crusaded against lynching and segregation until her death in 1931.

Another outstanding Chicagoan and another outstanding pioneer in the suffrage movement was labor activist Sylvia Woods, who was a pioneer in civil rights, a woman that I got an opportunity to actually know. During World War II she held the union organization drive at Bendix Aviation. She spent much of the 1940's organizing the United Auto Workers Local 330 and formulating the UAB resolution against sex discrimination. Following the war, she assisted women who were laid off in Chicago and co-founded the National Alliance Against Racism.

However, at present there are future history makers who are also making a tremendous impact on the lives of citizens in Chicago and throughout the Nation. Exemplary individuals from today include Reverend Addie Wyatt, Reverend Willie Taplin Barrow, Dr. Johnnie Coleman, and Ms. Mamie Bone, as well as a number of others.

Reverend Addie Wyatt has the distinction of having had active involvement with the three major movements of the 20th century: labor, civil rights, and women's rights. Her leadership roles in labor were the international vice president of the United Food and Commercial Workers International Union, and she broke ground as the first female local union president of the United Packing House Food and Allied Workers and as international vice president of the Amalgamated Meat Cutters and Butcher Workmen of North America.

One of the most eloquent spokespersons I have ever heard, Addie Wyatt also played a founding role in Operation Breadbasket and Operation PUSH, as well as her work with Dr. Martin Luther King, Jr., illustrates her commitment to civil rights.

Her involvement in the women's movement has also generated a number of worthy achievements. Reverend Wyatt is a founding member of the National Organization of Women and in the early days was appointed by Eleanor Roosevelt to serve on the Labor Legislation Committee of the Commission on the Status of Women. During her distinguished career, she advised Presidents Kennedy, Johnson and Carter and other important leaders on these causes.

She and her husband, Reverend Claude Wyatt, currently serve as pastors emeritus of the Vernon Park Church of God in Chicago, which they helped to develop and which stands as a monument to their tremendous religious and spiritual leadership.

Reverend Dr. Willie Taplin Barrow is the co-chair of Rainbow/PUSH Coalition. She is well known for breaking barriers in a male-dominated profession. She is an ordained minister and on the Governor's Committee on the Status of Women in Illinois. She is a member of the Democratic National Committee, is a dynamic preacher and inspirational speaker, and travels all over the world motivating, stimulating, activating people to realize their own potential for not only self-sufficiency, but the potential that they have to help shape and mold the society of which they are a part.

Almost any Saturday morning you can encounter Reverend Barrow at Operation PUSH where she co-leads that organization along with its founders, the Reverend Jessie Jackson.

Another fine citizen of Chicago is Reverend Dr. Johnnie Coleman, sometimes referred to as the first lady of the religious community. She is the founding minister of Christ Universal Church where 4,000 people go to hear her words of wisdom and healing every Sunday.

□ 1645

To her credit, Reverend Coleman has several organizations in Chicago; the Universal Foundation for Better Living, Incorporated, the Johnnie Coleman Institute, and the Johnnie Coleman Academy, as well as a book of teachings entitled ''Open Your Mind and Be Healed.''

Also, an outstanding minister is Reverend Jennie Pettis, who is the founder and pastor of the Family Altar Evangelistic Church. In a relatively short period of time, the Reverend Pettis and her parishioners have built a brand new edifice, which they expect to inhabit during the spring of this year.

Chicago is a magnificent city, a tremendous city. I represent a Congressional District that is one of the most diverse in the Nation. It includes downtown Chicago, the Gold Coast, the Magnificent Mile, outstanding museums and universities, 23 hospitals, 4 medical centers, 4 medical schools, almost anything that one can imagine. But also in that landscape, of course, I represent Chinatown, I represent Greek Town, I represent what is called Little Italy, a great Italian community, and I represent the Ukrainian Village.

I also represent a large percentage of the public housing in Chicago, more than 68 percent; and as the chairperson of the Central Advisory Council, Ms. Mamie Bone fights for the residents of public housing. She currently serves as a member of the CHA Board of Commissioners and continues to champion and continues to work and advocate for the employment, security and safety of public housing residents.

Other individuals who provide leadership in public housing are people like Deverra Beverly, who is the chairman of the local advisory council at the Abla Public Housing Complex. Also, Ms. Cora Moore at Cabrini-Green, and Ms. Carolyn Willingham. Both provide tremendous leadership in the Cabrini-Green complex. Ms. Maner Wiley and Lorena Nellum at the Hilliard Homes. Ms. Gloria Williams at the Nazariah Safe Haven. Ms. Brenda Bolden in the Lawndale area. Ms. Cora Dillard in Robert Taylor. Ms. Deborah Martin and Ms. Mildred Dennis in Robert Taylor. Ms. Mary Baldwin at Rockwell Gardens. Ms. Francine Washington at Stateway Gardens. Ms. Beatrice Harris at Wentworth Gardens. And, of course, Ms. Shirley Hammond, who has developed a business in the Cabrini area and represents the senior housing on the north side of the city; and Ms. Martha Marshall, who represents the Senior Housing Central and has developed a business which is part of the business development activity for the area.

The last woman that I will mention, as we talk about outstanding Chicago women, is one of great historical significance. Jane Addams, the mother of social work, Nobel Peace Prize recipient, and an individual extolled by President Franklin Roosevelt as Chicago's most useful citizen.

Jane Addams established Hull House, Chicago's first settlement house for the underprivileged in 1889. Hull House quickly became an innovative place for gathering, learning, obtaining a free meal, gaining employment, and even organizing union activity. She later became a vocal advocate for women's suffrage and humanitarian causes in the early 20th century and reasoned that ''civilization is a method of living and an attitude of equal respect for all people.''

She held leadership positions in several key organizations throughout her life, including the National Progressive Party and the International Congress of Women. Fortunately, Jane Addams was not destined to always be a suffragette, never a voter. She lived until 1931 and saw an American woman's right to vote become a reality in 1920.

In closing, Jane Addams also sagaciously stated that national events determine our ideas as much as our ideas determine national events. Indeed, Women's History Month is a national event which celebrates the ideas of our Nation and the spirit and triumph of the women's movement; and so it makes sense for us to stop, to pause, to realize and to recognize the tremendous contribution that women have made and continue to make in the development of this country.

REINTEGRATING EX-OFFENDERS INTO SOCIETY

I think I will shift at this time a bit, Mr. Speaker, and talk about an issue that I think is one of the most serious issues facing our country, and that is the issue of successfully reintegrating ex-offenders back into the normalcy of society; that is, successfully reintegrating ex-offenders back into normal life after they have been incarcerated, after they have served time and are now looking for a way to become, one might say, normal again.

On February 7, I introduced what is now called the Public Safety Ex-offender Self-sufficiency Act of 2002. The Public Safety Ex-offender Self-sufficiency Act amends the Internal Revenue Code of 1986 to reflect an ex-offender low-income housing credit to encourage the provision of housing, job training, and other essential services to ex-offenders through a structured living environment designed to assist the ex-offenders in becoming self-sufficient.

The United States Department of Justice, the National Institute of Justice, said in November of 2000 that in the United States, and I quote them, ''There are virtually no systematic, comprehensive approaches to dealing with reintegrating ex-offenders.'' This is a comprehensive legislative initiative that will address recidivism, cost of crime to victims, and public safety. Let us see if we can make the case.

The problem of successfully reintegrating ex-offenders back into normal life is one of the major issues facing low-income and minority communities throughout the Nation. It is a serious public safety issue that requires serious public attention. While 5 percent of the world's population lives in the United States, 25 percent of the world's prison population are in United States' jails and prisons. Nationally, the United States Department of Justice reports that there are now over 2 million people in State and Federal prisons, more than a threefold increase since 1980.

This year, more than 600,000 people will leave prison and return to neighborhoods across the country. The problem of ex-offenders impacts all levels of our society. In 1998, there were 225,700 veterans held in the Nation's prisons and jails, 56,500 Vietnam War era veterans, and 18,500 Persian Gulf War era veterans. The Justice Department reports that 20 percent of those veterans in prison or jail reported seeing combat duty during their military service.

As of November 2000, 45,617 adults were incarcerated in Illinois prisons. During that same period, 29,120 were on parole. We have even looked at a study prepared by Claritas and commissioned by the Stein Family Foundation that 70 percent of men between the ages of 18 and 45 in one particular Chicago community are ex-offenders. In America, the poor and people of color are more likely to be incarcerated. Fifty-three percent of people warehoused in our Nation's prisons earned less than $10,000 a year prior to incarceration.

Although the minority population is approximately 13 percent, 66 percent of the Nation's prison population are people of color. Nearly 4.6 million adult men and women were on probation or parole at the end of 2000, an increase of almost 70,700 during that year. While 52 percent of those on probation have been convicted of committing a felony, 46 percent were convicted of misdemeanors. Of the offenders on parole, 97 percent had been sentenced to incarceration of more than 1 year. According to the Soros Institute, 72 percent of those entering State prison for the first time were nonviolent offenders.

Studies indicate that the median education level of released prisoners is 11th grade. In addition, three-fourths of those reentering prison have a history of substance abuse. Not surprisingly, 16 percent suffer from mental illness.

According to the U.S. Department of Justice Bureau of Justice statistics, at the end of 2000 State prisons were operating between full capacity and 15 percent above capacity, while Federal prisons were operating at 31 percent above capacity.

As our Nation's prison population explodes and prison operating costs skyrocket, little is done to prepare these adults for reentry. In fact, the National Institute of Justice reports that 14 States have abolished discretionary parole and the parole boards that historically managed prisoner reentry.

There is a shortage of vocational, educational and substance abuse programs in prison. In fact, like States all over the country, Illinois recently cut the post-GED programs. According to the sentencing project, more than 100,000 prisoners are being released each year without any form of community correctional supervision.

□ 1700

The recidivism rate remains high, and studies show that a direct correlation between homelessness and recidivism exists. The Chicago Continuum of

Care reported that 6.5 percent of respondents noted that release from jail was a contributing factor for homelessness. In addition, 7.1 percent responded that release from incarceration was the primary factor for homelessness. According to the U.S. Department of Justice, 62 percent of those released from State prisons will be rearrested within 3 years, and 40 percent will be reincarcerated, including many for technical violation of parole.

In 1997, the Illinois recidivism rate for African Americans exceeded the national norm: blacks, 48.2 percent; whites, 35.7 percent; Hispanics, 30.9 percent; and others, 28 percent. A staggering 36.4 percent returned due to a new sentence. Ex-offenders that are truly interested in reintegrating back into community life, interested in finding employment and taking care of themselves and their families, locating housing, going to school, oftentimes have no place to go. There are very few second chances.

What happens to a man or woman who cannot find an employer willing to give them a second chance, refused TANF benefits, cannot receive subsidized housing, educational or medical assistance? We have seen over and over again that they return to prison. We hope to convince the Nation that by supporting these initiatives we begin the process of, one, saving ourselves; two, protecting our persons and property; three, reducing the human and capital costs of recidivism; and, four, we begin to seriously impact in a positive way the quality of life for everyone.

Neighborhoods across the Nation are absorbing the economic and social cost of reintegrating hundreds of thousands of ex-offenders back into society each year. In 1991, the Bureau of Justice reported that the cost of the justice system per resident was $299. In 1996, the Department of Justice reported that the cost of crime to victims rises to approximately $450 billion a year, or $1,800 per man, woman, and child.

That is to say if we could find a way to seriously reduce crime, reduce recidivism, provide opportunities for these individuals to become self-sufficient, to learn a trade, develop a skill, go to school, get a job, then not only are we providing for them, but we are in reality helping all of America. According to a poll commissioned by the ACLU, people across the Nation are not satisfied with the current prison system. In addition, the poll released in July 2001 found that six in 10 Americans believe that it is possible to rehabilitate a nonviolent offender. Other key findings of the ACLU poll support alternative punishments for many nonviolent offenses. In addition, 69 percent of respondents believe that prisons should be required to teach skills. That is, individuals ought to be able to develop to the extent that when they leave a correctional facility they are in better shape than they were when they first went in.

As these men and women transition from incarceration to freedom, what they need most are comprehensive reentry solutions. What they find instead are often cold stares, unreturned phone calls, and closed doors. The jobs are like an old man's teeth, few and far apart. Housing is scarce, and other social services are in most cases nonexistent for the serious and earnest men and women desirous of working to clean up their act and transition into productive citizens.

Mr. Speaker, with the implementation of this bill nationally, the recidivism rate just might decrease. Prevention, treatment, and rehabilitation are just as important as incarceration. These men, women, and children always must live in some communities. Increased public safety is a primary concern of communities and neighborhoods all over the country. In the Seventh Congressional District of Illinois, Ex-offenders Task Force representing a broad group, including representatives from national and local civil rights organizations, community-based organizations, ex-offenders, academicians, law enforcement officials, elected officials, community activists, faith-based organizations, block club residents, businesses and community residents, are all in serious collaboration to try and find direction and, hopefully, solutions.

The Public Safety Ex-Offender Self-Sufficiency Act addresses several serious needs and barriers this population must overcome in order to successfully reintegrate. Through the efforts of the task force, we confirmed that housing still remains a key barrier. In fact, secure and safe and affordable housing is a stabilizing force for the formerly incarcerated.

From Los Angeles to New York and in Chicago, ex-offenders are deterred from a fresh start, a second chance. These men and women face countless legal barriers. In Chicago, for example, ex-offenders are prohibited from living in public housing and from working in many public agencies. In Illinois, ex-offenders are prohibited from working in 57 occupational categories without some form of waiver. Nationally, ex-offenders that are convicted of drug offenses after 1996 are unable to receive Pell Grants.

According to a 1998 NACRO study, 13 percent of prisoners were homeless before their sentence, and 34 percent had lost homes because of prison. As a result, half the sample were therefore at risk of being homeless on release. The study also notes that prisoners that are released homeless are much more likely to offend or to reoffend. In addition, a housing research study, ''The Housing Needs of Ex-Prisoners,'' identified three factors to determine whether ex-offenders succeeded in retaining their homes: one, the quality of family relationships; two, the availability of housing entitlements; three, current financial status.

The study also noted that ex-offenders face other problems in rehousing which includes access to independent mainstream accommodations, arranging housing accommodations other than in hotels prior to release, and very few ex-prisoners agree to live in hotels or homeless shelters because of concern about recidivism.

But the issues are much broader than housing alone: Federal Pell Grants, expungement, jobs, health care. Through our legislative initiative, we are looking at reintegrating ex-offenders from a holistic perspective, trying to address factors while acknowledging that affordable and available housing is an overarching need. This legislation will help to meet that need. But the other thing about this legislation is that it is cost effective. It is not designed to just ask the government or somebody to provide grants. It really uses the low-income housing tax credit system that we are all familiar with where States receive credits based upon population.

In this instance we simply take the number of ex-offenders who are released to a particular State, and then provide credits to that State based upon its number of ex-offenders. Private developers will be encouraged to develop the housing that is needed which they must hold for 15 years. After 10 years, they will have recouped the money that they have invested so it makes good business sense, good business sense for the private developers who will develop the housing that is needed; good business sense for the communities who will have help in aiding their ex-offenders; and good business sense because it will help a category of individuals to become self-sufficient, contributing members of society who then will be in a position to give rather than to take, will be in a position to become substantial helpers, to make America become what America has the potential of being.

Mr. Speaker, I urge my colleagues, I urge business and industry, I urge social workers and social scientists all to get behind this legislation because I believe that it could provide hope for the hopeless and help for the helpless.

Mr. Speaker, I yield to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Speaker, I thank the gentleman for yielding, and I congratulate the gentleman for touching on an issue of enormous consequence that does not get the attention that it deserves, that is, we have in this country the largest per capita rate of incarcerated people; and I think the evidence as the gentleman has just indicated is very clear that we do not do a good job of reintegrating those people into society. The result is an enormous amount of pain, human destruction, and a great deal of expense to the American taxpayer.

Mr. Speaker, what I want to touch on, and the gentleman from Illinois (Mr. DAVIS) might be interested in this issue, is another issue that does not get a great deal of attention, and that is the increasing concentration of media ownership in the United States today.

In my view we cannot be a vibrant democracy unless the people get information, unless the people know what the most important issues are that are facing them. I fear very much that in recent years what we have seen is fewer and fewer large, multinational corporations own and control the media of this country. We are seeing huge corporations like General Electric, like Disney, like Rupert Murdoch's News Incorporated control major television networks. We have seen fewer and fewer large companies control radio outlets so that increasingly it is difficult for people in various communities to get local news because their local radio stations have been bought up by large national organizations.

□ 1715

We see in terms of newspapers and in magazines fewer and fewer large corporations controlling those as well.

I think people are not aware of the degree of corporate ownership of the media in this country and the fact that recent court rulings will make that situation even worse and allow fewer and fewer large companies to own more and more of the media.

Some of the largest media conglomerates in this country are AT&T, AOL Time Warner, the Liberty Media Corporation, Viacom, Walt Disney Corporation, the News Corporation, General Electric, Vivendi, Bertelsmann and Sony. And if you add together what these 10 corporations own, one would be absolutely amazed to the degree that they own television, radio, newspapers, magazines, book publishing, movie companies and so forth.

A concern that I have is that, given this corporate control over the media, the American people get relatively little discussion about some of the most important issues facing this country. For example, Mr. Speaker, I am not aware that most Americans know that the United States of America today is the only industrialized nation on earth that does not have a national health care system guaranteeing health care to all people and yet we spend twice as much per capita on health care than any other nation. Some people may think national health care is a good idea. Some people may think it is a bad idea. But I wonder how much discussion there has been on corporately controlled media or on the radio stations pointing out that every other industrialized nation has a national health care system and we do not. That is an issue that should be discussed.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Illinois. I yield to the gentleman from California.

Mr. DREIER. I thank my friend from Illinois for yielding. I would like to listen attentively to my friend from Vermont for just a couple of minutes, and then I would like to briefly, if the gentleman has time, respond to the question that the gentleman just posed.

Mr. SANDERS. Mr. Speaker, what are some of the most important issues facing the vast majority of the people? The President of the United States seems to think that the most important issue is that we give huge tax breaks to the wealthiest people in this country. In fact, as a result of recent legislation passed here, some $500 billion over a 10-year period are going to be given in tax breaks to the wealthiest 1 percent, people with a minimum income of $375,000 a year.

Maybe there are some districts in this country where that is the most important issue, but it is not the case in Vermont, I doubt it is the case in Chicago, and I doubt that it is the case in most districts in this country.

I will tell you what some of the issues are that the American people are concerned about. They are concerned about health care and wondering why 44 million Americans do not have health care and why we are the only major country without a national health care program while we spend twice as much as any other country per capita on health care. They are wondering about why pensions are being cut for working people all over this country, health care benefits are being cut for workers all over this country, while the CEOs of major corporations now earn 500 times what their workers earn.

There are some people who may think, hey, that is a good idea. No problem. No problem that the United States has the most unfair distribution of wealth and income in the industrialized world, where the wealthiest 1 percent own more wealth than the bottom 95 percent. No problem.

But I just met with paralyzed veterans in this country who were in my office saying, why can we not put more money into the Veterans' Administration so we take care of the men and women who put their lives on the line to defend this country? Some people think that taking care of veterans, putting money into education, putting money into child care, paying off our national debt, might be more important than giving huge tax breaks to millionaires and billionaires.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. SANDERS. I would be happy to yield.

Mr. DREIER. I thank my friend for yielding.

Let me just say at the outset, as far as the first question that my friend posed about the control that the large media has had in preventing people from having the opportunity to engage in a debate on whether or not we should have a nationalized health care system, I would say very clearly, my friend from Vermont and I have together appeared on a number of fora on television programs that are provided because the technological advances that have been made in this country due to large investments that come from those in the media providing a wide range of choices for the American consumer and the television viewer to engage in debate.

Mr. SANDERS. Let me reclaim the time from my friend. I have appeared on national TV programs, I am going to be on one tonight, as a matter of fact, but the issue of why the United States is the only country in the world without a national health care system has never been the topic of discussion on any program that I have been on and I doubt any program that my friend has been on.

Mr. DREIER. Let me give my friend a little bit of advice. I have found, from having appeared on the different CNN and Fox News Channel and MSNBC programs, you can provide whatever answer to whatever question you have. I know that my friend who is so committed to bringing up the issue as to whether or not we should have a national health care system, that he can engage in that debate regardless of what question that they are posing to him.

Mr. SANDERS. Taking my time back, my friend is right. I can probably get 15 seconds into the debate before a moderator jumps in.

Let me ask my friend a question. I am glad that he is here.

Mr. DREIER. If I could just raise one more issue before you pose that. That is, that we at this moment, and I know that as chairman of the Committee on Rules that we are not to address those who might be outside of this Chamber viewing it, but because of technological advances that have been made in this country due to investment that has taken place into a wide range of new and innovative and creative areas, we are able to have this coverage carried beyond this Chamber. I think that by virtue of our having a discussion right now on this issue that my friend raises is a very important one, that has come about because of the level of creativity that exists in the United States.

I should say that it is a complete mischaracterization to say that we are not committed from this side of the aisle or in a bipartisan way to dealing with the concerns of veterans, because we have dramatically increased the level of funding for veterans. At the same time, the focus on education and health care continues to be a priority.

The SPEAKER pro tempore (Mr. PENCE). Respectfully, the Chair would remind Members that the time is controlled by the gentleman from Illinois.

Mr. DREIER. I thank the gentleman from Illinois for yielding to me.

Mr. SANDERS. I appreciate my friend from California being here. This is a good discussion.

The issue that I wanted to pose is, yes, I can get on national shows and I occasionally do, but we have a problem. Let us talk about the radio for a second. I would characterize the United States as being kind of a centrist country, not right wing, not left wing, kind of centrist. In the last election, as you

know, Gore and Nader got more votes than did Mr. Bush and Mr. Buchanan, by a few million votes. Kind of a centrist country.

If you turned on talk radio today, would my friend agree with me that what you would hear is one extreme right winger after another right winger after another right winger? So that even a moderate or progressive voice, the gentleman from Illinois (Mr. DAVIS) and I are probably progressives, we know that our people are not going to have a radio station with Rush Limbaugh and his friends out there, Gordon Liddy and all these other folks out there.

But is it somehow interesting, I would think it is somehow interesting, that a country which is basically centrist, that one talk radio show after another is dominated by not right wingers but extreme right wingers.

Mr. DAVIS of Illinois. I yield to the gentleman from California.

Mr. DREIER. I thank the gentleman from Illinois for yielding.

I would say the answer is, number one, it has to do with the market and the listenership. The fact is those programs would not be on were it not for the fact that there is a demand for that listenership. I would say that there are other programs that are out there that do, in fact, offer a perspective. I consider myself to be very progressive myself, I should say.

Mr. SANDERS. You are a progressive?

Mr. DREIER. I consider myself a progressive, yes.

Mr. SANDERS. If you are a progressive, then I would hate to see who is conservative, with all due respect.

Mr. DREIER. It all depends on the definition. But I will tell you that I clearly do believe that there are a wide range of opportunities out there for voices from any side of the issue in this country.

Mr. SANDERS. I have suggested to you, and you do not deny it, that in the last election more people voted for Gore and Nader than voted for the President and Mr. Buchanan, suggesting that we are somewhat of a centrist country. You say that the reason is the market.

Mr. DREIER. I did not say that. That is not what I said.

Mr. SANDERS. That is exactly what you said. These stations are there. They are listened to by the people. But I am suggesting that it is not the market. The people in this country want a variety of viewpoints. Talk radio is predominantly extreme right wing. It is extreme right wing because the stations are owned by conservative multinational corporations.

Mr. DREIER. If the gentleman will yield on that point, that is just a preposterous claim, to say that it is based on the ownership. The programming that has come forward and the demand for more conservative talk radio is in large part due to a level of frustration that the American people have with what is interpreted by many to be a leftward tilt for the control of what is called the mainstream media.

Let me just say, I am not one of those harsh critics who says that. I happen to believe that we need to do everything we can to encourage a free-flowing debate on a wide range of issues and concerns. But I will say this. I know full well that the ownership of the media out there does not play a role in the editorial comment when it comes to the talk show messages that are getting out there.

Mr. DAVIS of Illinois. Reclaiming my time, let me suggest this, that ownership determines who the commentators are; and so in a sense you cannot discount the impact of ownership on what ultimately becomes the direction and content. I find that people listen to those stations more often that they relate to. And so if they relate to the right-wing station, that is where they are going to go. And so if the owner hires a right-wing commentator, then I would have to agree with the gentleman from Vermont, that ownership does play a role in what ultimately gets on.

Mr. DREIER. If my friend would yield on that point, I would say that there clearly is a leftward tilt by a lot of the ownership, then.

I represent Los Angeles. A lot of people in southern California spend a great deal of time in their automobiles. I will say that I, as I know my friends from both Vermont and Illinois, participate on these programs. There are a wide range of programs that are carried by people who my friend from Vermont would describe as progressive or very liberal. I am happy to participate on those shows. I can name them for you in Los Angeles.

Mr. SANDERS. There are a diversity of viewpoints. There is no argument about that. But I would say any objective look at what goes out there, say, in terms of talk radio, is that the tilt is not only right but extreme right.

Mr. DREIER. I disagree.

Mr. SANDERS. You would be hard-pressed to name national progressive radio talk show hosts. We could name one of the Limbaughs of the world ad nauseam on the right. But the bottom line is, as the gentleman from Illinois just indicated, when you have a multinational company like General Electric, what is General Electric's shtick? What do they do?

Mr. DREIER. The gentleman has asked the question, what does General Electric do? I am happy to tell you what they do.

Mr. SANDERS. If I could finish, please.

The SPEAKER pro tempore. The Chair reminds Members that all time is controlled by the gentleman from Illinois.

Mr. DREIER. I suspect the gentleman from Illinois wants the gentleman from Vermont to continue.

Mr. DAVIS of Illinois. I yield to the gentleman from Vermont.

Mr. SANDERS. The bottom line here is that one has got to be very naive not to understand that companies like General Electric that spend millions of dollars on lobbyists here to take jobs to China, that send money to lower their taxes, that send money to build nuclear power plants, to increase military spending and so forth are not going to, within the confines of what they own, present that point of view and discourage discussion on a whole lot of other issues.

If you are a member of a trade union in America, you make 30 percent more than workers who are not in a trade union. Frankly, I have never seen that discussion on television or radio in my life, an enormously important issue like that. The growing gap between the rich and the poor is discussed far, far too little.

I am not going to deny that there are different points of view that are heard. But I think the bottom line is, no question, that corporate ownership of this country is growing in terms of the media and that we are hearing fewer and fewer points of view that represent working people, middle-income people and minority people.

□ 1730

Mr. DREIER. Mr. Speaker, if the gentleman will yield further, let me totally disagree with the assessment that my friend from Vermont has just provided. For starters, I do not think I have ever owned a share of stock in General Electric, and I have no idea whether I have received contributions from their lobbyists here. I suspect some of them may have contributed to my campaigns.

But I happen to believe that companies like General Electric have dramatically improved the quality of life for the people in the United States of America, and I say that because it is very clear that consumer products, regardless of where they are manufactured in the world, that are sold here in the United States, the best quality at the lowest possible price, is something that is very good for the United States of America.

I know that we have the most productive workers on the face of the Earth; and when it comes to technology, the United States of America is on the cutting edge, creating a wide range of new technologies. This is one of the reasons that I was so proud to work on behalf of Trade Promotion Authority, so that we can pry open new markets around the world which will create an opportunity for goods and services here in the United States to be able to move into those economies in other parts of the world.

When it comes to the issue of ownership, I am convinced that with cable television, with the multifarious radio programs that are out there representing a wide range of views, and I know from having talked with many of the owners, they do not exercise control over much of the programming.

Some of them may be more sympathetic than some of the others; but I will tell you, we happen to believe that the editorial pages of the New York Times and Washington Post have a leftward tilt, and I think the success of talk radio on the conservative side is in large part a response, a response, to a level of frustration that many Americans have felt over the message that has come from the New York Times and the Washington Post editorial pages.

So I happen to believe that we have some wonderful, wonderful things taking place in this country; and we need to do more to encourage creativity. And the idea of having the government clamp down, jeopardizing the opportunity to pursue new technologies, which it will take investment to do, would just plain be wrong.

I have to go upstairs, but I thank my friend for yielding; and I very much appreciate the opportunity to engage in this discussion and look forward to again another free-flowing debate with hundreds of thousands of people following us as we talk about whether or not we should have a national healthcare system.

Mr. DAVIS of Illinois. Reclaiming my time, I think both gentlemen would, in fact, have to agree that in our country and in a democracy like ours, we live often by the golden rule; but we also have to acknowledge that whoever has got the most gold, most often makes the rules. And I am afraid that too much of the gold is becoming concentrated in too few places, which really means that corporate ownership is becoming too powerful; and when it does, then it makes for a skewed democracy or a more one-sided decision-making process, and it needs to be balanced off a little bit, which really means that more people need to become part of the ownership of America, rather than too few people owning too much.

If that is the thesis that the gentleman from Vermont is promoting, then I would agree with him, and yield for further amplification.

Mr. SANDERS. Mr. Speaker, I think my friend said it very, very well. This is a great Nation, and we have enormous things to be proud of. But I remain very, very concerned that fewer and fewer people own more and more of our economy, own more and more of our media, while, at the same time, the average person that the gentleman and I represent are working, in many cases, longer hours for lower wages just to keep their heads above water.

But the point of my remarks tonight was not just to talk about the economy and ownership in the economy, but was to talk about the media; and my deep concern is that the American people are not hearing all points of view; that corporate ownership of the media is preventing a large segment of ideas which represent the thinking of many, many Americans from getting out there, and I think that is not good for our democracy.

Mr. DAVIS of Illinois. I thank the gentleman, and, reclaiming my time, I would have to agree. I would even go beyond just the media. I mean, one of the reasons, for example, that I am so much in favor of employees reaching the point where they exercise more ownership of where they are and where they work is because the more you spread the ownership, the more you open up the process; and the more open the process, the greater the potential for this commodity that we call democracy. I think that is what we are constantly striving for, a more democratic Nation, where more people are engaged and are part of the decision-making.

I want to thank the gentleman for coming down.

Mr. SANDERS. I thank my friend for allowing me to participate.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 3090, ECONOMIC SECURITY AND RECOVERY ACT OF 2001

Mr. DRIER (during special order of Mr. DAVIS of Illinois), from the Committee on Rules, submitted a privileged report (Rept. No. 107–367) on the resolution (H. Res. 360) providing for consideration of the Senate amendment to the bill (H.R. 3090) to provide tax incentives for economic recovery, which was referred to the House Calendar and ordered to be printed.

PRICE SUPPORT PAYMENT LIMITATIONS

The SPEAKER pro tempore (Mr. PENCE). Under the Speaker's announced policy of January 3, 2001, the gentleman from Michigan (Mr. SMITH) is recognized for 60 minutes.

Mr. SMITH of Michigan. Mr. Speaker, the agricultural industry in the United States over the last 100 years has contributed a great deal. As we develop this year's farm bill, we are now trying to decide, number one, how much should we pay in terms of tax subsidies to farmers, tax dollars going into subsidies to farmers, to make sure that the agricultural industry in the United States survives.

Farmers are facing record low prices compared to the last 20 years. In fact, in terms of what a bushel of wheat would buy, the wheat price today is much lower than it was 50 years ago.

What kind of policy do we want in the United States? We are now in a subsidy war, if you will, with other countries. Other countries have decided they are going to do anything necessary to keep their farmers operating, so they are subsidizing their farmers in these other countries substantially. Their extra production from Europe, from these other countries, go into what would otherwise be our markets, so the resulting overproduction from all over the world results in low commodity prices, and the low commodity prices today would not keep most farmers in business.

Subsidies in the United States represent about 17 percent of the gross income of the average farm. The average net income of an average farm is around 6 percent. So, again, without the subsidy payments, most farms in the United States would lose money every year.

Now, the irony is that farmers do not like to have this subsidy check coming from the government. They would much rather have a real marketplace, where there was real competition throughout the world, where they could compete and make good money farming. And make no mistake, our farmers in the United States can compete, if you will, excuse the expression, on a level playing field, with any other agricultural producers in the world in most commodities.

Our challenge right now is the Senate has passed one farm bill, and the House has passed another farm bill, substantially different in the concepts of where they want agriculture to go and what they want in the farm bill. That includes rural development, that includes the environment in rural areas, that includes the WIC program for food for infants and pregnant mothers, that includes the Food Stamp program.

Just as a footnote here, let me say how we have changed the U.S. Department of Agriculture over the last 50 years. USDA, that part of USDA that is involved in production agriculture, with farmers, now represents only about 25 percent of the total budget of the U.S. Department of Agriculture.

I am here tonight to talk about payment limitations to some of the huge mega-farmers in the United States. The Senate in their bill had provisions that incorporated a level of payment limitations in the hope that some of the large mega-farms would have some kind of a cap, some kind of limit on the payments they received, so there would be more money for what I would call the average mainstream farmer in the United States and some of the other programs in the agricultural bill.

We passed an agriculture bill back in 1996 that pretty much everybody supported. All of the farm organizations thought it was a good idea. What that was is the Freedom to Farm, and it was a phase-out of government subsidy programs. So over 7 years, the subsidy payments to farmers went down and down, and then in the eighth year farmers were supposed to produce strictly for the market.

What happened is the economy in Asia was tremendously disrupted and their purchases went down, and we had a glut of extra farm production; so prices went down, and even with the one subsidy phase-out payment, farmers were going broke, going out of business, going bankrupt.

Now we are developing this new farm legislation, and the question before us is should we have payment limitations on how much money any one farm operation can receive in payments from the Federal Government.

Let me give you one statistic. Right now, the top largest 5 percent of the farms receive 49 percent of the payments. Five percent almost receive half of all the payments. Some have suggested, look, we do have limits on payments. The fact is that we do not have real limits of any kind on price support payments.

Let me just spend a minute on price supports. In our farm programs, what we have is we say to a farmer that to cover at least their fixed costs, that we will guarantee a certain price, and if the market is less than that particular price, government will make up the difference between the current market price and what the Congress has thought to be a price that will at least cover most of the fixed expenses of that particular farm producing that particular crop.

Just for the record, let me throw in those price support payments. The national average now on rice is $6.50 a hundred weight; cotton is $52.9 cents a pound; wheat is $2.58 cents a bushel; soybeans are $5.26 a bushel; and corn is $1.89 a bushel.

So for example, on corn, at $1.89 a bushel, if the current market price is $1.79 in that particular county, then the government will come up with an extra 10 cents per bushel for those farmers.

In terms of my interest in this area, I am a farmer from Michigan. I was born and raised on a family farm. I was on the United States Department of Agriculture State Committee in Michigan as its chairman. I came to Washington when Earl Butz asked me to come to Washington to help phase out some of the complicated farm programs in 1970, and we went from a stack about 10 feet high of program regulations for farmers down to maybe a stack a foot high of those regulations for farmers, and sold a lot of the storage bins that the Federal Government had that tended to depress prices for farmers even more.

We did not have problems with the kind of payment limitations in those years because the price of the commodity was higher than the support price. We had crazy programs for diversions and set-asides; and ever since 1934 when we first started farm programs, it has tended to be farm programs that had more benefit for the big, richer, larger farm operations.

□ 1745

So a big, larger farm operation has a lower per unit cost of production; and, therefore, the difference in price to make it up was a little more beneficial to them in terms of adding to their profit than a small family farm that had a larger unit cost of production.

So what happened from 1934 through the 1960s and into the 1970s is the very small farms went out of business, and the medium-sized farms thought, well, if I buy that small farm and I work maybe another couple of hours a day, I can make a little more money for my family so that my kids have some of the same advantages as my city cousins.

Well, it tended to be progressive; and, pretty soon, what was considered a large farm was considered a small farm and the larger farms bought out those smaller farms. Now, over the last 60 years, we have gone from an average of about 40 acres, 50 acres per farm to 460 acres per farm.

Let me just give my colleagues a report from the Environmental Working Group that went to the U.S. Department of Agriculture and got all of the payments to all of the farmers and the farm operations in the United States. As my colleagues will recall, I mentioned earlier that 5 percent of the farms are now receiving 49 percent, almost 50 percent of farm payments that go out. If we were to have the kind of payment limitations that are in the Senate bill, it would save between $2 billion and $3 billion.

I am going to move away from the mike and just write these numbers in. According to the Environmental Working Group, these are the top recipients of farm program payments between the years 1996 and 2000. I think everybody that is watching might be able to see that. They are Riceland Foods, $49 million; Farmers Rice Corporation, $38.2 million; Harvest States Co-op, $28.1 million; Tyler Farms, $23.8 million; Producers Rice Mill, $19 million. These are the mega farm operations. These are the huge landowners. These are not the 400 or the 500 or the 1,000 or the 2,000 or the 3,000 or the 4,000 acre farms. These are the 40,000, 50,000, 60,000, 70,000, 80,000 acre farms.

What I am suggesting in this short debate this evening is that my colleagues work to have a farm program that is more fair to the mainstream farmers of our country and to limit the kind of payments as we have a limit in the Senate bill. Some of the pressures, of course, come from the big operations that are getting these large payments.

Bear with me a minute and let me just go through a scenario of why there is no cap or limits on farm payments, and that has disturbed me quite a lot over the years, because we sort of fool people into saying there is a limit on price support payments. Because, in the law, it says there is going to be a limit on price support payments of $150,000 per farmer. That is what the law says. So a lot of organizations have tended to say, well, we have payment limits on price support.

Here is what happens. It is a little complicated. But once we hit the $150,000 limit, then we have another program that is called a Nonrecourse Loan Program. So any farmer can take his rice, corn, wheat, cotton, soybeans in and give the government the title to that crop. The government will give him a loan that is equal to the price support payment, and then that farmer has the option of forfeiting on that loan and keeping the money, which gives that farmer exactly the same benefit as the price support payment in the first place. So it is sort of one can do an end run and still collect millions of dollars in price support payments.

I would just urge my colleagues and I would urge the conferees from the Senate and the House to look at the kind of payment limitations that still can be fair to farmers, that still offer some loan provisions to those farmers so that we do not have to glut the market at harvest time.

I spent 5 years as a deputy administrator for farm programs with Earl Butz, and then went back home to the farm. Anyone that thinks that it is not tough, making money on a farm, has not spent a lot of time on the farm. Farmers put in those 14- and 15-hour days. They work very hard. They are desperate to try to have the kind of provisions and services and piano lessons and the ability to send their kids to college. They are trying hard in working those extra hours to try to accommodate their family in the same kind of living as their city cousins. It has been very tough.

So we are losing a lot of our farmers, and we continue the trend of farmers and farms getting bigger and bigger.

I want to make it clear that the limitation amendment will only affect the very largest of recipients. For instance, the average acreage that would have to be taken in the last 2 crop years to reach the limit that the payment limitation sets was over 6,000 acres of corn. So, again, the average farm is 460 acres, but to reach the payment limitation in relation to the price over the last 2 years was 6,000 acres of corn, almost 5,800 acres of soybeans, almost 2,000 acres of cotton and 13,000 acres of wheat, 17,000 acres of rice.

I would note that the average farm size again is 450 acres. So these are very large farms to reach that limit.

Mr. Speaker, I would ask all Americans to work with us in terms of supporting American farmers. I have suggested that, number one, we want to try to talk these other countries into reducing their subsidies, because subsidies tend to encourage overproduction that has a chain reaction of extra supply, lowering the price, and so farmers end up receiving that much lower price from the markets. So we need to work together cooperatively with other countries.

But I think it is very important that we keep our agriculture industry, we keep and we do what is necessary in these farm programs that we are going to develop over the next several weeks to make sure we have a strong agricultural industry that can continue to provide the highest quality food in the world at the lowest percentage of take-home pay of anyplace in the world.

Again, we produce the highest quality of food at the lowest percentage of take-home pay of anyplace in the world. That efficient production in agriculture has allowed so many people that used to work on the farm producing food to try to survive to go into

industry and manufacturing and now into the new information technology. So the agricultural industry that has been the most efficient of any industry; if we take the automobile industry or computers or anything else, the increase in productivity of American agriculture has surpassed almost every other industry.

In conclusion, I would say, Mr. Speaker, that I ask all of my colleagues to join with me when they talk to conferees and encourage them to come up with a payment limitation that is fair to all farmers, but not to give in to some of the pressure groups and the large, huge mega farm operations that are trying to put pressure on our conferees to continue unlimited payments without restrictions. Of course, let me add to that the grain marketers who tend to make a certain profit per unit of production also gain from having large volumes produced. So those industries, the grain industries, the cotton, rice, et cetera, those industries do not want the kind of payment limitations that is going to result in fewer bushels or pounds being produced because that is where they have their margin and markup on profits.

Mr. Speaker, it is going to be a challenge. I hope we can overcome that challenge, and I hope we can have the kind of payment limitations that helps make sure that we do not have a nation of huge mega farms.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. LEE (at the request of Mr. GEPHARDT) for today before 4:30 p.m. on account of business in the district.

Ms. WATERS (at the request of Mr. GEPHARDT) for today on account of 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 Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. LIPINSKI, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mrs. CAPPS, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. MCGOVERN, for 5 minutes, today.

Mr. RODRIGUEZ, for 5 minutes, today.

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

Mr. DUNCAN, for 5 minutes, today.

Mr. ENGLISH, for 5 minutes, today.

Mr. MCINNIS, for 5 minutes, today.

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

Mr. LEWIS of California, for 5 minutes, today.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1857. An act to encourage the negotiated settlement of tribal claims.

ADJOURNMENT

Mr. SMITH of Michigan. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 55 minutes p.m.), the House adjourned until tomorrow, Thursday, March 7, 2002, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

5748. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agiculture, transmitting the Department's final rule—Brucellosis in Cattle; State and Area Classifications; Florida [Docket No. 01–020–2] received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5749. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agiculture, transmitting the Department's final rule—Mexican Hass Avocado Import Program [Docket No. 00–003–4] (RIN: 0579–AB27) received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5750. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Limited Ports of Entry for Pet Birds, Performing or Theatrical Birds, and Poultry and Poultry Products [Docket No. 01–121–1] received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5751. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Importation of Unshu Oranges From Japan [Docket No. 99–099–2] (RIN: 0579–AB17) received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5752. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—States Approved To Receive Stallions and Mares From CEM-Affected Regions; Rhode Island [Docket No. 01–055–2] received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5753. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Prohibition of Beef From Argentina [Docket No. 01–032–2] received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5754. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Interstate Movement of Swine Within a Production System [Docket No. 98–023–2] (RIN: 0579–AB28) received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5755. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Commercial Transportation of Equines to Slaughter [Docket No. 98–074–2] (RIN: 0579–AB06) received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5756. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Horses From Iceland; Quarantine Requirements [Docket No. 00–010–2] received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5757. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Imported Fire Ant; Addition to Quarantined Areas [Docket No. 01–081–1] received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5758. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Citrus Canker; Addition to Quarantined Areas [Docket No. 00–036–3] received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5759. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Asian Longhorned Beetle; Addition to Quarantined Areas [Docket No. 01–092–1] received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5760. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Phytophthora Ramorum; Quarantine and Regulations [Docket No. 01–054–1] received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5761. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Commuted Traveltime Periods: Overtime Services Relating to Imports and Exports [Docket No. 01–111–1] received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5762. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Animals Destroyed Because of Tuberculosis; Payment of Indemnity [Docket No. 00–106–1] (RIN: 0579–AB29) received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5763. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Export Certification; Canadian Solid Wood Packing Materials Exported From the United States to China [Docket No. 99–100–4] received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5764. A letter from the Congressional Review Coordinator, Animal and Plant Health

Inspection Service, Department of Agriculture, transmitting the Department's final rule—Chronic Wasting Disease in Cervids; Payment of Indemnity [Docket No. 00–108–1] (RIN: 0579–AB35) received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5765. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Change in Disease Status of Germany, Italy, and Spain Because of BSE [Docket No. 01–008–2] received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5766. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Change in Disease Status of the Republic of San Marino and the Independent Principalities of Andorra and Monaco [Docket No. 01–008–2] received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5767. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—District of Columbia; Movement of Plants and Plant Products [Docket No. 00–085–2] received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5768. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Change in Disease Status of The Netherlands and Northern Ireland With Regard to Foot-and-Mouth Disease [Docket No. 01–031–3] received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5769. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Change in Disease Status of France and Ireland With Regard to Foot-and-Mouth Disease [Docket No. 01–031–2] received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5770. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—States Approved To received Stallions and Mares From CEM-Affected Regions; Rhode Island [Docket No. 01–055–01] received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5771. A letter from the Director, Policy Directives and Instructions Branch, Department of Justice, transmitting the Department's final rule—Termination of the Designation of Argentina as a Participant Under the Visa Waiver Program [INS No. 2188–02; AG ORDER No. 2561–2002] (RIN: 1115–AB93) received February 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5772. 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.

5773. A letter from the Acting 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.

5774. A letter from the Acting Secretary, Postal Rate Commission, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HANSEN: Committee on Resources. H.R. 1870. A bill to provide for the sale of certain real property within the Newlands Project in Nevada, to the city of Fallon, Nevada; with an amendment (Rept. 107–366). Referred to the Committee of the Whole House on the state of the Union.

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 360. Resolution providing for consideration of the Senate amendment to the bill (H.R. 3090) to provide tax incentives for economic recovery (Rept. 107–367). 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. McINNIS:

H.R. 3857. A bill to amend the Internal Revenue Code of 1986 to treat nominally foreign corporations created through inversion transactions as domestic corporations; to the Committee on Ways and Means.

By Mr. RAHALL:

H.R. 3858. A bill to modify the boundaries of the New River Gorge National River, West Virginia; to the Committee on Resources.

By Mr. BROWN of South Carolina:

H.R. 3859. A bill to suspend temporarily the duty on Allyl Cyclo Hexyl Propionate (Allyl hexahydro phenylpropionate); to the Committee on Ways and Means.

By Mr. BROWN of South Carolina:

H.R. 3860. A bill to suspend temporarily the duty on Methyl Cinnamate (methyl-3-phenylpropenoate); to the Committee on Ways and Means.

By Mr. BROWN of South Carolina:

H.R. 3861. A bill to suspend temporarily the duty on NeoHeliopan Hydro (2–Phenylbenzimidazole-5-sulfonic acid); to the Committee on Ways and Means.

By Mr. BROWN of South Carolina:

H.R. 3862. A bill to suspend temporarily the duty on Sodium Methylate Powder (Na Methylate Powder); to the Committee on Ways and Means.

By Mr. BROWN of South Carolina:

H.R. 3863. A bill to suspend temporarily the duty on Benzyl Acetone (Methyl-phenylethyl ketone); to the Committee on Ways and Means.

By Mr. BROWN of South Carolina:

H.R. 3864. A bill to suspend temporarily the duty on Globanone (Cyclohexadec-8-en-1-one) (CHD); to the Committee on Ways and Means.

By Mr. BROWN of South Carolina:

H.R. 3865. A bill to suspend temporarily the duty on Agrumex (o-t-Butyl cyclohexanol); to the Committee on Ways and Means.

By Mr. BROWN of South Carolina:

H.R. 3866. A bill to suspend temporarily the duty on Acetanisole (Anisyl Methyl Ketone); to the Committee on Ways and Means.

By Mr. BROWN of South Carolina:

H.R. 3867. A bill to suspend temporarily the duty on Methyl Acetophenone-para (Melilot); to the Committee on Ways and Means.

By Mr. BROWN of South Carolina:

H.R. 3868. A bill to suspend temporarily the duty on Majantol (2,2–Dimethyl-3-(3-methylphenyl)proponal); to the Committee on Ways and Means.

By Mr. BROWN of South Carolina:

H.R. 3869. A bill to suspend temporarily the duty on NeoHeliopan MA (Menthyl Anthranilate); to the Committee on Ways and Means.

By Mr. BROWN of South Carolina:

H.R. 3870. A bill to suspend temporarily the duty on Allinat (Allyl isosulfocyanate); to the Committee on Ways and Means.

By Mr. BROWN of South Carolina:

H.R. 3871. A bill to suspend temporarily the duty on Frescolate (5–Methyl-2-(methylethyl)cyclohexyl alpha-hydroxypropanoate); to the Committee on Ways and Means.

By Mr. BROWN of South Carolina:

H.R. 3872. A bill to suspend temporarily the duty on Thymol (alpha-Cymophenol); to the Committee on Ways and Means.

By Mr. BROWN of South Carolina:

H.R. 3873. A bill to suspend temporarily the duty on Phenyl Propyl Alcohol (Benxyl ethyl alcohol); to the Committee on Ways and Means.

By Mr. BROWN of South Carolina:

H.R. 3874. A bill to suspend temporarily the duty on Benzyl Cinnamate (Benzyl beta phenylacrylate); to the Committee on Ways and Means.

By Mr. BROWN of South Carolina:

H.R. 3875. A bill to suspend temporarily the duty on Trimethyl Cyclo Hexanol (1–Methyl-3,3-dimethylcyclohexanol-5); to the Committee on Ways and Means.

By Mr. CANNON:

H.R. 3876. A bill to establish the San Rafael Western Frontier National Heritage Area in the State of Utah, and for other purposes; to the Committee on Resources.

By Mr. CRANE (for himself and Mr. SHAW):

H.R. 3877. A bill to amend the Internal Revenue Code of 1986 and the Social Security Act to clarify rules for determining whether certain agent-drivers and commission-drivers are employees; to the Committee on Ways and Means.

By Mr. DEUTSCH:

H.R. 3878. A bill to enable the residents of the Bayshore Manor assisted living facility in Key West, Florida, to continue to receive supplemental security income benefits under title XVI of the Social Security Act; to the Committee on Ways and Means.

By Mr. EVERETT:

H.R. 3879. A bill to provide wage parity for certain Department of Defense prevailing rate employees in Alabama; to the Committee on Government Reform.

By Mr. FOSSELLA (for himself, Mr. TOWNS, Mr. MEEKS of New York, Mr. GRUCCI, Mrs. KELLY, Mr. OWENS, Mr. RANGEL, Mr. QUINN, Mr. GILMAN, Mrs. McCARTHY of New York, Mr. KING, Mr. ENGEL, and Mr. ACKERMAN):

H.R. 3880. A bill to provide a temporary waiver from certain transportation conformity requirements and metropolitan transportation planning requirements under the Clean Air Act and under other laws for certain areas in New York where the planning offices and resources have been destroyed by acts of terrorism, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, 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. HEFLEY (for himself, Mr. McINNIS, Mr. SCHAFFER, and Mr. TANCREDO):

H.R. 3881. A bill to authorize the Secretary of the Interior to engage in studies relating to enlarging Pueblo Dam and Reservoir and Sugar Loaf Dam and Turquoise Lake,

Fryingpan-Arkansas Project, Colorado, and for other purposes; to the Committee on Resources.

By Mrs. JOHNSON of Connecticut:

H.R. 3882. A bill to amend title XVIII of the Social Security Act to reform the Medicare physician payment update system through repeal of the sustainable growth rate (SGR) payment update system; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NEAL of Massachusetts (for himself, Mr. SAWYER, Mrs. CAPITO, and Mr. MASCARA):

H.R. 3883. A bill to reduce temporarily the duty on N-Cyclohexylthiophthalimide; to the Committee on Ways and Means.

By Mr. NEAL of Massachusetts (for himself, Mr. MALONEY of Connecticut, Mr. FRANK, Mr. DEFAZIO, Mr. CONYERS, Mr. OLVER, Mr. GEORGE MILLER of California, Mr. TIERNEY, Mr. MCGOVERN, Mr. MARKEY, Mr. LYNCH, Mr. ISRAEL, Mr. BROWN of Ohio, Mr. DUNCAN, Mr. CAPUANO, Mr. LAMPSON, Mr. MEEHAN, Mr. DELAHUNT, and Mr. TOWNS):

H.R. 3884. A bill to amend the Internal Revenue Code of 1986 to prevent corporations from avoiding the United States income tax by reincorporating in a foreign country; to the Committee on Ways and Means.

By Mr. PALLONE:

H.R. 3885. A bill to amend the Federal Food, Drug, and Cosmetic Act to require the Secretary of Health and Human Services to establish a tolerance for the presence of methyl mercury in seafood, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ROTHMAN (for himself and Mr. WEINER):

H.R. 3886. A bill to require the Administrator of the Environmental Protection Agency to conduct a feasibility study for applying airport bubbles as a method of identifying, assessing, and reducing the adverse environmental impacts of airport ground and flight operations and improving the overall quality of the environment, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SLAUGHTER (for herself, Ms. DEGETTE, Mrs. MORELLA, and Mr. GREENWOOD):

H.R. 3887. A bill to establish a public education and awareness program relating to emergency contraception; to the Committee on Energy and Commerce.

By Mr. STEARNS:

H.R. 3888. A bill to provide for the conveyance of the National Forest System lands underlying the George Kirkpatrick Dam on the Ocklawaha River near Palatka, Florida, and related lands to the State of Florida; to the Committee on Agriculture.

By Mrs. WILSON of New Mexico (for herself and Mr. WELLER):

H.R. 3889. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for teachers and principals who work in certain low income schools; to the Committee on Ways and Means.

By Mr. DAN MILLER of Florida (for himself, Mr. DAVIS of Illinois, Mr. CLAY, and Mrs. MALONEY of New York):

H. Con. Res. 339. Concurrent resolution expressing the sense of the Congress regarding the Bureau of the Census on the 100th anniversary of its establishment; to the Committee on Government Reform.

By Mr. DOOLITTLE:

H. Con. Res. 340. Concurrent resolution supporting the goals and ideals of Meningitis Awareness Month; to the Committee on Government Reform.

By Ms. MCCOLLUM (for herself, Mr. FARR of California, Mr. WALSH, Mr. PETRI, Mr. NADLER, Mr. MCGOVERN, Mr. UDALL of New Mexico, Ms. WOOLSEY, Mr. HONDA, Mr. HALL of Ohio, and Mr. FORD):

H. Con. Res. 341. Concurrent resolution expressing the sense of Congress that Federal funding of the Peace Corps should be doubled to $550,000,000 by 2007, and for other purposes; to the Committee on International Relations.

By Ms. MILLENDER-MCDONALD:

H. Con. Res. 342. Concurrent resolution expressing the sense of Congress that the people of the United States should be encouraged to rediscover attractions in the States in which they live; to the Committee on Energy and Commerce.

By Mr. HYDE (for himself, Mr. LANTOS, Mr. BALLENGER, Mr. MENENDEZ, Mr. GOSS, Mr. FARR of California, Mr. KOLBE, Mr. DELAHUNT, Mr. GILMAN, Mrs. TAUSCHER, and Mr. MORAN of Virginia):

H. Res. 358. A resolution expressing support for the democratically elected Government of Columbia and its efforts to counter threats from United States-designated foreign terrorist organizations; to the Committee on International Relations. considered and agreed to.

By Mr. NEY (for himself and Mr. HOYER):

H. Res. 359. A resolution providing amounts for further expenses of the Permanent Select Committee on Intelligence in the second session of the One Hundred Seventh Congress; to the Committee on House Administration.

By Mr. CAMP (for himself, Mr. BARCIA, Mr. ROGERS of Michigan, Mr. EHLERS, Mr. HOEKSTRA, Mr. SMITH of Michigan, Mr. KNOLLENBERG, and Mr. UPTON):

H. Res. 361. A resolution expressing the sense of the House of Representatives regarding the restoration and protection of the Great Lakes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on International Relations, Resources, and Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Florida:

H. Res. 362. A resolution congratulating the 2002 United States Olympic Team, Salt Lake City, the State of Utah, the Salt Lake Organizing Committee, the International Olympic Committee, athletes from around the world, and all the security personnel who participated in the 2002 Olympic Winter Games in Salt Lake City, Utah; to the Committee on International Relations.

ADDTIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 68: Mrs. KELLY.
H.R. 250: Mr. SMITH of Washington.
H.R. 325: Mr. MORAN of Virginia.
H.R. 476: Mr. BERRY.
H.R. 563: Ms. BERKLEY and Mr. DUNCAN.
H.R. 745: Mr. LYNCH, Mr. BAIRD, and Mr. FROST.
H.R. 792: Mr. TIBERI.
H.R. 839: Ms. LOFGREN.
H.R. 853: Mr. ROTHMAN.
H.R. 997: Mr. FOLEY.
H.R. 1117: Ms. MCCOLLUM.
H.R. 1186: Mr. OWENS.
H.R. 1211: Ms. BERKLEY.
H.R. 1307: Ms. PELOSI and Mr. MASCARA.
H.R. 1401: Mr. SIMMONS.
H.R. 1535: Ms. ROYBAL-ALLARD.
H.R. 1636: Mr. SIMPSON.
H.R. 1667: Mr. DINGELL.
H.R. 1718: Mr. DAVIS of Florida.
H.R. 1720: Mr. GUTIERREZ.
H.R. 1763: Mr. ROTHMAN.
H.R. 1779: Mrs. MORELLA, Mr. BLAGOJEVICH, Mr. PASCRELL, Mrs. NAPOLITANO and Mr. ENGEL.
H.R. 1810: Mr. MATSUI and Mr. PASCRELL.
H.R. 1904: Ms. SCHAKOWSKY, Mr. GREEN of Texas, Mr. MORAN of Virginia, Mr. HONDA, Ms. WATSON, Mr. PAYNE, and Mr. PASTOR.
H.R. 1979: Mr. PORTMAN, Mr. KOLBE, and Mr. OSBORNE.
H.R. 2037: Mr. QUINN, Mr. HILL, and Mr. LATOURETTE.
H.R. 2073: Mr. FRANK.
H.R. 2125: Mr. DELAHUNT.
H.R. 2235: Mr. OSBORNE.
H.R. 2406: Mr. FRANK.
H.R. 2487: Mr. BALDACCI and Mr. FILNER.
H.R. 2531: Mr. BLAGOJEVICH and Ms. LEE.
H.R. 2592: Mr. ROHRABACHER.
H.R. 2721: Ms. LEE and Mr. BURTON of Indiana.
H.R. 2799: Mr. ROSS.
H.R. 2820: Ms. CARSON of Indiana, Mr. RODRIGUEZ, Mr. RAHALL, and Mr. PHELPS.
H.R. 2868: Mrs. MORELLA, Mr. KUCINICH, Mrs. MALONEY of New York, and Mr. ALLEN.
H.R. 2874: Mr. FROST.
H.R. 2941: Mr. GILLMOR, Mrs. KELLY, and Ms. HART.
H.R. 3026: Mr. DOOLEY of California.
H.R. 3058: Mr. OXLEY.
H.R. 3083: Mr. DUNCAN.
H.R. 3183: Mr. FOLEY, Mr. LYNCH, and Ms. BROWN of Florida.
H.R. 3230: Mr. ABERCROMBIE.
H.R. 3231: Mr. PETERSON of Minnesota.
H.R. 3244: Mr. DOYLE, Mr. BLUMENAUER, Mr. GOODLATTE, and Mr. SCHAFFER.
H.R. 3279: Ms. LEE.
H.R. 3298: Mrs. LOWEY.
H.R. 3321: Mr. CLEMENT and Mr. CARSON of Oklahoma.
H.R. 3331: Mr. HOEFFEL.
H.R. 3397: Mr. WILSON of South Carolina.
H.R. 3450: Mr. OWENS, Mr. SANDLIN, Mr. MCINTYRE, and Mr. RANGEL.
H.R. 3479: Mr. NETHERCUTT, Mr. OTTER, and Mr. TURNER.
H.R. 3481: Mr. KENNEDY of Rhode Island and Mr. CROWLEY.
H.R. 3524: Mr. BALDACCI, Mr. FROST, and Mr. HONDA.
H.R. 3533: Mr. HASTINGS of Florida and Mr. ROGERS of Michigan.
H.R. 3547: Mr. ROHRABACHER.
H.R. 3569: Mr. GILLMOR.
H.R. 3605: Mr. CALVERT.
H.R. 3612: Mr. RYUN of Kansas, Ms. NORTON, Mr. CLAY, and Mr. MASCARA.
H.R. 3624: Mr. AKIN, Mr. BRADY of Texas, and Mr. LEWIS of Kentucky.
H.R. 3626: Mr. TERRY and Mr. LANGEVIN.
H.R. 3639: Mr. BALDACCI.
H.R. 3657: Mr. LANGEVIN and Mr. KUCINICH.
H.R. 3661: Mr. ENGLISH and Ms. WATSON.
H.R. 3670: Ms. CARSON of Indiana and Ms. BROWN of Florida.
H.R. 3675: Ms. DELAURO, Mr. GILMAN, Mr. LARSEN of Washington, Mr. FILNER, Mr. FRANK, Mr. BONIOR, Mr. CAPUANO, Ms. SCHAKOWSKY, Mr. MCNULTY, Mr. WYNN, Mr. STARK, Mr. BLAGOJEVICH, Ms. SLAUGHTER, Ms. HARMAN, Mr. EVANS, Mr. DOGGETT, Mr. ACKERMAN, Mr. HOEFFEL, Mr. RUSH, Mr. NADLER, Mr. BRADY of Pennsylvania, Mr. BORSKI,

Mrs. CHRISTENSEN, Mr. HALL of Ohio, Mr. LEWIS of Georgia, Mr. LUTHER, Mr. LAFALCE, Mr. UDALL of Colorado, Mr. KUCINICH, Mr. FATTAH, Mr. OLVER, Mr. CUMMINGS, Mr. JEFFERSON, Mr. KILDEE, Ms. KILPATRICK, Mrs. MORELLA, Mr. UDALL of New Mexico, Mr. RANGEL, Mr. GORDON, Mr. ROTHMAN, Mr. MENENDEZ, Mrs. NAPOLITANO, and Mr. DOYLE.

H.R. 3676: Mr. FRANK, Ms. KAPTUR, Mr. MCGOVERN, Mr. CONYERS, Mr. GILMAN, Mr. HINCHEY, Mr. FALEOMAVAEGA, and Mr. DOGGETT.

H.R. 3679: Mr. DAVIS of Illinois.

H.R. 3710: Mr. FILNER.

H.R. 3717: Mr. SIMMONS and Mr. SHIMKUS.

H.R. 3733: Mr. PETERSON of Minnesota and Mr. LYNCH.

H.R. 3741: Mr. RYUN of Kansas.

H.R. 3762; Mrs. CAPITO, Mr. BARTLETT of Maryland, Mr. LATHAM, Mr. TIBERI, Mr. GIBBONS, Mr. GREENWOOD, Mr. REYNOLDS, Mr. ISAKSON, Ms. HART, Mr. SENSENBRENNER, Mr. GREEN of Wisconsin, Mr. WALSH, Mr. KOLBE, and Mr. SHAYS.

H.R. 3792: Mr. GILMAN, Mr. BROWN of Ohio, Ms. BALDWIN, Ms. LEE, Mr. ACEVEDO-VILA, Mr. LATOURETTE, and Mr. FERGUSON.

H.R. 3803: Mr. BEREUTER.

H.R. 3833: Mrs. JONES of Ohio, Mr. DEAL of Georgia, and Mrs. BONO.

H.R. 3839: Mr. TIBERI.

H. Con. Res. 42: Ms. PELOSI, Mr. MASCARA, and Mr. RUSH.

H. Con. Res. 197: Mr. LATOURETTE,

H. Con. Res. 238: Mr. MCGOVERN.

H. Con. Res. 271: Mr. CANTOR and Mr. HOBSON.

H. Con. Res. 320: Mr. FALEOMAVAEGA.

H. Con. Res. 328: Mr. CUMMINGS, Mr. WYNN, Mr. MCGOVERN, and Mrs. NAPOLITANO.

H. Con. Res. 334: Mr. BURTON of Indiana, Mr. VITTER, Mr. ADERHOLT, and Mr. PLATTS.

H. Con. Res. 225: Ms. WATSON.

H. Con. Res. 346: Mr. WALSH and Mr. SHUSTER.

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. 3693: Mr. LAHOOD.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

Vol. 148 WASHINGTON, WEDNESDAY, MARCH 6, 2002 No. 23

Senate

The Senate met at 10 a.m. and was called to order by the Honorable BENJAMIN E. NELSON, a Senator from the State of Nebraska.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious God, all through our history as a nation You have helped us battle the enemies of freedom and democracy. Many of the pages of our history are red with the blood of those who paid the supreme sacrifice in just wars against tyranny. They are our distinguished heroes and heroines.

Today, we feel both grief and gratitude for the seven men who lost their lives in Afghanistan in the battle against the insidious enemy of terrorism. We ask You to comfort and strengthen their families, loved ones, and friends as they experience the anguish of their loss. Death could not end their gallant lives. We do not want to forget them or lose sight of the hallowed memory of their gallantry.

Renew our resolve to press on in the battle to rid the world of terrorism. Lord God of hosts, be with us yet, lest we forget what the men and women of our military are doing to assure us of the freedom of speech and the exercise of government we will enjoy today. Lord, continue to bless America and give us victory over the forces of evil confronting our world. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BENJAMIN E. NELSON led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 6, 2002.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BENJAMIN E. NELSON, a Senator from the State of Nebraska, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. BENJAMIN E. NELSON thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader.

Mr. DASCHLE. Mr. President, what is the pending business before the Senate?

NATIONAL LABORATORIES PARTNERSHIP IMPROVEMENT ACT OF 2001

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of S. 517, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 517) to authorize funding for the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes.

Pending:

Daschle/Bingaman further modified amendment No. 2917, in the nature of a substitute.

AMENDMENT NO. 2980 TO AMENDMENT NO. 2917, AS FURTHER MODIFIED

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. DASCHLE. I send an amendment to the desk and ask for its consideration.

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. DASCHLE] proposes an amendment numbered 2980 to amendment No. 2917.

Mr. DASCHLE. I ask unanimous consent reading of the amendment be dispensed with.

Mr. MURKOWSKI. I object.

The ACTING PRESIDENT pro tempore. The objection is heard.

The clerk will read the amendment.

The assistant legislative clerk read as follows:

At the appropriate place, insert the following:

''(e) PROHIBITION ON CERTAIN PIPELINE ROUTE.—No license, permit, lease, right-of-way, authorization or other approval required under Federal law for the construction of any pipeline to transport natural gas from lands within the Prudhoe Bay oil and gas lease area may be granted for any pipeline that follows a route that traverses—

''(1) the submerged lands (as defined by the Submerged Lands Act) beneath, or the adjacent shoreline of, the Beaufort Sea; and

''(2) enters Canada at any point north of 68 degrees North latitude.''

At the appropriate place, insert the following:

''(d) STATE COORDINATION.—The Federal Coordinator shall enter into a Joint Surveillance and Monitoring Agreement, approved by the President and the Governor of Alaska, with the State of Alaska similar to that in effect during construction of the Trans-Alaska Oil Pipeline to monitor the construction of the Alaska natural gas transportation project. The federal government shall have primary surveillance and monitoring responsibility where the Alaska natural gas transportation project crosses federal lands and private lands, and the state government shall have primary surveillance and monitoring responsibility where the Alaska natural gas transportation project crosses state lands.''

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent the call of the quorum be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LOTT. Mr. President, I ask consent that the pending issue be set aside temporarily so I may make an opening statement on my leader time, without anybody losing their rights.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LOTT. I thank Senator DASCHLE and Senator MURKOWSKI for allowing me to do this.

We are soon going to be proceeding with the amendments on this very important issue. I have said several times, and I believe it and mean it sincerely, that having a national energy policy is one of the two most important things we will try to accomplish this year. After providing adequate needs for the defense of our country and in the war against terrorism, having a national energy policy is the next most important. While a lot of other issues are critical and we need to address them, this is a very serious matter.

I focus today on my belief that American dependence on foreign oil directly threatens our national security and our freedom. I think it is even bigger than that. It is also about economic freedom. If we do not address this question in a very broad and comprehensive way, the time will come—maybe even this summer once again—when we will have rolling brownouts, and someday, perhaps, blackouts, as well as gas lines again. We need a comprehensive, broad, national policy to avoid that. If we do not do that, we could get to a situation where, for some reason, foreign oil imports should be cut off or a high percentage should be cut off or we decide we will not continue to be dependent on Iraqi oil, or any number of upheavals could affect us immediately. It could affect not only our lifestyles but affect the economy and the jobs on which people depend. Energy is essential to the creation of jobs, whether in the steel industry, the poultry industry, agriculture, or fisheries on the Gulf of Mexico where I live.

I am beginning to think there are people who believe when you flip the switch and the power comes on, it magically appears out of this wire. Somewhere behind that wire are a lot of things we need to have. We need to have transmission lines. We need to have a plant somewhere that is creating that power that is wheeled through those lines. And the energy that fuels that plant has to come from somewhere.

In this bill that we are starting off with, I think we have a very bad product. I am not going to belabor the process of how we got here, but it seems to be a continuing, changing process. The Energy Committee didn't act. The Commerce Committee couldn't act on the CAFE standards. The Finance Committee did finally get together and it produced a $15 billion tax incentive package, but there is some concern about whether or not that should be offset or how it would be offset. So there is going to have to be a lot of work done on this bill to make it acceptable.

I think in the bill as it starts out, far too much is dependent on conservation and alternative fuels and not wanting to sufficiently address the production side. I think we need both. I am for encouraging conservation with incentives. I am for alternative fuels. I am for renewables. I am for using tax incentives to get these marginal wells back in production. But I also want the other side of that equation. I don't think we can conserve ourselves into an energy policy or, by reducing what we use, not be threatened by this energy area.

I hope we will work to come up with a comprehensive package at the end that is worth voting on, to send it on to conference. The Senate has been developing a pattern now of starting off with bad bills or partisan bills. When you do that, you are almost destined to get to a point where you cannot get a result.

We have not been able to move forward on energy for a year but now, thank goodness, we are going to have this full debate. I am appreciative of that, although I am very worried about the way it is starting. It smells like a stimulus bill or an agriculture bill in terms of how it is written. Maybe that will not be the case. I, for one, have started out by saying: Let's not focus on the negative. Let's just go forward and do our work. Let's have amendments, let's have votes, let's improve this bill. I may be disappointed in the end and some people will come to me and say: See, I told you so, you can't fix this thing.

But I am like Nehemiah in the Bible in building the wall. He believed the wall could be built. The people didn't believe it, but they trusted him and they kept working and kept working and they built the wall. We are trying to build a wall here, and this wall is an energy policy for our country.

So I do think there is a problem that affects our national security in the first instance. There are a lot of explanations why we do not have a national energy policy. We can blame a lot of people. There will be those who quickly say: Blame your neighbor's SUV. I have one. I have three grandchildren. I like them to be able to ride in the same vehicle with me. Or blame the oil companies—oh, the polluters. What do they think we are going to drive the economy with without oil and natural gas and coal and nuclear—the whole schmear. Or the automobile makers, it is easy to blame the automobile makers.

Unfortunately, we blame the domestic ones more than we do even the international ones—I am not criticizing them because they are putting their plants in America and we are glad to have them. They can help us, perhaps, produce better automobiles that have better fuel economy. I hope it is not done just by cutting them in half, which is what you get when you go in Europe. I can't even get into those things they have over there, or any of the other usual scapegoats.

Before we do that, just consider this fact. America is one of the leading energy-producing countries in the world. This country has the technology, alternative resources, and enough oil and natural gas to make itself much more self-sufficient. America does not have to revert back to the practices of the 1970s. The country is faced with a serious problem because previous Congresses and previous administrations—blame everybody—didn't do what needed to be done in this area because it was too hard. These issues are not easy, trying to come up with an agreement that will provide a positive result. Whether it is in the fuel efficiency area, in the production area—every one of them is very difficult to work out to an agreement and compromise that will pass.

As a result, crude oil production is down significantly in this country as consumption continues to rise. America now imports 56 percent of the oil it consumes, compared to 36 percent at the time of the 1993 Arab oil embargo. We had long gas lines and we had huge debates in the Congress, particularly in the Senate, over what to do about our energy needs. We acted as if we thought maybe we had done enough. Obviously it didn't work because our dependence on foreign oil had gone up.

At the rate it is going, the Energy Department predicts America will be at least 65-percent dependent on foreign oil by 2020. That alarms me and I bet it does most Senators—and most Americans, when you think about it—when we are dependent on oil that comes from some very dangerous parts of the world, in many cases, or some cases very unstable governments.

We cannot continue down this path. This bill has to be passed so that will not be what happens. We need a national energy policy that will enhance national security by reducing this dependence on foreign energy sources. We need a policy that provides incentives for the use of natural gas—a fuel which can burn cleanly in internal combustion engines and which is abundant within our borders, especially the Gulf of Mexico, right in front of my house where I live. It is out there. Some of it is being taken out of the gulf now. A lot more could be done, but we have a huge battle to try to make use of areas such as the Destin Dome in the Gulf of Mexico, which I think is at least 100 miles from the shoreline. There is no

need, no reason we should not pursue that. Natural gas is not oil, for one thing. You don't spill it.

We should also call on America to utilize other domestic resources through incentives which encourage the use of marginal oil wells and the billions of barrels of oil we have in Alaska. Likewise, we should not ignore the use of renewable energy resources such as solar power, hydropower, or wind power. Can we get a substantial percentage of our needs out of that area? I doubt it, although I think hydropower can produce significant amounts. Maybe we can get some help from solar or wind. I doubt if we will ever exceed 3 or 4 or 5 percent, but that is not small potatoes. Let's do that, too. However, Congress must acknowledge that America cannot realistically run only on renewable energy resources. We must be realistic and provide a bridge to our energy future.

Despite the most advanced technology and ingenuity, tomorrow's energy sources will not answer the energy needs of today. Coal, oil, and natural gas remain our most abundant and affordable fuels, and they can be used in environmentally sound ways.

My State doesn't produce a lot of coal. We have some lignite, and we are beginning to make use of it. But I believe clean coal technology is out there. I believe we can use coal and use it in a much cleaner way. We need to have encouragement to do that. Some 55 percent of the electricity generated in the United States comes from coal-fired, steam generating plants. Coal can make a significant contribution to U.S. energy security if the environmental challenges of coal-fired plants can be met. Congress should enact legislation which will provide credits for emissions reductions and efficiency improvements.

We are going to have that in this bill. Some are in it and I hope there will be even more. Congress must also provide incentives for independent producers to keep their wells pumping. Tax credits for marginal wells will restore our link to existing resources, including many in my own home State of Mississippi. We are not a big oil producing State, but we do have some oil and the wells are pumping now. The wells are marginal, but they can produce five barrels a day which can make a difference.

These wells are responsible for 50 percent of the U.S. production. We should give even more incentives to keep that percentage at least in place.

We also need to increase the availability of domestic natural gas, which is the clean alternative for coal in electric power plants. Federal land out West may contain as much as 137 trillion cubic feet of natural gas. Similarly there is Federal land in Alaska which is estimated to contain 16 billion barrels of domestic crude oil. None of these facts should be surprising.

There has to be a solution to this problem. Some would say that all we need to do is improve energy efficiency and reduce energy consumption.

Is that the way we do things in America? No. In America we make things better—more efficient and better. Are we saying you have to learn to live with less and that we can't have it as we did? That is not the American spirit. We can produce more. We can be more energy efficient. We can do all of it if we make up our minds to do it.

While there is a place for energy efficiency incentives in developing a natural energy policy, we must not starve our economy of the energy it needs to maintain and improve our standard of living. In the long run, a national energy policy that looks at all realistic sources of energy must be developed.

This is not the 1970s. America has better technology, more efficient and cleaner automobiles, as well as more energy options. The question is, How long will we forgo these options and be held hostage to nations abroad or extremists at home who do not want us to do what can and should be done? America must tap the vast resources we have. America can solve its energy problems but Congress must act in the interests of the entire Nation, rather than a select few, or with a defeatist attitude. Providing families the security and freedom they deserve depends upon stable, reliable, clean, and affordable energy. America badly needs a comprehensive, but realistic, national energy policy, and we need it now.

I say again that while I might object to the content of the bill we are beginning with and the process used to get here, we are on it. So let us make our opening statements. Let us get the amendments started. Let us see if we can't produce a bill that we can send to conference and get this job done.

The President of the United States wants us to do this. He knows we have to do it. He raised it in a meeting just yesterday. He didn't say you have to do it this way or that way. I know he wants us to get access to oil in ANWR and other places in this country. I know he wants us to have a realistic CAFE standard. But he is not saying you have to do it my way to get it done.

Mr. Chairman and Senator MURKOWSKI, let's roll.

I yield the floor.

Mr. DASCHLE. Mr. President, I compliment the distinguished Republican leader for his statement. While there are some things that might divide us on the issue, there is a lot he just said that I agree with wholeheartedly. This country needs an energy policy. We ought to be moving forward. We can do both in terms of comprehensive conservation and comprehensive production incentives. So I thank him for the spirit in which he has begun this debate.

For those who have expressed some concern about the way this bill came to the floor, I will just say that this is the way the last energy bill came to the floor in May and June of the year 2001. But I want to address very briefly the amendment I have just laid down.

One of the most significant, responsible ways in which to increase production and improve our Nation's energy security is to build a pipeline to bring natural gas from Alaska to the lower forty-eight states.

There are 35 trillion cubic feet of known natural gas reserves on the North Slope of Alaska. Right now, that gas is being pumped back into the ground because we have no way of getting it to people. In the energy bill we are now debating, Senator BINGAMAN and I have proposed a 2,000-mile long gas pipeline that would create 400,000 jobs, use an estimated 5 million tons of U.S. steel, and ensure that we do not become dependent on imported liquefied natural gas. If we want to create jobs, increase our energy security, and help the U.S. steel industry, building this pipeline is the way to do it.

Last week, Alaska Governor Tony Knowles suggested some refinements in the legislation that would ensure that American workers, and in particular, Alaskans, get the greatest benefit from this project.

In particular, Governor Knowles urged us to ensure that the pipeline follow what is known as the southern route down the Alaska Highway. This will ensure that much of the pipeline is constructed in Alaska and that it avoids the environmental pitfalls that construction could have on the fragile northern Alaska environment and the Beaufort Sea.

Second, he asked that we clarify the rules for State and federal cooperation, to ensure that the development of the pipeline proceed as smoothly as possible. Both of these issues are addressed in the amendment we are offering today. Other changes that Governor Knowles has requested include guaranteeing access to the pipeline for new natural gas producers that may arise in the future, protecting the ability of Alaskans to have access to the natural gas that will be transported in the pipeline, and establishing a tax incentive to reduce the risk associated with natural gas price volatility.

Senator BINGAMAN is working closely with others to develop language on these issues, and I would expect the final product of these deliberations to be added to the energy bill prior to final passage.

Energy for America, jobs and opportunity for Alaskans, and no damage to sensitive environmental areas should all be goals to which we can subscribe. This legislation, and this amendment in particular, allow us to do that with even greater confidence.

I yield the floor.

AMENDMENT NO. 2980 TO AMENDMENT NO. 2917, AS FURTHER MODIFIED

Mr. DASCHLE. Mr. President, I have a modification of the amendment at the desk.

The ACTING PRESIDENT pro tempore. The amendment is modified.

The amendment (No. 2980), as modified, is as follows:

Insert the following after Section 704(d):

''(e) PROHIBITION ON CERTAIN PIPELINE ROUTE.—No license, permit, lease, right-of-way, authorization or other approval required under Federal law for the construction of any pipeline to transport natural gas from lands within the Prudhoe Bay oil and gas lease area may be granted for any pipeline that follows a route that traverses—

''(1) the submerged lands (as defined by the Submerged Lands Act) beneath, or the adjacent shoreline of, the Beaufort Sea; and

''(2) enters Canada at any point north of 68 degrees North latitude.''

Insert the following after Section 706(c):

''(d) STATE COORDINATION.—The Federal Coordinator shall enter into a Joint Surveillance and Monitoring Agreement, approved by the President and the Governor of Alaska, with the State of Alaska similar to that in effect during construction of the Trans-Alaska Oil Pipeline to monitor the construction of the Alaska natural gas transportation project. The federal government shall have primary surveillance and monitoring responsibility where the Alaska natural gas transportation project crosses federal lands and private lands, and the state government shall have primary surveillance and monitoring responsibility where the Alaska natural gas transportation project crosses state lands.''

Mr. BINGAMAN. Mr. President, let me speak very briefly on the same issue that the majority leader raised.

I also believe it is very important for us in this legislation to facilitate construction of this pipeline from the North Slope of Alaska to bring natural gas to the lower 48 States. This is an issue that my colleague from Alaska, Senator MURKOWSKI, has been urging for some time. I know Senator STEVENS, as well, strongly supports it. I know that virtually all of us on the Energy Committee have believed construction of this pipeline needed to be a priority item as part of a comprehensive energy plan. That is why we included it in the legislation that is before the Senate today.

The amendment Senator DASCHLE has now offered would change what we have in the bill in a couple of important respects. The main thing it would do is ensure that the so-called southern route be chosen. This is again something that I know all of the representatives from Alaska have urged on us. I know Governor Knowles has urged this in testimony before the Energy Committee. He urged that this be done.

The bill we have introduced did not specify that the southern route was the only option. We were route neutral in the bill that is before the Senate because we believed that was an issue and a river we weren't ready to cross. But at this stage, I think it is clear that this southern route, which was authorized in the previous legislation that was passed in Congress a couple of decades ago, is part of our international treaty with Canada. It recognizes that there are environmental advantages if we follow this existing transportation route.

I think there are substantial advantages to be argued in favor of doing this southern route. I know it has been a priority for, as I say, the Governor of Alaska and the Senators and the Representative from Alaska for a long time. I think it will improve the bill.

It will make it clear that the Senate is anxious to see the jobs created in Alaska and that it is anxious to see the economic benefits. It recognizes that the environmental benefits are substantial as well.

I will support the amendment as it is proposed. I hope we can get strong bipartisan support for it. As I say, it is one of those issues we have debated for a long time. We brought the bill to the floor with a route-neutral provision in it. Now that would change, but it would change with my support.

I yield the floor.

Mr. REID. Mr. President, I hope my name will be added as a sponsor of this Daschle-Bingaman amendment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, I have not had an opportunity to speak on this legislation. I am going to speak generally about the legislation, but in particular to this amendment. For those who are interested, I think we have a clear description of what this legislation, as amended, would do. Basically it brings the route down through Alaska. It is a route of over 2,000 miles.

The amount of jobs it would create is very significant. It would create 400,000 new jobs. And this is an unbelievably large figure, but it is accurate. This is pipe that is more than 50 inches in diameter. We would need 5 million tons of steel. I would hope it would be U.S. steel: 5 million tons. It is hard for me to comprehend that, but that is what it would take.

The bill would provide $10 billion in loan guarantees for the construction of this pipeline and would bring 35 trillion cubic feet of natural gas to the lower 48 States. That is significant.

We can all readily agree that the United States needs to lessen its dependence on foreign oil. The best way to reduce our dependence on foreign oil is to diversify our energy supply by developing renewable energy resources. We also would hope to adopt a CAFE standard. My understanding is that there is a bipartisan agreement being worked out as we speak, if it has not already been worked out. We were close to working it out yesterday. Senator KERRY and Senator MCCAIN are working out something on CAFE standards. Another way to reduce our dependence on foreign oil is to improve the energy efficiency of our homes and appliances.

That is how we can best lessen our dependence, reduce our demand on foreign oil: diversify our energy supply by developing renewable energy resources, adopt a CAFE standard, and improve the energy efficiency of our homes and appliances.

It is also obvious that the demand for natural gas is increasing worldwide. In the United States, natural gas consumption is expected to outpace current supply sources over the next 10 to 20 years, creating a shortfall of more than 6 trillion cubic feet by the year 2020. But remember, this legislation would immediately bring to the lower 48 States 35 trillion cubic feet of natural gas. So we would not have the 6 trillion cubic feet shortfall if we are able to produce this gas line.

In Nevada, 29 percent of our electricity needs are now met by natural gas, and that fraction will only grow over time. There is the construction now of a number of powerplants in Nevada to meet the needs of California and, particularly, Nevada.

Clearly, the future favors natural gas as a primary source of electricity in our country. Rightfully, many fear the United States will become as dependent on imported liquid natural gas in the future as we are on oil today. That is why this southern route is so important to our country.

I support the provisions of this act before us. I particularly support this amendment. This amendment would increase the supply of domestically produced natural gas available to U.S. consumers by expediting the construction of a natural gas pipeline from Alaska's North Slope to the lower 48 States.

I do not think there is a question of whether we are going to build the pipeline; it is a question of where we are going to build it. That is why there has been a general agreement we need to go with the southern route, not the northern route, for a number of reasons, not the least of which is the need to help Alaska as much as we can.

There is more than 35 trillion cubic feet of natural gas immediately available in the Alaskan North Slope, gas that is pumped back into the ground because we have no way of getting it to the people. That is inefficient. We save a lot of it by pumping it back into the ground, but we do not save it all.

It is estimated that the total natural gas available from the Alaska North Slope is more than 100 trillion cubic feet. The pipeline would provide natural gas to American consumers for at least 30 years, and it would be a stabilizing force on natural gas prices.

We have heard a lot from my friend, the distinguished ranking member of the Energy Committee, Senator MURKOWSKI, about how many jobs ANWR would create. But the jobs ANWR would create are simply not as great as these 400,000 new jobs. The pipeline would provide a significant opportunity for the U.S. steel industry, requiring up to 2,100 miles of pipe and, as I have indicated before, 5 million tons of steel.

The Alaska natural gas pipeline is a responsible way to address our Nation's growing demand for natural gas. It means energy independence and jobs, a winning combination.

We may have some disagreement with the distinguished Senator from Alaska on whether we should drill in ANWR, but there is no controversy, dispute, or question about the fact that we need to do everything we can, as

quickly as we can, to bring the natural gas from Alaska to the lower 48 States.

That is why the Governor of Alaska is totally supportive of what we are doing. Senator STEVENS—and I am confident Senator MURKOWSKI—support what we are doing. Of course, if there is something that is wrong with this amendment that does not meet the demands of Senator MURKOWSKI, we would be happy to speak with him. But as far as I know, in the meetings that have been on his staff level, we are headed in the right direction.

This amendment has two parts. It would ban the so-called ''over the top'' route for the pipeline—what we are talking about is, it would ban this route shown on the chart here—by prohibiting the issuance of any of the necessary Federal permits.

Governor Knowles' testimony is significant. He testified before the Energy Committee. Among other things, Governor Knowles said:

I respectfully suggest there are three essential components of this vitally important legislation. First, the route must be mandated along the Alaska Highway, as provided for in the 1976 Alaska Natural Gas Transportation Act. Second, this legislation must build American industry and create American jobs. Third, there must be economic incentives to attract the private capital to the project which when completed will substantially add to the national treasury.

There are many reasons why the route of the gasoline must follow the existing oil pipeline from the Alaska North Slope to Fairbanks and then the Alaska Highway through Canada to Alberta.

It is currently authorized in ANGTA [Alaska Natural Gas Transportation Act] and a presidential decision. It is part of an international treaty with Canada. It recognizes the environmental advantage of following existing transportation corridors. It allows vitally important access to the gas for the residents and businesses in Alaska. For these reasons, this route has the broadest support among Alaskans of any major project in recent history.

Additionally, there are serious concerns over the proposed alternative route commonly known as the northern or ''over the top'' route. This route would originate on the Alaskan North Slope then proceed 240 miles under the ice-choked Beaufort Sea to the Mackenzie River Delta and then up that river drainage to Alberta.

First and perhaps the most significant opposition to that route has come from the unanimous objections of the North Slope Inupiat Eskimos. At a recent public hearing, their corporate, community, and tribal leaders vowed they would use every resource available to them to fight this route, which would threaten their cultural and nutritional dependence on marine mammals.

Second, both Alaskan and national environmental organizations have said they too strenuously oppose this ill-conceived frontier route. Calling for previously untested technologies and risky ventures underwater, this project could never be considered as a preferred alternative to an existing land transportation corridor.

This is the Governor of Alaska. I quoted him verbatim.

The southern route, as he indicated, is authorized in ANGTA and is part of an international treaty with Canada. It recognizes the environmental advantage of following the existing transportation corridors and allows access to gas for Alaskan residents.

There are serious concerns, environmentally and socially, over the northern ''over the top'' route. As indicated, the Northern Slope Eskimos strictly oppose this. Environmental organizations oppose this.

For these reasons, the Alaskan delegation, to my knowledge, is supportive of the southern route.

One of the myths that we have heard is the Alaskan natural gas pipeline will create less jobs than drilling in the Arctic Refuge. We do not need a battle over which creates the most jobs, but I do say that the Congressional Research Service, which is an investigative arm of this body, estimates only 60,000 jobs would be created by drilling in the Arctic Refuge—only 60,000 jobs. I recognize that is a lot of jobs.

Certainly, even for Nevada, a State that is probably three times the population of Alaska, 60,000 jobs would be a lot of jobs. I am sure the Presiding Officer, if he lost 60,000 jobs in Nebraska, would take note. He would take further note though that the Congressional Research Service reports that building the Alaska natural gas pipeline would create more than 400,000 new jobs according to industry estimates and require roughly 5 million tons of U.S. steel and 2,100 miles of pipe. The energy bill would provide $10 billion in loan guarantees for the pipeline.

This is a good amendment. It is not only a good amendment, it is a good bill. This bill does some things important for the State of Nevada. We have been very concerned about the FERC having too many new broad authorities at the expense of State authority. In reality, under this Senate bill, FERC is given limited authorities that both Democrats and Republicans have advocated for years to oversee the reliability of the grid and require that all utilities play by the same transmission rules. California and Nevada were hurt significantly during the past year by actions of FERC, and this certainly will not strengthen FERC's role.

Some loopholes in FERC's merger review authority are filled, but the bill does not deregulate the electricity industry. In fact, some needed FERC authorities are strengthened, as indicated by both Democrats and Republicans, to ensure markets can be relied upon to provide low-cost electricity.

Another myth is that the Senate energy bill fails to exploit the Nation's potential to produce and use oil and natural gas. In reality, oil and natural gas will continue to play an integral role in the U.S. energy policy. This bill before the Senate provides $4.6 billion in tax incentives for oil and natural gas and $10 billion in loan guarantees, as we have talked about this morning, to build the Alaska natural gas pipeline which will bring 35 trillion cubic feet of natural gas to the lower 48 States.

Nevada has no coal. We are rich in other minerals. We are the third largest producer of gold in the world behind South Africa and Australia. We produce large quantities of silver and other precious metals. We don't have any coal—good coal or bad coal—but we still understand the importance of coal in America.

The United States is the Saudi Arabia of coal. We have more coal than any other country. We want to overcome the myth that some are saying this legislation will limit the use of coal in the United States. Quite to the contrary, the energy bill provides $1.9 billion in tax incentives for clean coal and establishes extensive clean coal research programs. The bill will ensure the use of clean coal in the United States and clean air in the future.

Outside Reno we have a power plant that was initiated with clean coal technology. It couldn't have been built with clean coal technology without the Federal Government helping Sierra Pacific Power do that. I am a big fan of using coal but using it in a different method than we have used in the past. Clean coal technology is something we have to rely on and do more than what we have done before. This legislation crafted by Senator BINGAMAN will allow us to do that.

I hope we can move this legislation as quickly as possible. We have so much to do in the Senate. The leader has said we are going to finish campaign finance reform. We have all the many items we talked about for so long that we have to do, now that we are a little bit removed from September 11, even though that still is our first fixation. Prescription drug benefits is something we have to work on. We have all the appropriations bills to pass.

We recognize we need an energy policy. I commend and applaud the Senator from New Mexico, chairman of this committee, for this work of art, some would say, he has given to us. He has worked hard. We have a good piece of legislation. I look forward to working with him and Senator MURKOWSKI to come up with an energy policy for this country and move this legislation out of the Senate, move it to the House where we can have a conference, and come back with something for the President to sign.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, the pending business before the Senate is Senator DASCHLE's amendment to the pending underlying bill, S. 517; is that correct?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. MURKOWSKI. I join with Senator STEVENS and certainly our colleague on the House side, Representative YOUNG, and commend the majority for introducing this amendment that selects a southern route for the development of natural gas from the State of Alaska.

I believe that while we have supported without exception the designation of the southern route, the amendment in itself is not complete and does not represent the total interest of Alaskans. I will explain that further.

First of all, it is appropriate to note that as far as the responsibility of the Senate is concerned, we have finally met one responsibility associated with the energy bill; that is, to have bipartisan support for the designation of the southern route. It is also appropriate to recognize that the House initiated this some time ago. It is in H.R. 4, the specific designation of a southern route.

I was very glad to see the leader was so anxious to bring this up as the first amendment from the majority. It shows that Alaskans can prevail—our Governor, our Lieutenant Governor, Senator STEVENS and myself, Representative YOUNG.

On the other hand, in the interest of full disclosure, it is appropriate to note that my objection, when the majority leader asked unanimous consent to terminate reading of the amendment, was that I had not seen the amendment and believed it should have been read. I have seen the amendment and, as a consequence, believe that while the amendment, certainly in general terms, addresses the bottom line—namely, the southern route—it does not address what Alaskans want. What Alaskans want is a little broader series of alternatives.

I will be working with the majority in hopes that we can include that in the amendment. Of course, I will be a cosponsor of the amendment.

Specifically, what Alaskans want is to have alternatives for that gas, that 37 trillion cubic feet of gas that lies beneath the oil fields of Prudhoe Bay. What are those alternatives? They primarily are associated with utilizing that gas in Alaska on several alternative routes if, indeed, the economics support routing. As the President is well aware, our oil goes down to Valdez, AK, through the 800-mile pipeline and moves down the west coast of the United States to Washington, to California, where it is refined.

There has been for many years promotion of an idea that one of the potential markets for Alaska's gas—because there is every reason to believe we are going to find more gas than the 37 trillion cubic feet we found accidentally hunting for oil—is the ability to liquefy that gas and either ship it down the west coast of the United States or ship it to the Orient. There have been projects where millions of dollars have been expended exploring the route. Not too many people in this body know that in the early sixties, the first LNG in Japan came from Alaska, a million tons a year. That contract has been renewed and a new fleet of ships has been built. Alaska is no stranger to exporting LNG. It came from a field near Anchorage, and the reserves there are somewhat limited or we would be exporting more LNG from that point.

The point of this discussion is to make sure that we are not solely bound to this southern route that is offered by the Majority Leader. I might add that we are going to have some charts to show you because I think it is important that you understand that the southern route, as it is conceived, from the Prudhoe Bay area, follows an existing pipeline approximately down to Fairbanks. Then it takes off in Fairbanks and goes down toward the delta area, where it branches off and goes to Valdez.

This amendment, in general, would cover the southern route, the highway route. But we want to make sure it does not exclude, if you will—because the possibility of exporting LNG is very real, and it has been promoted for some time—I want to make sure that is included as an alternative.

Secondly, we have every reason to believe that in the area associated with Point Mackenzie in the Matanuska Valley, where they are putting in a port development, that we have the availability of gas to come down from Fairbanks, perhaps under the railroad right of way, and come into the particular area ahead of Cook Inlet and the Matanuska Valley, where there is a port being built.

Then there is the recognition that Anchorage receives most of its gas from the fields of Cook Inlet and the Kenai area. We want to make sure Anchorage has access to this gas. Further, we have large petrochemical plants in Alaska—the only year-round manufacturing facilities we have, as a matter of fact, so we think they are large, but they are small by U.S. standards, like the ones down on the Kenai Peninsula. So I don't want to see this amendment limited to strictly a southern route so that would market the gas only through Canada and into the lower 48. We want the market to dictate where this gas goes. It is important.

Unfortunately, the way this was handled, I can only assume that there is a process here that might involve a little politics. I was prepared to offer, in my amendment—which would mandate a southern route—that would specifically contain alternatives that are certainly in the interest of Alaska. I have not seen the correspondence from our Governor or Lieutenant Governor to the majority. So I cannot comment on how broad the request was from the standpoint of inclusion and having alternatives. But I know from my contacts with Alaskans they want alternatives, and they don't want to be limited by this amendment to one specific designated southern route that would not allow the availability of those alternatives.

Let me put it another way. We want to make sure the market dictates the alternatives of either bringing it down toward Anchorage, bringing it down toward the Kenai Peninsula and the Matanuska Valley and the port that is under development there, as well as having the availability of bringing it further down toward the delta and then down to Valdez, where we could liquefy it.

So I am very sensitive about this and hope that we can work with the majority to include in this amendment a comprehensive accommodation, since we are so interested this morning—I must say I am very pleased that this isn't the first amendment of the majority where they chose to be responsive to our concerns in our State. Again, I remind my colleagues that H.R. 4, of course, already designated a southern route. But I sense a certain eagerness to accommodate a gas pipeline, and I am wondering to what extent. I have the strange feeling that it is at the expense of ANWR.

We are going to have an opportunity to talk about ANWR and to provide an amendment. But I think there is an interesting point that has been overlooked. Since the majority was so anxious to accommodate us, in the sense that we have had this issue before us relative to the gas pipeline for so long, I am curious to know why it wasn't in the underlying bill. But beggars cannot be choosers, and it is in here this morning and I am very pleased.

I see my good friend seeking recognition. I will respond to his question.

Mr. BINGAMAN. Mr. President, I thought it appropriate that I try to respond to the Senator from Alaska. I tried to explain earlier that my thinking at the time we put the bill together for consideration in the Senate was that we should bring a bill to the Senate floor that was route neutral. We had received urging that we prohibit use of the northern route. But it did not seem to me, knowing what we did at that point, that was the right course. Since then, we have gotten more information from the Governor of Alaska, from the Senators from Alaska, from the environmental community, and from those who currently hold a right of way to construct the pipeline under existing law. It seems to me the weight of the evidence is clearly in favor of the amendment that Senator DASCHLE has now proposed and for which I think we have good bipartisan support. I point out also that this amendment does not limit options as far as where the pipeline goes, except that it prohibits the use of the northern route. That is what it does.

Clearly, I think the consensus now in the Senate among those I have spoken to is that is the correct course to follow, and I think that is what we are trying to do by this amendment.

Mr. MURKOWSKI. Mr. President, I appreciate the response of my good friend, Senator BINGAMAN, and he is my friend. We have worked on this issue. I appreciate his explanation. But I have to refer to the fact that route issue has been around for a while because the House had it in its bill. Of course, we were not a party to the process of developing the underlying bill as the minority, so we didn't have an opportunity to address the route issue, and the bill came in route neutral.

Today, it is no longer route neutral. We appreciate that fact. We will cosponsor it, but we are going to add a little more to it. I am sure the majority would agree it is in the interest of Alaska, since we are anxious to make that accommodation. Again, we are most appreciative. But it didn't just come up. It came from H.R. 4, and we have always been in favor because, obviously, the other alternative is simply to take the gas over the top, so to speak, as you can see, from Prudhoe Bay. You take it along the Arctic Ocean off the 1002 area of the Arctic National Wildife Refuge, over into Canada, and then come down.

Obviously, that is in the best interest of Alaska, not in the best interest of jobs.

In any event, the amendment is the pending business. We are going to have Members talk this morning, giving their opening statements on the energy bill. I believe there is an effort to accommodate our friend from Utah for a short statement on the successful Olympics. We certainly congratulate him and his colleague for providing us that great, extraordinary experience.

There are a couple more comments I do want to make relative to the comparison between the gas line development and the prospects of whether or not some see it as a tradeoff for ANWR. I assure the majority that these two issues are not quid pro quo issues; they have to stand on their own, as they should. It is unfortunate they have come up in the same time sequence, but that is the reality of the way things happen.

Again, as we look at where we are in the debate, as we look at the reality that the majority has chosen this as their first amendment, had we had an opportunity to offer the first amendment, it would have been a similar amendment, but it would have been more inclusive for Alaska allowing for alternatives.

I want to make sure my Alaska friends know the order of preference. When you are in the minority, you are in the minority. That is the harsh reality. The majority has every right to present this as their first amendment. But I want to make it very clear, had they not, we would have presented this as our first amendment. It would have been broader. It would have been more inclusive.

I have a couple more points to make. Again, this amendment does not address the crucial underlying feature associated with this gas line. This gas is on State lands. The leases belong to Phillips, British Petroleum, and they belong primarily to Exxon. They are the companies that are going to have to build this pipeline or work with a consortium of gas line companies, such as Duke, Williams, El Paso, Foothills.

This is going to be a gigantic project. It is going to cost somewhere in the area of $15 billion to $20 billion. It will be the largest construction project in the history of North America. But it needs a safety net.

What do I mean by a safety net? If we are going to put out that kind of money and the price of gas drops below your cost, as the Presiding Officer knows as a businessman, you cannot stay in business very long.

We are not breaking new ground here. We have seen deep water royalty relief, and that is evident in the drilling that goes on in the Gulf of Mexico. We are going to need something with this pipeline.

We have been communicating with the Governor's office. In fact, we provided most of the information that has come back in a rather roundabout way to the majority because we work with the Governor's office. From Washington, it goes to Juneau and back and makes a rather circuitous route because it ends up with the majority leader of the Democratic Party. This is just politics, but much of the input is ours, and that is an obligation Senator STEVENS and I have. We will do it and continue to do it, even if it makes almost a full circle.

The crux of this is the principals have expended roughly $100 million, evaluating this project, and they say currently, because of the price of gas, it is uneconomical. Mr. President, you know what that means, and I know what that means, and I am not very happy about it. But at the current price of gas, it is not economical.

On the other hand, on the positive side, the prospects for development are good because we are pulling down our gas reserves in the United States much faster than we are finding new gas reserves. There is no question this gas will be marketed. There is a question ultimately of whether it will be just the U.S. domestic market or an LNG market in the Pacific rim. The economics dictate, but in order for this to be built now, there has to be some arrangement that if the price of gas falls below a certain level, there is a safety net.

Who is going to underwrite that safety net? Obviously, we are looking toward the Federal Government, the same as we do in deep water royalty relief in the Gulf of Mexico. In Alaska, we have a frontier area; we do not have the infrastructure. What is different about our gas is it is nearly 3,000 miles away from the Chicago market where ultimately the volume is anticipated.

It is not that our gas is different, but it has to be moved further, and to move it further costs more money. What we need in this equation is a safety net that perhaps could be paid back when the price of gas goes over a certain level.

We are not looking for a handout. But the problem we have is the mechanics are not done yet. We do not know how it scores. I do not know that the people who are in the business of scoring really understand, but the concept is fair and equitable, and we are going to pursue it. I am very happy the majority is going to pursue it with us.

While route selection is vital and important, it does not build the project. The only thing that is going to build the project is the economics, and that is what we are working on.

We have Exxon, BP, and Phillips as primary partners. However, as you know, they are not all the same size. Some are a little bigger and take a little bigger risk.

I want to make the record very clear on what we have done today as we have designated a route, and we are going to broaden it with alternatives, but the real crux is coming up with this safety net.

It is fair to close with my wariness, if you will, that suddenly we have this broad support for a gas line, but is it at the price of ANWR? As I indicated, as far as Alaskans are concerned, there is no quid pro quo; these have to stand independently. I do not want to hear Members say: I am for you on the gas line but I am against you on ANWR. Members should be making a decision on what is right for America.

As a consequence, I point out that perhaps our Governor could intervene, as he has in communicating to the majority with regard to the language designating a southern route. I suppose I could send something up asking the Governor to intervene on ANWR and maybe he could prevail upon the majority to include ANWR in the amendment, but I assume that would not stand the test of time. His support might be able to overcome the threat of a filibuster by the majority because Senator DASCHLE has already indicated they are prepared to basically filibuster, filing cloture, requiring 60 votes. I hope that if the Governor is as successful this morning on the route designation, he might be able to address the ANWR issue as well.

Again, we have to understand politics. So as we look at where we are, I think we have to recognize we have a gigantic project that is before us that is in the interest of the United States. I am talking about both projects because they are different. The majority whip has made his comments relative to jobs. The interesting thing is we import about 15 percent of our natural gas in this country, primarily from Canada, but we import 58 percent of our oil. That ought to address some concerns about the vulnerability of the country.

I hear a lot relative to jobs in this debate. The jobs in ANWR are all American jobs, but if one looks at that pipeline that the majority has in their chart, look how much goes through Canada vis-a-vis how much goes through Alaska. No question, there is probably two and a half to three times more activity that will take place in Canada. Those are going to be Canadian jobs, but opening ANWR will create all American jobs. I am sure the majority has been contacted by labor and labor has indicated how important those jobs are to America.

We need to understand the project a little better. We need to have more

Members visit the area. We need to recognize this project is designed to be constructed using 52-inch X–80 steel.

How many steel mills in the United States make this steel? Zero. This is an order that is estimated to be somewhere in the neighborhood of $3 billion to $5 billion. Do you know what they say? We are not geared up to it.

I do not know about the Chair, but I am inclined to think, as a businessman, if he had an order that big, he would start figuring out a way to try to participate. I certainly would.

What happened the last time we built an 800-mile pipeline for oil? Do you know where the pipe was built? In Japan, in Korea, and Italy. Why? Our steel mills were not geared up. In other words, they could not compete. Well, that is another argument for another day. We have quotas on steel, but clearly this is the biggest order ever contemplated associated with the natural gas issue. So I hope this will be an awakening to the American steel industry that there is some business at home, big business. They have not had a $3 billion to $5 billion order in a century. It would take the entire output of the steel mills in Korea and Japan for nearly 2 years to build this gas pipeline.

So we are going to have an interesting debate. I hopefully have cleared the air on the amendment. I look forward to the debate.

I ask unanimous consent that I be added as a cosponsor on the amendment.

The PRESIDING OFFICER (Mr. NELSON of Florida). Without objection, it is so ordered. The Senator will be added as a cosponsor.

Mr. MURKOWSKI. I hope we will be able to work with the majority to expand the amendment as Alaskans have expressed their desire to have various alternatives for the marketing of our gas. I thank the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I know there are other Senators wishing to speak, so I will be relatively brief. I say to my friend from Alaska, it would be appropriate on something this important to the State of Alaska that we have a vote on it. We want to make sure when this matter goes to the House they recognize the entire Senate supports it. So I ask my friend if he is ready for a vote, not immediately but sometime in the near future?

Mr. MURKOWSKI. If I may respond, it is very possible we may have a second degree. We have an objection on our side that we have to clear as well. So I agree with my colleague ''at some point in time,'' but it is premature at this time on our side.

Mr. REID. What I say to my friend from Alaska is, we understand there are always things that can be improved and we will certainly look forward to working with the Senator, and Senator STEVENS, as to how we can improve this amendment, but in the near future I hope we can vote on this issue. If there is anything that the Senator needs or believes is appropriate to improve it, we can work at the staff level and then with the principals. We will be happy to do that.

I say to my friend from Alaska, for whom I have the greatest respect, this is quite interesting. I wish Nevada had the choices that Alaska has today. That is, this bill is going to give Alaska something. It is a question of how much. It is a question of whether Alaska is going to get ANWR and this pipeline or just get the pipeline. But there is no question that Alaska, after this legislation passes, is going to have the hope of a significant number of new jobs.

As the Senator from Alaska knows, I do not favor ANWR and we are going to have a debate relatively soon on that. I hope we can fix the debate on that issue and resolve it after everyone has an opportunity to say what they want and move on to the rest of this legislation. Whoever in effect wins, let us move on. It is a question of who has 60 votes, I guess, in this Chamber. So I look forward to that.

I also say that not only is Alaska looking to this legislation with favor but there are lots of others looking to this legislation with favor, not the least of which, as the Senator from Alaska has said, are the steel companies and steel workers in America.

I agree with the Senator from Alaska we can bring our steel mills back into production. With what the President did yesterday, it certainly is a step in the right direction. If we pass this legislation, hopefully they can get geared up to move forward.

One of the problems we have, of course, is companies are no longer just American companies, they are international companies, and sometimes they do not look at building things in America in the right light. So I recognize other issues are important to address with respect to the pipeline, and we want to work with the Alaska delegation, including the Governor, in good faith, in moving these matters forward.

The two items in this amendment are noncontroversial and do not prejudice other concerns that may come up at a subsequent time. We hope there can be agreement to vote on this amendment soon and continue to work on the other issues. I think it would set a great pattern for this legislation, to have a bipartisan vote moving forward with something that is extremely important.

The House bill did not address any of the other issues raised by Senator MURKOWSKI. The amendment is broader than the House language—not a lot, but it is broader. The amendment bans the northern route and does not specify where the southern route will go, but we know it will go through Alaska. So I hope the Senators on the other side will allow us to have a vote in the near future and move on to the next amendment which will be offered by Senator MURKOWSKI.

It is my understanding, based upon what Senator MURKOWSKI said, that Senator BENNETT is wishing to speak as in morning business. Is that right? And if I could ask a question of my friend from Utah, who I am sure is very proud of being able to talk about the way the Olympics went off—Utah should be very proud—how long does the Senator wish to speak?

Mr. BENNETT. Mr. President, somewhere between 15 and 20 minutes.

Mr. REID. Mr. President, I yield to my friend from Alaska.

Mr. MURKOWSKI. If I may respond, the Senator from Kentucky seeks recognition also.

Mr. REID. I was going to get to that.

Mr. MURKOWSKI. We generally agreed, subject to the Senator's concurrence, that we would do that in the order of the Senator from Kentucky and then our friend from Utah.

Mr. REID. I will bet my friend, the Senator from Kentucky, the hall of famer, is not here to brag about Alaska.

I ask unanimous consent that following the remarks of the Senator from Kentucky, the Senator from Utah be recognized as in morning business for up to 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURKOWSKI. Mr. President, before I recognize my friend from Kentucky, I say I think it is rather interesting to reflect on the contentious portions that are in this bill. Everything focuses either on ANWR or the gas line. The electricity portion could be very complex. CAFE is going to be agonizing. Renewables are going to be agonizing.

I was somewhat alerted by the whip who indicated this vote will be a 60 vote. Ordinarily, on issues around here, 51 votes are enough to carry. But it is important to recognize the ground has already been laid, and the reason is interesting. It is contentious. When our national security is concerned, we should do all we can not to limit our options. I am fearful we are limiting our options.

The House bill only prohibits the ''over the top'' route, which is what the whip alluded to. This would clearly address this point, and it would provide the alternatives that the economics dictate.

Mr. REID. Will the Senator yield?

Mr. MURKOWSKI. I yield.

Mr. REID. I say to my friend from Alaska, I recognize the many complicated and controversial issues in this legislation that are now here, or will be through amendment.

This is not one of the weeks where we say if we finish Thursday we will have no votes on Friday. I know this will take time. I understand that.

Mr. MURKOWSKI. I am not going anywhere. I want everybody to make sure they understand that clearly from the beginning this whole process was designed—and I don't think we are fooling anybody—to ensure that the

committee of jurisdiction did not get a chance to vote on it. An ANWR amendment would have been part of this bill because we had the votes. That is the bottom line.

We have gone on from there into this extended synergy, which I do not think is in the best interests of the Senate.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. BUNNING. Mr. President, I rise today to talk about the pending energy bill. I am glad we're finally having this debate. It has been a long time coming.

We desperately need a commonsense energy policy. Ever since the Arab oil embargoes over a quarter of a century ago, Congress has talked about passing a serious energy bill. Now is the time.

Coming after the tragic events of September 11, it is more important than ever that we have a policy that not only helps us meet our energy needs, but also protects our national security. In the past Congress has failed to make progress on energy because we have fallen into the trap of choosing between conservation and production.

But now I think that we have escaped that trap and reached the point where most of us in the Senate understand that a balanced energy policy must do both—it must help boost production of domestic energy sources as well as promote conservation.

The bill before the Senate today is a decent starting point that attempts to strike a balance between conservation and production.

There are some parts of the legislation that I support. For instance, eventually we are going to get a chance to vote on clean coal technology and ethanol provisions that are important to my State.

I also like the tax proposals coming from the Finance Committee that would promote conservation and the expanded use of cleaner burning fuels.

But overall the bill is too weak on production and contains several provisions that must be changed before the Senate finally passes a bill.

First of all, we need to look at improving the production side. We must have an energy policy that helps reduce our dependence on foreign oil. This means that we have to finally get serious about ANWR.

We deserve to have a straight up or down vote on ANWR. It's clear that a majority of the Senate supports safe drilling in ANWR.

It is the most promising source of domestic energy we have. It is critical to our future and our national security.

But because of the procedural gymnastics from the majority, it looks like we're not going to get a fair shot at voting on ANWR.

That is wrong. ANWR is too important and the stakes are too high not to let the Senate work its will on this matter.

I know that there are some in the Senate who are desperate to stop us from opening up in ANWR. The facts are not on their side. And a few of those facts bear repeating.

ANWR is roughly the size of South Carolina, Maine, Massachusetts, Rhode Island, Vermont, and New Hampshire combined. It is absolutely enormous. But when we talk about drilling in ANWR, we are talking about clean drilling in an area of less than 2,000 acres—smaller than many airports in the United States.

To say that drilling in this limited portion of ANWR threatens the entire environment of the refuge is far-fetched and alarmist.

Recent advances in technology enable us to successfully extract oil in ANWR in an environmentally sensitive way. The old stereotypes of dirty oil drilling just don't apply anymore.

In fact, if we do start exploring in ANWR, the drilling operations would be conducted under the most comprehensive environmental regulations in the world.

We all want to do what we can to protect our world. But it is just not credible to say that looking for oil in this one small, limited part of ANWR is a dangerous threat to the entire region. Many of the environmentalists fail to see that if we do not begin oil production in ANWR, oil companies in the Middle East, Russia, and elsewhere—places where environmental regulations are much less restrictive than ours or even nonexistent—will take up the slack.

Opening ANWR now might actually end up being more environmentally sensitive than the alternative. We also cannot escape the fact that drilling in ANWR, and boosting our domestic energy production, is vitally important to our national security.

Right now we import 57 percent of the oil we use and the number is expected to jump to 64 percent by 2020. There are more than 10 billion barrels of oil recoverable in ANWR. That's enough to fuel all of Kentucky's oil needs for 82 years. That is also enough oil to replace the volume we currently import from Saudi Arabia or Iraq for the next 25 years.

Drilling in ANWR provisions would not only make a tremendous difference for our domestic consumption, but would constitute a serious step toward ensuring our national security.

If the choice comes down to drilling in ANWR and lessening the chance that we will have to rely on Saddam Hussein and others in Middle East for our oil, then there is no choice at all.

Today we produce less oil than we did in World War II. We must reverse this trend. Drilling in ANWR won't change things overnight, and no single source can totally end our dependence on foreign energy.

But opening ANWR and boosting production are vital to this bill and to our national security.

On a different subject, I also think that we need to take a long look at the CAFE provisions in the Kerry/Hollings language in the bill. Currently, the CAFE standards are 27.5 miles per gallon for cars and 20.7 miles per gallon for light trucks.

The Kerry/Hollings provision in the bill would require a combined fleet fuel economy standard for cars and trucks to go to 35 miles per gallon by 2015. Their provision also would expand the definition of ''light truck'' to include vehicles up to 10,000 pounds. That would cover most SUVs and minivans.

Because the Kerry/Hollings provision changes current law by combining cars and trucks, that means that even if auto manufacturers can achieve 28 miles per gallon for their light trucks, some manufacturers will be forced to boost their car standards up to 50 miles per gallon just to reach the overall 35 miles per gallon average. That's a dramatic jump from the current standards, and pushes too far too fast.

The National Academy of Sciences recently studied this issue and the implications of raising CAFE standards on vehicle safety.

NAS found that rapid increases in fuel economy standards for cars in the early 1980's likely contributed to thousands of additional highway deaths.

Back then, auto manufacturers reduced the size and weight of their vehicles to help meet the new standards. But because the CAFE standards were raised too quickly, it turns out that making cars more fuel efficient also made them more deadly.

Today, one of the main ways for a manufacturer to increase its CAFE standards is to downsize its fleet. In fact, since 1978 vehicles have shrunk in weight on average by more than 1,000 pounds per vehicle.

At the same time, the death toll from car crashes has increased. Statistics show that in the last 25 years since fuel efficiency standards were first imposed, more than 40,000 people have died in crashes in which they might have otherwise survived had their vehicles been heavier.

While more people have died because of the increased fuel efficiency, our fuel economy is not much better than it was in 1970. Much of this is because consumers have chosen bigger cars. They want SUVs and minivans to haul their children to soccer games and to go on vacations. And they want larger vehicles because they are safer, more comfortable, and more powerful.

Consumers obviously are not asking for this mandate because they are choosing to continue to purchase larger vehicles despite other choices, including less expensive ones.

Kerry Hollings would overly regulate consumer choice at the expense of safety.

Because Kentucky has become one of the leading auto producing States in the country, I am also worried that the Kerry/Hollings provision would affect jobs. When the CAFE rules went into effect before, manufacturers spend huge sums of money to comply with the new rules. Because of that, many workers were layed off to help cut costs.

Today over 160,000 Kentucky workers are employed in the auto industry or in a job dependent on car manufacturing. That's almost 10 percent of my State's workforce. But many of these jobs will be at risk if the Kerry/Hollings provision in this bill becomes law.

I believe in increasing fuel efficiency in vehicles. I think we can and should do more on this front. But I do not believe that Congress picking a number out of thin air and mandating a target for manufacturers to hit is the way to go. Instead, I think we need to do what we can to encourage sound science by the industry that makes sound, incremental changes in fuel standards.

Finally, I would like to say a few words about the procedure that was used to bring this bill to the floor. The process that this bill went through to finally reach the floor was a sham. Last October, when the Energy Committee was finally going to begin marking up the bill, it was abruptly pulled at the last minute. Then the Democrats began working on their own proposal. Now almost 6 months later we finally get a chance to see their handiwork.

As I said at the beginning of my remarks, there are parts of it that represent a good starting point. But there are serious problems with the measure, problems that probably would have been fixed in the Energy Committee. But because they did not have the votes in committee, the Democrats short-circuited the committee process and brought the bill straight to the floor.

These procedural shortcomings have helped produce a flawed bill. If the legislation had gone through the usual legislative process, it would probably be a stronger, better bill. Many of us have to ask why did the majority do this. The answer appears to be that there was a fear that the energy bill coming out of the committee would include provisions such as ANWR for which we have the votes and that the majority leader decided to have this debate on the floor instead.

That is fine. That has happened before around here. But that also means that we deserve to have a fair shot with our amendments on the floor. It's one thing to shut us out in committee, but it's a whole other matter to try to do so on the Senate floor as well.

Let's have the debate on ANWR, on CAFE, and on other provisions and see where the votes are. If the full Senate is going to work its will on a sound policy, that's the least we can do. Anything else is going to produce a flawed, unbalanced bill that is not going to reflect well on the Senate and is not going to help the country.

We need a sound energy bill and we need it now, and the best way to pass a constructive bill is to have a full, healthy debate on the floor about all of the issues involved—ANWR, CAFE, and all of the rest.

If we have this debate, I think we can produce a balanced bill that increases production and conservation, produces jobs and makes a difference for our national security.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, before the Senator from Utah begins his statement, I ask unanimous consent that following the statement of the Senator from Utah, Senator JEFFORDS be recognized for up to 30 minutes, and following that, that Senator FEINGOLD be recognized to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Utah.

THE OLYMPIC GAMES IN UTAH

Mr. BENNETT. Mr. President, I appreciate the opportunity of sharing with my colleagues a summary of what happened in the Salt Lake games that took place the first 2 weeks in February, where the world came to Utah and was received in the spirit of the Olympic flame.

The Olympic Games are one of the few events, if indeed not the only event, where the world comes together in a non-political arena. There was substantial effort that went into these games, both on the part of the people of Utah and the Federal taxpayer. So I think it is appropriate that we have a summary and report to this body on that experience.

If I may, I would like to begin with some numbers. I know that is usually not the way to begin a public speech that you want anybody to listen to, but there are some numbers that outline the scope of these Olympics that I think are irreplaceable as an example of what went on.

These were the largest Winter Olympics in history, and Salt Lake City was the largest city to host a Winter Olympics. In the past, they have always been held in relatively small ski villages. This is the first time a major metropolitan area has been chosen as the host of the Winter Olympics. Some will argue with that and say Sarajevo was a major city, but Salt Lake City is the largest city that has ever been host to a Winter Olympics.

It was the largest number of athletes who have ever come to a Winter Olympics—2,500. They came from the largest number of countries ever represented at the Winter Olympics, 78, and they competed in the largest number of events—also 78. We kept adding sports to the Winter Olympics for this experience.

Three and one-half billion people watched the opening and closing ceremonies that were held in the Rice-Eccles football stadium at the University of Utah. Sixty-seven thousand people signed up to be volunteers—the largest volunteer pool ever created. Only 24,000 of them could be accommodated.

One of the interesting statistics—I don't have the final number—but far into the games, I was told, that of those 24,000 volunteers, only 77 were forced to withdraw for one reason or another: A health problem, a family emergency, what have you. The volunteers were a spectacular part of these Olympics.

There were 9,000 credentialed media that showed up to cover the Olympics. It was, as I say, the largest Winter Olympics in history.

In recognition of the size of the Olympics, it was declared for the first time as a National Special Security Event under Presidential Decision Directive 62. That directive, issued in the Clinton years, established national security events where the Secret Service would take the lead in managing the security. This is the first time the Olympics have ever been designated a National Special Security Event.

The zone of security for the Olympics covered over 900 square miles from Provo to Ogden. That was the largest coordinated area the Secret Service and other law enforcement people have ever been asked to guard—perhaps with the exception of the District of Columbia as a whole. Even at the State of the Union Message, you don't have an area as large as the area covered by these Olympics.

In order to meet the challenge of this security responsibility at these Olympics, we had 1,100 FBI agents, we had 2,000 Secret Service agents, and there were law enforcement officers from 48 different States.

As I went through one venue, I noticed on the sleeve of one of the law enforcement officers the badge of the Police Department of Gallup, NM. Law enforcement officers from 48 States came to help their Utah colleagues provide security for the games. Over 2,400 Utah law enforcement officers gathered from all over the State. There were also 2,400 military personnel—primarily National Guardsmen who came from six different States. And there were 2,200 fire and emergency response individuals. This was an incredible army of security personnel assembled to provide security for the athletes and spectators.

What did they handle? There were over 3.5 million spectators who went through magnetometers during that 2-week period—3½ million people processed on a time-frame. There were some who didn't get to their events on time. But overwhelmingly the ticket holders got to their events, went through the magnetometers, and were properly screened. There were 80,000 spectators processed each day through the magnetometers at Olympic Square. There were over 1,000 trucks processed carrying 250,000 tons of material and product. They were processed. They were screened. They got where they needed to go on time. It was an incredible security and logistical performance.

When the Attorney General was out there, I was with him, and we were

checking in advance the security preparations. At one of the venues, the officer briefing us summarized how good the security really was. As he said to the Attorney General, if you are going to get anywhere near this venue during the Olympics without a credential, you are going to have to be a moose.

What happened in terms of the threat as a result of this security activity? By comparison—the Atlanta Olympics were the last that were held in the United States—in Atlanta, they routinely had between 100 and 200 bomb threats every single day by people who felt confident enough to mount some kind of hoax, or threat, or attempt to disrupt—100 to 200 every day. In the Salt Lake Olympics, there were a little over 100 of those threats through the entire 2-week period.

Those are the statistics that give you the size and scope of what we were dealing with—the size and scope of the effort.

In an effort to make sure we were getting our money's worth and that we were on top of things, I visited the venue. I went to the Olympic Village where the athletes were. That was a self-contained city of 3,500 people—the 2,500 athletes plus 1,000 coaches and other team officials. It had its own badge, it had its own health clinic, it had its own dining hall and even its own movie theater. This village had its own post office, bank, dry cleaners and convenience store—it was self-contained.

Then I went to the media center, which was another city. As I said, there were over 9,000 accredited journalists there. Here is a city with its own store and bank as well as facilities for getting on-line, filing stories, and all of the things necessary for the media.

I visited the Public Safety Command Center where over 64 different agencies were located, coordinating all of their efforts.

I went to the joint intelligence center where all of the intelligence agencies—not only from our country, the CIA, the NSA, the DEA but also from other countries—were gathered together sharing intelligence information about what kind of threat they might see.

There was the joint information center where all of the information officers were gathered so that if there were any kind of an incident that came up, everyone would know about it instantly and be able to coordinate their responses.

I visited the Olympic Square and the Medals Plaza and, of course, every one of the athletic venues.

Out of all of this, the basic question that I think we should be addressing in the Congress is, What is the legacy of the Salt Lake City games? What is the lasting result of having held this event? I want to highlight a few of the items that came out of what I have described from all of the visitations I made.

The first legacy that is the most obvious is the degree of security expertise that has come out of this experience. As I said, I went to the security center and saw these 64 agencies in a room not the size of this chamber. They were sitting at a computer roughly every four feet, side by side, watching the computer screens and manning their stations 24 hours a day throughout the entire 17 days of the Olympics. That meant that anything that came up in the form of any sort of threat would be instantly known in real time and simultaneously to all 64 agencies.

I was interested to note the labels that were on the little cardboard folders on the top of each computer. Here was a computer with a label on it that read ''FEMA.'' It was reassuring to know that the Federal Emergency Management Administration was present. Next to it would be one that read ''FBI''—that was reassuring—and on through a number of other Federal agencies. In addition, there were various State agencies—the Utah Highway Patrol, the local police agencies, and county sheriffs departments; the Davis County Sheriff's Department.

One label caught my eye which demonstrated to me just how significant an effort this was. There was a label that said ''U of U Police Department.'' The University of Utah security guards were in the same room with the Secret Service and FEMA, because if something happened at the University of Utah—the place where the athletic village was located—the University of Utah police would have to be the first responders. But they were in the same room and were getting the same information that FEMA was getting—FEMA if it was a major fire; that the FBI was getting if there was a major law enforcement challenge; and that the Secret Service was getting if there were some kind of a threat to the President. All were in the same room. All were coordinated. It was a seamless effort, from the Secret Service at the top, all the way down to the smallest—I will not say lowest; smallest—local law enforcement agency. Nothing like this has ever been accomplished before and, certainly, nothing on the scale like this has ever been accomplished before.

The legacy that comes out of this is a degree of expertise and understanding of coordination in law enforcement that can be used as a template for homeland security and homeland defense.

I have made reference of this to Governor Ridge, when he was here, and said, ''You need to look very carefully at the experience of the Salt Lake Olympic games. It will give you guidance that will be absolutely invaluable as you struggle with the problem of divided jurisdiction among law enforcement agencies.''

While I was there, the man who was running the center turned to me and he said: Senator, this is boring. Nothing is happening. In the security business, boring is good. I smiled a little at that because it did look as if nobody was doing anything. Then he made an interesting comment. He said, ''Senator, we think that a number of groups that would otherwise have come to Salt Lake City in an attempt to disrupt the Olympics or do even more serious damage. These groups scoped out the security pattern we had here and decided to stay away.''

Indeed, he cited one activist group that, on their Web site, instructed all of their supporters around the country: Stay away. They're ready for us in Salt Lake. If you show up, you will be immediately taken care of. There is no point in coming.

So the games went on flawlessly from a security standpoint because of the incredible coordination that went on, from the Secret Service down to the smallest local law enforcement agency.

That is the first legacy that will come out of the Salt Lake City games: that degree of expertise, that understanding of how things should be done.

In connection with that legacy, I have to acknowledge the work of Brian Stafford, the Director of the United States Secret Service, who personally paid a significant amount of attention to these games. He was in Utah a number of times. Mark Camillo, the special agent in charge, practically became a citizen of Utah. He has been out in Utah for the last 24 months. The FBI, of course, under the leadership of Director Mueller, should be congratulated for an outstanding job. Bob Flowers, who is the head of the Utah Olympic Public Safety Command, was a very significant player in all of this. His right hand person, Dave Tubbs, Executive Director of the Utah Olympic Public Safety Command, deserves further commendation and congratulations.

These are the people who created this legacy from which the nation will draw benefit for years to come.

The second legacy that comes out of these Olympics are the facilities that were built. There were already ski facilities in many places in Salt Lake, but now we have built facilities that were not there before. For example, the ice skating oval in Kearns; the luge/bobsled/skelton track and the ski jump at Utah Olympic Park—those things were created and upgraded for the Olympics.

I had lunch with the President of the U.S. Olympic Committee, Sandra Baldwin. She said to me, ''All of our speed skaters historically have come from Wisconsin.'' That is a little bit of an overstatement, but she backed down and said, ''All right, most of them have come from Wisconsin.'' Why? Because that is where the best training facilities are for speed skating. We expect now that many of our gold-medal-winning speed skaters will start to come from not only Utah but the entire western United States.

Then the comment made by some athletes at the lunch, and they were not necessarily Utahns, ''Salt Lake City is easy to get to. Salt Lake City is accessible by a majority airport. It is a

major city with hotel and places to stay. Athletes from all over America can come to Salt Lake City to train far more easily than they can in existing training facilities.''

One of the legacies of these games will be better prepared, better trained American athletes. These games set the record for Americans winning medals at the Winter Olympics. I expect that record will be broken in the future because of the legacy of the Salt Lake Olympic Games.

In the process of creating those facilities, we produced yet another legacy. I will talk about what was one of the more controversial aspects of the Olympic facilities: the creation of the men's and women's downhill at Snowbasin. In order for that to happen, there had to be a land exchange so that Earl Holding, who owned the Snowbasin facility, could get the land necessary to create the venue that worked so well in the Olympics and that everyone saw on television.

The Forest Service owned most of the land Mr. Holding needed. The Forest Service said, ''We would be willing to deed that land to Earl Holding, but we don't want money in exchange. We want other lands.'' The Forest Service identified 11,000 acres of land in the State of Utah which, for management purposes, they wanted to acquire.

An appraisal was done. The 1,300 acres they deeded to Earl Holding in financial terms was worth the same amount as the 11,000 acres the Forest Service acquired. So even though the Forest Service acquired 8 or 9 times as many acres as it gave up, in financial terms the swap was equal. A careful appraisal was made by the Government to assure that the interest of the public was protected.

Without going into the details, this was the legacy that the Forest Service has as a result of that land swap. In a report they filed in May of 2000, they summarize what they received as a result of the land swap that was stimulated by the Olympics: 15.3 miles of perennial streams, 21.5 miles of intermittent streams, a 23-mile reduction in the boundaries that they have to police, consolidation of ownership, and the elimination of the threat of development of these lands.

They have acquired suitable habitat for threatened and endangered species—both plant and wildlife—as well as habitat for big game calving and fawning, in both summer and winter. They acquired three miles of existing road access that they did not have before, and there are 3.5 miles of existing four-wheel-drive road to be evaluated in Box Elder County, and 15.5 miles of existing trail access was acquired, along with a wide variety of dispersed recreation opportunities, again, for both winter and summer.

I spoke with the Forest Service personnel as I did my visits to the Olympic venues, and they told me how delighted they were with the way the Snowbasin venue had been developed.

They said it was the finest development they had seen and one which they would hope would be a model for other entities who would deal with Forest Service land. But they also described to me how delighted they were at the legacy of better management of Forest Service lands in Utah that comes as a by-product of the Olympics.

Housing, another legacy from the Olympics is that there will be more low-income housing in Utah as a result of efforts necessary to provide housing for Olympic guests. Frankly, we did not get as much low-income housing in Utah as I would have liked. We did not get as much as we originally thought we would get when we embarked on this program. However, one aspect of the housing that needs to be talked about has to do with housing on Indian reservations. Housing was provided for the press in manufactured units. They came straight from the factory. They were assembled on the place, and they became the housing units for people in the press. They were also at a distant venue in Soldier Hollow, where they were used for housing Olympic athletes who needed to stay there rather than at the Olympic Village.

The Olympics are over. What do you do with this housing? Because it is manufactured housing and can be shipped easily, these houses are now in the process of being dismantled and sent to Indian reservations in the State of Utah to provide affordable housing for Native Americans. That is another one of the legacies of these Olympics.

We have a security legacy. We have an athletic facilities legacy. We have a land management legacy, and we have a housing legacy. We should all be proud of that and grateful for that.

There is one more legacy that may be, while intangible, more important than those I have previously mentioned. Let me give an anecdote to illustrate my point. We, of course, were as warm with visitors from foreign countries. As they went around Salt Lake City, as they talked to the volunteers, they had an experience in America.

One of them described it this way, ''After September 11 and then the war and the attacks in Afghanistan, we had the feeling that the Americans stood astride the world and we expected, when we were coming to America for the Olympics, that the Americans would be pretty cocky, that the Americans would be lording over the rest of us the fact that they were in charge, that the Americans could do whatever they wanted anywhere in the world, and now you are coming to our Olympics, and the Americans would be filled with overweening pride and a little bit of hubris.''

They went on to say, ''We have come into this Olympic atmosphere and found nothing but warmth, graciousness, willingness to be helpful, to reach out, and to form relationships around the world. We have found none of the pride and haughtiness we expected. We go away from these Olympics with a different view of America and Americans than we had before we came. We will spread that view in our home countries.''

In many ways, that is the most important legacy to come out of these Olympics. Coming against the backdrop of September 11th, it was the coming together of people from 78 nations, of 9,000 journalists, to a nonpolitical arena and to find the humanity, the friendship, the fellowship, and the open nature of human beings regardless of their country that will bless the world.

After September 11, there were proposals to cancel the Olympics. I remember having a conversation with Mitt Romney, President of the Olympics, about that possibility.

I said, ''What will happen if you cancel the Olympics?''

He said, ''The first thing that would happen is we will go bankrupt. There will be hundreds and hundreds of millions of dollars of default because we can't pay our bills unless we get the revenue from actually putting on the games. We can't cancel the games. More importantly, we must not cancel the games because that would send a signal to the terrorists that they truly had won.''

Nonetheless, there was the shadow of what would happen if the games went forward hanging over it. A number of my colleagues in the Senate expressed their concern about that.

We went forward with the games. Not only did we provide safe games in the way I have described, we provided warm, gathering, closing-of-wounds, reassuring kinds of games that told the world we are all still one family.

Enormous thanks belong to a number of people for producing that legacy. Mitt Romney, of course, stands first as the CEO who took over a situation that was challenging and produced the result I have described, along with his chief operating officer, Frazier Bullock.

I want to thank the American people for their contributions and the sense of total American participation. Driving around Salt Lake City, I saw a lot of strange buses from a lot of places I did not recognize. Finally, I saw a familiar bus. I thought: Oh, this is a hometown bus. Then I realized it was a Washington metrobus, not a Salt Lake City UTA bus. The buses came from all over the country.

On our light rail in Salt Lake, the cars are all white. Suddenly, there were a bunch of yellow cars. I wondered from where they came. The answer was, Dallas, Texas. The folks in Dallas, Texas, sent us their railroad cars to supplement ours for our light rail system.

This was truly an American effort that produced the legacy of goodwill and good feelings around the world.

I thank the American people for their help. I want to thank Governor Leavitt, the Governor of Utah; Bob Garff, chairman of the Olympics—they all deserve special thanks.

One individual I will single out, whom many of you have met, is Cindy Gillespie. She was vice president of the Salt Lake organizing committee who handled governmental relations. She was superb at it. She also represented a source that we all found valuable. She did the same job for the Atlanta games. She brought an institutional memory of what the challenges had been in Atlanta that helped us do things a little differently in Salt Lake.

Finally, among my colleagues, I must acknowledge the Senate's leading supporter of the Olympic movement, TED STEVENS of Alaska, who put his full energy in backing these games. I am sure he had some residual regret that the games did not go to Fairbanks but came to Salt Lake City, but he threw himself into support of the Olympics in a manner that was truly heroic. And other Senators: Senator INOUYE, who took over chairmanship of the defense subcommittee when there was a change in leadership, was every bit as supportive as Senator STEVENS. I want to thank Senator BYRD the chairman of the Appropriations Committee for his help. Also Senators GREGG and HOLLINGS, who had the responsibility of funding the requests that came from the President with respect to the Justice Department and the FBI. Senators CAMPBELL and DORGAN for their help in providing adequate funding for the Secret Service. I want to also thank all of my Senate colleagues for their great support. The support for the Olympics was very broad based.

Finally, while I am thanking, I must acknowledge that the Clinton administration could not have been more supportive, and could not have done a better job in seeing to it that these were in fact America's Olympic Games. When the Clinton administration left office and the Bush administration came into power, the transition was seamless. The same support that came out of the White House and all aspects of the administration made a very significant difference.

It is that final legacy, that the support of America has been recognized around the world, and that the goodwill of America will radiate from these games around the world, that is the legacy for which I am the most grateful. It was summarized at the closing ceremonies by Jacques Rogge, the new president of the International Olympic Committee. You may know that in the past it has been the habit of the president of the International Olympic Committee to give a scorecard, a report card of how well the Olympics has done. The comment that has always been looked for at every Olympics before is when the president of the IOC stands up and says, ''You have given us the finest Olympics ever.'' That is what all of us in Salt Lake were hoping we would get, that accolade.

Jacques Rogge said, three or four days before the closing ceremony, he would not say that. He said, ''I am going to remove that tradition from the IOC. Every Olympics is different. I am not going to create that expectation, and I tell you in advance, don't be expecting that.'' So he came and he gave his formal closing remarks. They were written in the program and they were wonderful. But he ad-libbed, as he was caught up in the same spirit of good will throughout the world that I have described as the Olympic's most important legacy. And off of his prepared remarks, he turned to all of us and he said:

> People of America, Utah, and Salt Lake City, you have given the world superb games. That is a legacy of which all Americans can be proud.

I yield the floor.

Mr. HATCH. Mr. President, I rise to pay tribute to all the men and women in the State of Utah and this nation whose hard work and diligence made the 2002 Salt Lake City Winter Olympics the best in the history of the Games.

I want to pay special tribute to the efforts of my Utah partner, Senator BOB BENNETT. We owe him a great deal of gratitude for his leadership and guidance to ensure that the 2002 Winter Olympic Games had the resources and manpower necessary to be successful.

The 2002 Olympics proved that we as a nation can conduct national events where the need for security is balanced with the spirit of the event. In this new age, where terrorism is a constant threat, securing the Olympics was a joint effort. It involved private citizens, Utah businesses, and federal, state, and local law enforcement agencies. The result was a security operation that provided a blueprint for the future.

The 2002 Winter Games were a showcase of American determination, resiliency, creativity, and resourcefulness. The challenge of planning for and executing an event of this magnitude was daunting even prior to the tragedy of September 11th. Following the September 11th tragedy, however, the security of the Winter Olympics became the subject of intense scrutiny in this country and throughout the International Olympic community. Frequently asked questions included: Can the United States still produce a first-rate event given the new security environment? Should the Games be cancelled? Should the Games be scaled back? Would the event become an armed camp?

There was never a question, however, among the organizers and planners of the Games as to whether the Olympics would go forward. They rolled up their sleeves and set out, determined to ensure that these Games were the best and safest Games ever. Law enforcement officials were confident that they already had an excellent security plan in place. Federal, state, local and private agencies developed and strengthened partnerships so the spirit of the Olympic Games could thrive.

The nation and, indeed, the entire international Olympic community were blessed that people of courage and conviction were already in place and prepared to carry out their tasks. I would like to take a moment to thank these wonderful men and women for what they did. I am very proud of all of them.

First, I want to thank all the strong, brave, and gifted Olympic athletes who participated in the Winter Games. I am especially proud of the United States' athletes who performed so magnificently and brought home 34 medals—more than double the bronze, silver and gold the United States brought home from the 1998 Nagano Winter Games. This was 28 more than were won in the 1988 Winter Games in Calgary.

I also want to thank Utah Governor Mike Leavitt and Salt Lake City Mayor Rocky Anderson, U.S. Attorney Paul Warner, Assistant U.S. Attorney Dave Schwendiman, as well as, the many other local city and county officials, and their staffs, who hosted the Games and marshaled the resources which made the Olympics such a success. They represent the great character of the people of Utah.

Utahns work very hard to preserve the beautiful natural backdrop that the world admired and enjoyed so much throughout the Games. They also worked very hard to build the modern, state-of-the-art infrastructure that made the Games possible. It was Utahns who provided the indomitable pioneer spirit which inspired the Games to reach new heights. Without the tens of thousand of Utah volunteers, the Games would not have been possible at all, let alone the unqualified success they turned out to be.

But this is only part of the success story. The 2002 Winter Olympic Games were possible because of well-conceived and well-executed partnerships among Federal, state, local, and private organizations. Not enough can be said about the way private enterprises partnered with government at all levels. Mitt Romney, President and CEO of the Salt Lake Organizing Committee, and Fraser Bullock, the Chief Financial Officer and Chief Operations Officer, are great Americans and heroes of the 2002 Olympic Games. Their collective business acumen, indomitable spirit, and eye for beauty and passion brought about a splendid production from start to finish—that was enjoyed immensely by the whole world. I want to personally thank the entire Salt Lake City Organizing Committee for 17 days of magic!

For many years, the Salt Lake Organizing Committee Board of Trustees was the backbone of planning the Games. These dedicated men and women provided critical guidance and support in developing the overall architecture and operations for the Games. We all owe a great deal of thanks to the able leadership of Frank Joklik, who was also the former CEO and President of the Salt Lake Organizing Committee, as well as former Chairman of the Board of Trustees. Under

the direction and care of Bob Garff, current Chairman of the Board of Trustees, the Board has been second to none in keeping the Games on track over the years. We are very proud of every member who has ever served on the Board of Trustees.

The current Board of Trustees have every right to be proud of their accomplishments. We salute: Mr. Spence Eccles, Mr. James Beardall, Ms. Sandy Baldwin, Ms. Teresa Beck, Mr. J. Dwight Bell, Mayor Lewis K. Billings, Mr. Luke Bodensteiner, Mr. Kenneth Bullock, Ms. Camille Cain, Mr. Joseph A. Cannon, Mr. Don Cash, Mr. Keith Christensen, Mr. Forrest Cuch, Ms. Kathaleen K. Cutone, Ms. Anita Defrantz, Ms. Maria Dennis, Mr. Randy Dryer, Mr. James L. Easton, Mr. Ed Eyestone, Mr. Rocky Fluhart, Ms. Maria J. Garciaz, Mr. George Garwood, Mr. Paul George, Ms. Rachel Mayer Godino, Ms. Joan Guetschow, Mr. Jim Holland, Mr. Tom Hori, Mr. William Hybl, Mr. Nolan Karras, Mr. Karlos Kirby, Mr. Don J. Leonard, Ms. Hilary Lindh, Dr. Bernard Machen, Mr. Bill Malone, Mr. Larry Mankin, Mr. Al Mansell, Mr. Henry Marsh, Mr. Jim Morris, Ms. Carol Mushett, Mayor Brad Olch, Ms. Grethe B. Peterson, Ms. Margaret Peterson, Mr. Dave Pimm, Mr. John Price, Mr. Early Reese, Mr. Chris Robinson, Mr. Mike P. Schlappi, Dr. Gerald R. Sherratt, Mr. Bill Shiebler, Mr. William J. Stapleton, Mr. Marty R. Stephens, Mr. Gordon Strachan, Ms. Picabo Street, Mr. James R. Swartz, Ms. Lillian Taylor, Ms. Diana Thomas, Mr. Richard Velez, Mr. Lloyd Ward, Ms. Ann Wechsler, Mr. Winston A. Wilkinson, Mr. Marion Willey, Mr. C.J Young, Mr. Ed T. Eynon, Mr. Kelly J. Flint, Mr. Grant C. Thomas, Mr. Brett Hopkins, Mr. James S. Jardine, and Mr. Lane Beattie.

I want to give special thanks not only to the current board but to past board members who have also given so much to these Olympics. They include: Verl Tophan, Earl Holding, Alan Layton, Scott Nelson, Tom Welch, Dave Johnson, Fred Ball, Jack Gallivan, former Utah Governors Calvin Rampton and Norm Bangerter, former Salt Lake City Mayor, Dee Dee Corradini, Palmer DePaulis, Jake Garn and many others.

The members of the Utah Olympic Public Safety Command, known as USOPSC also deserve special recognition. I am especially proud of its Commander Robert Flowers, Vice Commander Rick Dinse, and Executive Director David Tubbs. This 20-member interagency and intergovernmental body developed and implemented all the public safety and security measures for the Games. I also want to express my appreciation to Earl Morris and former USOPSC member Craig Dearden for their tireless efforts. This unique cooperation between the public sector and the private sector, between federal agencies and state agencies should get an Olympic gold medal. Within the UOPSC structure, all these organizations focused on the task of making the Games safe and enjoyable while leaving organizational biases and petty preferences at the doorstep. I believe that this approach is the blueprint for all future National Special Security Events and the UOPSC structure may even be a model for other states as they continue to implement their plans to combat terrorism.

When the Olympics were designated a National Special Security Event, three federal agencies were primarily responsible for creating the security network for the Games. They were: the Secret Service, the FBI, and the Federal Emergency Management Agency. Attorney General John Ashcroft, FBI Director Robert Mueller, FBI Special Agent in Charge Don Johnson, Secretary of Treasury Paul O'Neill, Secret Service Director Brian Stafford, Secret Service Olympic Coordinator Mark Camillo, FEMA Director Joe Allbaugh, and the Secretary of Health and Human Services Tommy Thompson.

I also want to take this opportunity to recognize other critically important members of the Olympic Games partnership. These are the men and women, many of whom are unsung heroes, who ensured the safety, security, and welfare of the Games participants and spectators. Among these are: the active duty and reserve military personnel who stood in the cold for hours inspecting cars and manning security checkpoints; the military pilots who flew a lonely vigil over Utah venues; and those uniformed personnel who manned cold, remote radar sites.

The legions of personnel from every level of federal, state, and local law enforcement who worked 24 hours a day, seven days a week vigilantly watching, inspecting, and protecting the Games also need special recognition. I think about the fire and emergency medical personnel who, like their law enforcement brothers and sisters, were on duty around the clock, planning for the worst while praying for the best. Finally, let us not forget the private nonprofit organizations such as the American Red Cross and the AmeriCorps who cared for those that might have been forgotten in the excitement of the Games.

We also need to acknowledge the other everyday heroes whose stories often did not make the press. It is amazing that in a state as sparsely populated as Utah, there were well over 60,000 applicants for the 30,000 volunteer positions.

And we all have to pay special tribute to the inspirational performances by The Mormon Tabernacle Choir, for their presence at so many events lifted our spirits and touched our hearts. The Church of Jesus Christ of Latter-Day Saints provided the security for these events, as well as, security at Temple Square. The Church's efforts were lauded by local and federal law enforcement officials alike.

I would like to spend a few minutes discussing the preparation and execution of security for the 2002 Salt Lake City Olympic Games. There is a great story here. I hope the lessons learned in Utah from the efforts of the many men and women in the security community will help others charged with protecting their communities.

The most important lesson learned, and one which I can not emphasize enough, is that security success depends on the open and willing cooperation among agencies at all levels of government and in the private sector. If I had to point to a one thing that spelled the difference between success and failure for the Olympic Games, I would have to say that is was the open lines of communications among all law enforcement agencies, fire and emergency medical services, hospitals and universities, and private and non-profit organizations at all levels.

More than 60 federal, local, and state law enforcement agencies contributed to the public safety of the 2002 Winter Olympics. Let me tell in detail why this experience in Salt Lake City is so unique.

In August 1999, the 2002 Winter Olympics in Salt Lake City was designated as a National Special Security Event. Once this designation was made, the Secret Service became the lead federal agency for designing, coordinating and implementing security at the event. With responsibility for protecting over 2,300 athletes from 77 nations, scores of foreign officials and dignitaries, and over one million spectators, the Secret Service's Major Events Division collaborated with dozens of other federal, state, and local law enforcement agencies and public safety officials to design a multi-faceted and comprehensive security plan. They worked for nearly 16 months to establish a safe and protected environment at an assortment of venues in the Salt Lake City area.

The tragic events of September 11, 2001, ushered in a new era of heightened security, with even more emphasis on precaution and prevention. After the terrorist attacks, efforts intensified to enhance existing security plans designed and tailored to the requirements of each of the many individual venues at the Winter Olympics.

In the end, the 2002 Winter Olympics were a rousing success story for not only the United States athletes, who established a new record for American success at the Winter Games with 34 medals, but also for the thousands of athletes and hundreds of thousands of spectators who were able to compete and attend events in the safest and most secure environment possible.

The 2002 Winter Olympics represented the largest coordinated security effort in our Nation's history. While most security plans for a sporting event may typically include a large stadium and the surrounding area, the Secret Service was responsible for coordinating security at 15 different venues consisting of: the Delta Center, Medals Plaza, Main Media Center,

Rice-Eccles Olympic Stadium, Olympic Village, Ice Sheet at Ogden, IOC Hotel, Snow Basin Resort, Park City Mountain Resort, Deer Valley resort, Utah Olympic Park, Soldier's Hollow, Peaks Ice Arena, E-Center Ice Arena, and Ice Oval at Kearns. There also were special security requirements implemented at the Salt Lake International Airport and Salt Lake City's downtown Washington Square.

Compounding the difficulty of securing such a large and diverse number of venues was the sprawling geographical coverage of the Winter Games. The zone of security stretched for 900 square miles, from Provo to Ogden, providing numerous operational and logistical challenges for the Secret Service.

The security plan was designed and developed to provide the most secure environment for athletes, spectators, and protected venues. There was an airspace security plan to restrict certain aircraft from approaching any protected venue. There was a cyberspace security plan to ensure that no electronic intrusions could disrupt communications and operations. In addition, there was a physical security plan, including remote poststanders, magnetometers, state-of-the-art security cameras, chain-link fences, and electronic sensors.

Notwithstanding all of the technology and electronic monitoring, the foundation of any security plan is the law enforcement personnel implementing it. At the Winter Olympics, over 10,000 federal, state and local law enforcement and public safety officers stood watch around the clock, working in a collective and collaborative effort toward one single goal: to prevent any incidents that could cause harm to athletes or spectators, or create significant disruptions of the Games themselves.

The result of this comprehensive and sweeping security plan was secure surroundings that allowed athletes and spectators alike to enjoy the atmosphere of this international gathering without having to navigate any overly burdensome or time-consuming security checkpoints.

While there were occasional evacuations or disturbances, none of these matters were deemed serious, and there were only a handful of minor arrests during the course of the 17 days of the Games. Although at the close of the Olympics, there were no medals for the Secret Service and its partners in law enforcement and the military, the thousands of men and women who participated in the execution of perhaps the most sophisticated and successful security plan in the Secret Service's 137-year history deserve recognition and gratitude for their tireless efforts and dedication to their critical jobs.

In sum, the Salt Lake City Olympics provided the opportunity to develop and execute a plan to protect a 900 square mile part of this country. I urge that we capture the lessons learned from this experience and incorporate these lesson into our national security planning process.

Following the great traditions of this country, the success of the 2002 Salt Lake City Winter Olympics was not due to any one individual, but to all who participated. From the spectators at the venues who showed patience, to the athletes who demonstrated the power of sport, to the organizers and protectors who gave us outstanding Games, and finally to the American people, including this Congress, who overwhelmingly supported the Games, we proved to the World that the events of September 11 will not deter this great Nation.

Finally, I want to take this opportunity to thank the staff who worked tirelessly with me on the Olympics: Kristine Iverson, Patricia Knight, Roslyn Trojan, Christopher Campbell, Scott Simpson, Melanie Bowen, Heather Barney, and Christopher Rosche. I also owe a special thanks to Brandon Burgon who made sure I was always where I was supposed to be, and that I was on time. I appreciate everything they did, and am very proud of them.

The PRESIDING OFFICER (Mr. REED). Under the previous order, the Senator from Vermont is recognized for up to 30 minutes.

NATIONAL LABORATORIES PARTNERSHIP IMPROVEMENT ACT OF 2001—Continued

Mr. JEFFORDS. Mr. President, we will have before us over the next several weeks a historic opportunity to change the direction of energy use in this country.

I know you will hear from many of my colleagues that the events of September 11 have changed how we must view energy, and on that point we must all surely agree. An increasing reliance on energy imports from politically unstable areas of the world is not in America's best interests, and we must reassert our dominance over our own energy production and innovation. One of the most important ways to achieve this is to wean ourselves from foreign oil in our transportation sector, and to diversify the energy base for our electricity generation into clean, domestically produced renewable resources.

We have before us a piece of comprehensive energy legislation that quite frankly is one of the best to emerge from this body in some time. Senators DASCHLE and BINGAMAN have brought forward, in their comprehensive amendment to S. 517, legislation that would spur the development of renewable energy resources, that will advance efficiency in our transportation, building and electricity sectors, and that will begin to address global climate change. I support many of the provisions of this legislation, particularly those that encourage the production of renewable energy, and those that provide additional funding for energy assistance to low income households.

As chairman of the Committee on Environment and Public Works, I have considerable interest in several areas within the committee's jurisdiction. These include issues relating to regulation of commercial nuclear power plants, and to air and water quality issues such as global climate change, the use of reformulated fuels, and air emissions from the transportation sector. I support the bill's provisions on efficiency standards for homes, schools, and public buildings, as well as the efficiency standards for appliances and other consumer and commercial products. I also support increased funding for the Low Income Energy Assistance, LIHEAP, program, and for expanded R&D for reducing greenhouse gas emissions and promoting efficiency and renewables. I look forward to inclusion of the tax provisions passed out of the Finance Committee, particularly those provisions which extend and expand the production tax credit for renewables, and provide credit for alternative fuels and alternative fueled vehicles. As chairman of the Environment and Public Works Committee, I have particular interest in those provisions of the bill which address the protection of our environment through reductions of emissions and pollutants affecting air and water quality.

Earlier this Congress, the EPW Committee reported out S. 950, the Federal Reformulated Fuels Act. This bill provided recognition of the need to reduce MTBE contamination of water supplies and enhance fuel suppliers' flexibility in meeting market demand. We have also recognized the need to grow the renewables share of the transportation fuels market. I commend the leader, Senator DASCHLE, for convening a broad and diverse group of stakeholders to craft an agreement on these issues in the fuels section of S. 517. I support the provisions in the Daschle bill that will raise CAFE standards, a long overdue action that will dramatically decrease the amount of gasoline consumed on our highways.

Both the reformulated fuels and CAFE provisions will benefit the environment, and reduce our dangerous dependence on foreign fuels. I am supportive of the provisions in the Daschle bill that set us on a path to seriously address global climate change. I am however deeply concerned that administration of the greenhouse gas database is not placed with the EPA, the agency most clearly qualified to run this program. No other agency has the experience with air emissions data or capability to run such a program more effectively. The agency already collects detailed carbon dioxide emissions information from the utility sector, and leads the Federal agencies in preparation of the national inventory, pursuant to the Global Climate Protection Act of 1978 and other authorities. Placing this responsibility elsewhere in the Federal bureaucracy seems duplicative and illogical.

As chairman of the Environment Committee, the environmental and

public health impacts of emissions are on the top of my list of concerns. These issues are not directly addressed in S. 517. As this session moves forward, the EPW Committee will be considering legislation that would cap greenhouse gas emissions from the transportation sector, which is responsible for approximately one-third of U.S. emissions. I support the inclusion in the electricity section of the bill of a net metering standard, which would give consumers credit for their own production of solar or wind energy. I am however concerned that the bill fails to include provisions, either through a public benefits fund or an electric efficiency mandate, to ensure the continuation of programs to encourage electricity efficiency innovations by utilities. Efficiency in electricity generation is a vital component of consuming less fuel, and lack of a provision addressing this issue is a major failing in the legislation. I am also concerned that the definition of biomass in various places in S. 597 does not exclude incineration of municipal solid waste, a process which results in emissions of mercury and sulfur dioxide. Measures which seek to encourage increased use of clean renewable energy should not provide new incentives for incineration of municipal solid waste.

One of the most important aspects of the legislation is its provisions for increasing the use of renewable energy in our nation. Unlike the House bill, Senator DASCHLE's bill includes a renewable portfolio standard which will guarantee that a greater portion of America's electricity needs are met by renewable energy. To date, the administration, like the House, has not endorsed this most basic of concepts, and I strongly commend Senator DASCHLE and Senator BINGAMAN for stepping forward on this crucial issue. This notwithstanding, I cannot support the Daschle renewable portfolio standard. My primary concern with his provision is that it does not go far enough to provide the level of environmental protection and market stimulation that a national renewable portfolio standard should provide.

S. 597, Senator DASCHLE's bill, contains a renewable portfolio standard requiring the generation of 10 percent of renewable energy electricity by the year 2020. While moving in the right direction, this will not provide the level of investment and growth achievable by my amendment. We must be aggressive in finding alternatives to fuels that pollute, or present unacceptable security risks. I will be introducing an amendment today that will ensure that by the year 2020, 20 percent of the electricity Americans use will be supplied by clean and safe renewable energy from wind, solar, biomass or geothermal sources.

The United States today relies heavily on coal, nuclear power, and natural gas to generate its electricity. Yet the United States is also blessed with an abundance of renewable energy resources including wind power, intense solar energy, vast sources of biomass, and geothermal energy. These renewable energy resources do not pollute, they need not be bought from foreign markets, they do not leave behind piles of toxic wastes, and they will not run out.

Because renewable energy has been with us forever, we tend to disregard it. We tend to think of it as too simplistic to meet our modern energy needs. Like this windmill pictured from the old American West, we tend to think of wind, and other forms of renewable energy as quaint, but outdated vestiges of our past. We could not be more wrong. According to the U.S. Department of Energy wind energy has been the fastest growing source of electricity generation in the world in the 1990s.

Today, the U.S. wind industry generates about 3.5 billion kilowatt-hours of electricity each year, enough to meet the annual electricity needs of 1 million people. The costs of wind energy in the United has dropped more than 80 percent in the past two decades, with today's prices being competitive with electricity being delivered by fossil and other fuels. As you can see in this picture of a modern windmill farm in Texas, times have changed. In Texas alone, wind power generation has more than doubled in the past three years, and estimates are that up to 1,000 megawatts of new renewable energy capacity will be operating by the end of this year. This jump is attributed in large part to a State renewable energy standard signed into law by Governor Bush in 1999.

Throughout the country, utilities are installing wind turbines and other renewable energy facilities as customer demand for clean energy grows, and costs drop.

These pictures illustrate but a few examples, such as this wind farm in Colorado; or the Northern States Power wind farm in Minnesota; the Vanscycle Ridge wind farm in Oregon; this wind facility providing electricity to the people of Traverse City, MI.

Wind production can be especially beneficial in rural and remote areas, as we can see by this wind turbine in remote Kotzebue, AK, which displaces diesel fuel generation.

Geothermal, biomass and solar are also making increasing contributions to local and regional electricity generation. This Nevada geothermal power plant produces electricity for 100,000 people. This geothermal facility in California has produced the energy equivalent of over 250 million barrels of oil, and currently provides electricity to over one million people. This geothermal plant in Hawaii provides electricity for 60,000 people. This modern complex in Lousiville, KY is heated and cooled by geothermal heat pumps.

Energy produced from biomass has the potential to account for almost as much renewable energy electricity production as wind. Here a biomass facility in Shasta County, CA converts wood wastes into electricity. This tractor is harvesting switchgrass in Charington Valley, IA where farmers planted over 4,000 acres of switchgrass, which when burned will generate a continuing 35 megawatt flow of clean burning energy. If successful the project will be scaled up to 50,000 acres and involve 200 to 500 farmers. This bioenergy plant in Fayetteville, AR is testing new bioconversion processes. This photovoltaic charging station in Tampa, FL recharges batteries for hybrid electric vehicles, then contribute excess generated power back to the electric grid. This cattle rancher in Idaho uses wind energy to power his home and ranch under a program sponsored by the Idaho Power Company. This shows the solar array at BP Solarex headquarters in Frederick, MD. BP solar, a subsidiary of BP International, is a leading world developer of photovoltaic technology, with offices and manufacturing sites around the world. This solar concentration system at Sandia National Laboratory in New Mexico produces utility grade electric power.

Despite these exciting advances in U.S. renewable energy, the United States and American businesses still lag far behind advances being made in Europe and the rest of the world. Compared to the roughly 1 million American homes that are served by renewable energy, installed international wind capacity is enough to satisfy the electricity needs of 23 million people. The U.S. wind industry is actively seeking to utilize marketing opportunities outside the United States.

According to the U.S. Department of Energy's National Wind Technology Center, these prospective wind energy markets could translate into several billion dollars in sales for the U.S. wind industry. U.S. firms have already installed turbines in Canada, The Netherlands, Mexico, South America, Spain, Ukraine, and the United Kingdom. Nonetheless, 90 percent of the world's wind turbine manufacturers are European, with a combined annual turnover of more than one billion Euros.

These potential markets are only likely to increase. As the European Wind Energy Association states:

> Whereas the cost of most forms of energy are bound to rise with time, the costs of wind energy are actually coming down.

Offshore European wind projects at various stages in the pipeline amount to more than 5,000 megawatts. Even accounting for the understandable enthusiasm of those in the industry, it is clear that both the international and American wind energy markets have the potential for great expansion.

The faster expansion in international markets is due in great measure to governmental policies that favor such expansion. As the U.S. Department of Energy states,

> Wind energy is the fastest growing source of electricity generation in the world in the 1990's. However, the majority of growth has

been in Europe, where government policies and high conventional energy costs favor the use of wind energy.

Even with advances to date, American renewables still account for little more than 2 percent of total U.S. electricity production. There is more than enough room for them in the U.S. energy market. The United States is the world's largest single energy market, representing more than 25 percent of world energy consumption.

The real question is the extent to which we in this country will take advantage of our abundant renewable resources, and the assistance we will be willing to provide our American companies in competing in this market. Are we going to allow American companies to miss the boat? Is the United States going to lag behind while the rest of the world makes investments, develops infrastructure and outpaces us in the profitable manufacture and production of renewable technologies? Will we once more, as we are now for fossil fuels, be dependent on other nations for the means to provide our domestic energy, but this time because the technology and manufacture of renewable energy rests largely in other countries?

My amendment would provide an important step in providing market strength to U.S. renewable industries. It would create a renewable portfolio standard under which utilities would be required to gradually increase the amount of electricity from renewable energy resources sold to consumers, starting at 5 percent by 2005, and leveling out at 20 percent in 2020. This will be achieved by a system of renewable energy credits, that electric retailers can either generate themselves, or buy from someone else who has generated electricity from a renewable resource.

Those selling tradeable credits to the retailers need not themselves be connected into the grid. So long as someone has generated electricity from a listed renewable energy resource, and either used it himself or sold it to someone else to use, he can sell the credit to a retail electric supplier. My amendment would allow credits from existing renewable energy production, thereby encouraging expansion of existing facilities as well as creation of new sources of renewable energy. It would be hydropower neutral in that it would require the use of renewable energy credits to offset only production of non-hydropower electricity sold by the retailer. It would define renewable energy to include wind, solar, geothermal, landfill gas, certain biomass, and incremental hydropower added by increasing efficiency. It would not include industries which generate substantial amounts of pollution such as incineration of municipal solid waste, as renewable energy for which credits could be obtained.

This flexible, market-driven system, will help reduce market barriers for renewable energy, and stimulate domestic investment in new renewable energy throughout the nation. It will allow our companies to grow domestically, and establish sufficient stability to compete successfully in the world market. It will encourage the successful, long-term integration of these important renewable technologies into the energy sector, and will help grow the U.S. renewable energy industry into a world leader of renewable energy technology. My amendment will be good for the environment. It will improve air quality, by reducing use of fossil fuels which produce nitrogen oxides, sulfur dioxide, and mercury emissions. These harmful pollutants are linked to smog, acid rain, respiratory illness, and water contamination.

This is an urgent issue. As reported in today's Washington Post, a study recently published in the Journal of the American Medical Association concludes that long-term exposure to fine particles of air pollution from coal-fired powerplants, factories, and diesel trucks increases an individual's risk of dying from lung cancer by 12 percent.

This is particularly important to my home State of Vermont. We in the Northeast live downwind from virtually the entire nation. The prevailing wind patterns bring ozone-causing nitrogen oxide straight to our front door.

There are days I can stand on Mount Mansfield, and not be able to make out the water tower on Mount Elmore barely 20 miles away.

My amendment would cut carbon dioxide emissions, a major contributor to global warming, by almost 19 percent, or 137 million metric tons by 2020. The Daschle 10-percent standard would achieve only a 7-percent reduction, or 56 million metric tons.

A 20-percent renewable energy standard that stimulates investment in renewable energy will be good for our economy. It will create thousands of new, high quality jobs and bring significant new investment to rural communities. It will create an estimated $80 million in new capitol investment here at home and create new opportunities in the manufacturing and high-tech sectors. The market demand for renewable energy will also bring jobs to rural areas, where it is estimated that wind energy alone could provide $1.2 billion in new income for farmers, ranchers and rural landowners, and $5 billion in new property tax revenues to communities.

My amendment will advance national security. Renewable energy technologies will reduce dependence on fossil fuels, alleviating pressure on those markets. Because they are domestically produced, they will reduce our vulnerability to foreign threats. Because they are distributed in nature, they will reduce our reliance on centralized resources and the vulnerability of our energy infrastructure to terrorist attack.

Following the attacks of September 11, we can no longer afford to take this responsibility lightly.

Mr. President, on September 19, James Woolsey, former Director of the CIA, Admiral Thomas H. Moorer, former Chairman of the Joint Chiefs of Staff, and Robert C. McFarlane, former National Security Advisor to President Reagan, sent a letter to myself and other Members of this body urging in the strongest terms that we take immediate action to address our energy security. Among other recommendations, they state that they ''urge the Energy Committee to immediately adopt the Renewable Portfolio Standard. . . .''

I ask unanimous consent that this letter, signed by all three, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SEPTEMBER 19, 2001.

Senators THOMAS A. DASCHLE, TOM HARKIN, ROBERT C. BYRD, CARL LEVIN, JEFF BINGAMAN, JAMES S. JEFFORDS, MAX BAUCUS, JOSEPH R. BIDEN JR., TRENT LOTT, RICHARD LUGAR, TED STEVENS, JOHN W. WARNER, FRANK H. MURKOWSKI, ROBERT C. SMITH, CHARLES E. GRASSLEY, JESSE HELMS.

DEAR SENATORS: Americans are aware of the enormous and complicated tasks ahead in dealing with the consequences of the unprecedented September 11th attack against our nation.

There are many corrective actions that require lead-times that could be months or even years. But, there are actions that can and must be taken now. One of those critical actions is to advance America's energy security. The Congress will soon act on that issue.

It is not enough just to ensure uninterruptible supplies of transportation fuels and electricity. We must also act to advance the security of those supplies, and the nation's ability to meet its needs in all corners of the country at all times. Our refineries, pipelines and electrical grid are highly vulnerable to conventional military, nuclear and terrorist attacks.

Disbursed, renewable and domestic supplies of fuels and electricity, such as energy produced naturally from wind, solar, geothermal, incremental hydro, and agricultural biomass, address those challenges. Fortunately, technologies to deliver these supplies have been advancing steadily since the Middle East fired its first warning shot over our bow in 1973. They are now ready to be brought, full force, into service.

But, while the U.S. Government has committed intellectual and monetary resources to developing these technologies, the status quo marketplace is unwilling to accommodate these new supplies of disbursed and renewable fuels and electricity. Speedy action by the Administration and the Congress is critical to establish the regulatory and tax conditions for these renewable resources to rapidly reach their potential.

Fortunately, such actions are under consideration by the Energy, Environment, and Finance Committees. We urge the Energy Committee to immediately adopt the Renewable Portfolio Standard (for electricity) as well as provisions to ensure ready interconnection access to the electric grid, and cost-shared funds to the state public benefit funds to continue essential support for emerging technologies and the provisions of electricity to the truly needy. We urge the Environment Committee to immediately adopt the Renewable Fuels Standard in conjunction with measures to deal with environmental issues. Finally, we urge the Finance Committee to immediately adopt residential solar credits and renewable energy production tax credits, including a provision for

fuels (liquid, gaseous and solid fuels), or their Btu equivalent, similar to the fuel provision tax credit made available in Section 29 of the Internal Revenue Code.

These actions will also develop new industries and jobs, strengthen communities, enhance the environment, and assist in the stabilization of greenhouse gases. On the transportation fuels issue, ethanol, biodiesel and other biofuels will slow the flow of dollars to the Middle East, where too many of those dollars have been used to buy weapons and fund terrorist activities.

Consequently, we also recommend a major and concerted effort to assemble the talent and resources needed to launch a ''Liberty Ship'' type program to convert agricultural wastes and cellulosic biomass into biofuels, biochemicals and bioelectricity. The technology to do so is in place; all that is lacking is the political will to deploy it.

Sincerely yours,

R. JAMES WOOLSEY,
Former Director, Central Intelligence.

ROBERT C. MCFARLANE,
Former National Security Advisory to President Reagan.

ADMIRAL THOMAS H. MOORER USN (RET),
Former Chairman, Joint Chiefs of Staff.

Mr. JEFFORDS. A 20-percent renewable energy standard by 2020 is affordable. The Department of Energy's information administration found a 20-percent renewable energy standard by 2020 would result in only modest increases in consumer electricity bills of up to 4 percent as compared to prices if no renewable energy standard were imposed.

Polls have indicated Americans are willing to accept such moderate price increases in exchange for the benefits derived from the greater renewable energy production.

These same EIA studies showed that while households will experience modest increases in electric bills, a 20-percent renewable energy standard will actually reduce overall energy costs, which include the costs attributable to home heating and commercial and industrial energy consumption by approximately 0.1 percent by the year 2020.

With these very modest costs, the provisions in my amendment will increase renewable energy production by a total of roughly 2 million megawatts. Higher numbers are distinctly possible. In the Sacramento Municipal Utility District, for example, if every new home built in California subdivisions each year had photovoltaic energy roofs similar to the ones shown in this chart, they would produce the equivalent of a major 400- to 500-megawatt powerplant every year.

This amendment is the right thing to do. It is supported by the Consumers Union, the Consumer Federation of America, along with hundreds of businesses, associations, labor and consumer advocacy groups, environmental groups, faith-based organizations, academies, and local communities.

I ask unanimous consent a list of approximately 450 groups and individuals supporting my amendment be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

SUPPORTERS OF A 20% BY 2020 NATIONAL RENEWABLE ENERGY STANDARD

ASSOCIATIONS

American Bioenergy Association, American Corn Growers Association, American Corn Growers Foundation, American Lung Association of Colorado, American Lung American Lung Association of Houston, American Lung Association of Maine, American Solar Energy Society, American Wind Energy Association, Angus Duncan, President, Bonneville Environmental Foundation, California Wind Energy Association, CalSEIA (California Solar Energy Industries Association, Clean Fuels Development Coalition, Clean Fuels Foundation, Colorado Renewable Energy Society.

Foundation for Communities & Environment, Heartland Renewable Energy Society, Heartland Solar Energy Industries Association, Illinois Solar Energy Association, Iowa Renewable Energy Association, Maine Nurses Association, Midwest Renewable Energy Association, Minnesota Farmers Union, Minnesota Renewable Energy Society, Inc., Missouri Native Plant Society, Nebraska Farmers Union, North American Butterly Association, Northern Great Plains Inc., Rose Foundation for Communities and the Environment, South Dakota Farmers Union, Texas Solar Energy Society.

BUSINESS

AMECO, Antares Group, Applied Agricultural Technologies, Inc., Aqua Sun International, ASE Americas, Astropower, Atlantic Renewable Energy Corporation, Automated Power Exchange, Biofine, Biorefiner, Bob Lawrence and Associates, BP Solar, BZ Products, Inc., Calpine Corporation, Cape Wind Associates, Capital Sun Group, Ltd., Cargill Dow, Carson Solar, Inc., Clean Edge, Inc., Colorado Energy Group, Inc.

Communications Consortium Media Center, EAPC Architects Engineers, Eco Energies Inc., Endless Energy Corporation, Energy Management Inc., Energyscapes, ENTECH Engineering, Environmental Services, Inc., Field and Forest Company, FlexEnergy, Future Energy Resources Corporation, Genencor International, GreenLine Paper Co., Inc., The Hamilton Group, Heliotronics, Inc., The Hendler Law Firm, Hurshtown Alternative Power, Microgy Cogeneration Systems, Inc., Micropower Corporation, Midwest Solar Solution.

Millenium Energy LLC, Moose, Inc., Mountain Energy Consulting, Ozark Solar, People's Power and Light, Pioneer Forest, Potomac Resources, Inc., Powerlight Corporation, Power Shift, Pure Energy Corporation, Renewable Energy Corporation, Limited, Sealaska Corporation, Sea Solar Power International LLC, Sol-Air Company, Solar Energy Corporation, Solar-Fit, Solar King Supply, Inc., Solar Plexus, Solar Services, Inc., Solar Works, Inc., Spire Corporation, The Stella Group, Ltd., Sun Power Electric, Sun Systems, Inc., SUN Utility Network, Trans-Pacific Geothermal Corporation, Veizades and Associates, Vermont Energy Investment Corporation, Wisconsin Energy Conservation Corporation.

LABOR ORGANIZATIONS

AFSCME (District Council 47), SEIU #199, Maine Labor Group on Health, Communications Workers of America.

ENVIRONMENTAL ORGANIZATIONS

20/20 Vision, A World Institute for a Sustainable Humanity, Abalone Alliance Safe Energy Clearinghouse, Action for a Clean Environment, Alabama Environmental Council, Alaska Coalition of Missouri, Alaska Coalition of Pennsylvania, Alaska Wilderness League, Alliance for Affordable Energy, Alliance for Sustainability, Alliance for Sustainable Communities, Alliance for the Wild Rockies, American Council for an Energy-Efficient Economy, American Lands Alliance, American Oceans Campaign, American Public Information on the Environment, Chairton Valley RC&D (Iowa), Citizens Action coalition of Indiana, Citizen Action of Illinois, Citizens for Quality Drinking Water, Clean Air—Cool Planet, Clean Power Campaign, Clean Air Council, Clean Water Action, Clean Water Action Alliance of Michigan, Clean Water Action Alliance of Minnesota, Clean Water Action Alliance of North Dakota, Clean Water Action Alliance of Rhode Island.

Climate Action Now, Climate Solutions, Cloud Forest Institute, Coalition for Clean and Affordable Energy, Coal River Mountain Watch, Coastal Georgia Center for Sustainable Development, Colorado Environmental Coalition, Communities for Responsible Energy, Communities United for Responsible Energy, Connecticut Citizen Action Group, CTPIRG (Connecticut Public Interest Research Group), Dakota Resource Council, Defenders of Wildlife, Don't Waste Connecticut, Earth Action Network, Earth Care, Earth Day Coalition, Earth Day New York, Earth Justice Legal Defense Fund, Ecology Center of Southern California, Ecological Health Organization, Endangered Habitats League, Environmental Advocates of New York, Environmental Background Information Center, Environmental Defense, Environmental Defense Center, Environmental and Energy Study Institute.

American Rivers, Americans for a Safe Future, Anacostia Watershed Society, Arizona Audubon Council, Arizona Solar Action Network, Asian Pacific Environmental Network, Blue Heron Environmental Network, Bluewater Network, Bolingbrook Earth Watch, CALPIRG (California Public Interest Research Group), California Global Warming Campaign, California League of Conservation Voters, Center for Biological Diversity, Center for Energy Efficiency and Renewable Technologies, Center for Environmental Citizenship, Center for International Environmental Law, Center for Resources Solutions, Environmental Health Coalition, Environmental Health Watch, Environmental Law and Policy Center, Environmental League of Massachusetts, Environmental Awareness Committee, SE Iowa Synod, Florida League of Conservation Voters, Florida PIRG (Florida Public Interest Research Group), Friends of the Earth, Friends of the Moshssuck River, Friends of the River, Galveston-Houston Association for Smog Prevention, Georgia Audubon Society.

Georgians for Transportation Alternatives, Global Green, USA, Global Possibilities, Global Response, Global Exchange, Grand Canyon Trust, Great Basin Mine Watch, Greater Tucson Coalition for Solar Energy, Greater Yellowstone Coalition, Greenhouse Network, GreenPeace, Gulf Restoration Network, Heartland Operation to Protect the Environment, Hoosier Environmental Council, Illinois Audubon Society, Illinois PIRG (Illinois Public Interest Research Group), Illinois Student Environmental Network, Institute for Environmental Policy and Implementation, Iowa Citizen Action Network, Iowa Environmental Council, Iowa PIRG (Iowa Public Interest Research Group), Iowa Policy Project, Iowa SEED Coalition, Izaak Walton League of America, Izaak Walton League, Ohio Division, Kyoto Now!, Land and Water Fund of the Rockies.

League of Conservation Voters, League of Conservation Voters Education Fund,

Leopold Group of the Iowa Chapter of the Sierra Club, Louisiana Audubon Society, Maryland Public Interest Research Group, Massachusetts Climate Action Network, MASSPIRG (MA Public Interest Research Group), Michael Fields Agricultural Institute, Mid-Nebraska Pride, Minnesota Center for Environmental Advocacy, Minnesota PIRG (MN Public Interest Research Group), Minnesotans for an Energy-Efficient Economy, The Minnesota Project, Missouri PIRG (Missouri Public Interest Research Group), Missouri Coalition for the Environment, MTPIRG (Montana Public Interest Research Group), Montana Environmental Information Center, MORE (Missouri Renewable Energy), National Audubon Society, National Environmental Coalition of Native Americans, National Environmental Trust, National Parks Conservation Association, National Wildlife Federation, Native American Rights Fund, Natural Resource Defense Council, NHPIRG (New Hampshire Public Interest Research Group).

New Jersey Environmental Lobby, NMPIRG (New Mexico Public Interest Research Group), New Mexico Wilderness Association, New Uses Council, NCPIRG (North Carolina Public Interest Research Group), Northwest Energy Coalition, Northwest SEED—Sustainable Energy for Economic Development, Nuclear Energy Information Service, Nuclear Information Resource Services, The Ocean Conservancy, Ohio Environmental Council, OHPIRG (Ohio Public Interest Research Group), Oregon Environmental Council, OSPIRG (Oregon State Public Interest Research Group), Pace Energy Project, PennPIRG (Pennsylvania Public Interest Research Group), Pennsylvania Environmental Network, People's Action for Clean Energy, Prairie Rivers Network, Rainforest Action Network, Redwood Alliance, RENEW Wisconsin, Renewable Northwest Project, Safe Energy Communication Council, St. Louis Audubon Society, Scenic America, Sierra Club, Sierra Club Rhode Island Chapter.

Sierra Club Rocky Mountain Chapter, Sky Island Alliance, South Carolina Coastal Conservation League, Southern Alliance for Clean Energy, Southwest Energy Efficiency Project, Southwest Environmental Center, Sustainable Energy and Economic Development Coalition, Texas Campaign for the Environment, Texas SEED Coalition, Toxics Action Center, Tulane Free the Planet!, Union of Concerned Scientists, USPIRG (U.S. Public Interest Research Group), Utahns for an Energy Efficient Economy, VPIRG (Vermont Public Interest Research Group), WAPIRG (Washington Public Interest Research Group), WISPIRG (Wisconsin Public Interest Research Group), Western Nebraska Resources Council, Western Organization of Resource Councils, West Virginia Highlands Conservancy, West Virginia Rivers Coalition, West Virginia Sierra Club, West Virginia Trout Unlimited, Wheeling (WV) Environmentalists, The Wilderness Society, Wildlife Action, Windustry Project, Wisconsin's Environmental Decade, Women for Sustainable Technologies, Women's Health & Environmental Network, World Wildlife Fund.

CONSUMER ORGANIZATIONS

Citizens Action Coalition of Indiana, Citizens for Consumer Justice, Citizen Power, Citizens Protecting Ohio, Consumer Federation of America, Consumers Union, Foundation for Taxpayer & Consumer Rights, Massachusetts Energy Consumers Alliance, Ohio Partners for Affordable Energy, Pressure Point, Southern Arizona Alliance for Economic Justice, The Utility Reform Network, Westchester People's Action Coalition, West Virginia Citizen Action Group.

FAITH-BASED ORGANIZATIONS

Coalition on the Environment and Jewish Life, Coalition on the Environment and Jewish Life of Southern California, Commission on Religion in Appalachia, DFW Disciples Peace Fellowship, Earth Ministries, Eco Justice Ministries, Episcopal Diocese of Missouri, Episcopal Power and Light, First Presbyterian Church of Kirkwood, Interfaith Center for Peace and Justice, Interfaith Global Climate Change Coalition of WV, Lutheran Campus Ministry, Maine Interfaith Climate Change Initiative, National Coalition of Jewish Women of Los Angeles, New Mexico Council of Churches, North Highland Assembly of God, Inc., Pennsylvania Central Conference United Church of Christ, Pennsylvania Council of Churches, Philadelphia Coalition on the Environment in Jewish Life, Southern California Ecumenical Council, Temple Emanu-El, (Dallas, Texas), United Methodist General Board of Church and Society, United Methodists—Iowa Conference, Board of Church and Society, Yellow Springs (OH) Unitarian Universalist Church.

ACADEMICS, DOCTORS, POLITICIANS & OTHER INDIVIDUALS

Dr. Paul Arnold, Biology Dept., Young Harris College, Dr. J.R. Bak, University of Washington, Dr. Douglas Bachtel, Institute of Ecology, University of Georgia, Dr. Sarah Badran, University of Southern California, Dr. Ray Barber, Chair, Division of Science & Mathematics, Abraham Baldwin Agricultural College, Dr. David Bechler, Department of Biology, Valdosta State University, Dr. Linda Bell, Department of Women Studies, Georgia State University, Dr. Dianne Benjamin, Assistant Professor of Educational Psychology, University of Missouri—Kansas City, Dr. Brad Bergstrom, Department of Biology, Valdosta State University, Dr. Ross Bowers, Program Director Respiratory Therapy Program, Armstrong Atlantic State University, Lon Burman, Texas Representative (District 90), Dudley J. Burton Ph.D., P.E., Professor, Baylor University, Linda Calvert, Director—New Orleans Mayor's Office of Environmental Affairs, Dr. Richard Coles, Professor of Ecology, Washington University, Antony Cooper, Assistant Professor of Biology, University of Missouri—Kansas City, Douglas Crawford, Associate Professor of Biology, University of Missouri—Kansas City, Dr. Ben Dennis, Professor of Economics, University of the Pacific, Dr. Alexander Dent, Indiana University, Paul R. Epstein, M.D., Center for Health and the Global Environment, Harvard Medical School, Dr. Lyle Fagnan, Oregon Health and Science University, Alan Fantel, University of Washington, Todd Forman, M.D., University of Southern California, Edward Gogol, Associate Professor of Biology, University of Missouri—Kansas City, Dr. Gary Goldbaum, King County Hospital, Dr. Brenda Hull, Dept. of Biology, Young Harris College, Mark Jacobson, Associate Professor, Stanford University Department of Civil & Environmental Engineering, Stephen J. Jay M.D., Indiana University.

Dr. Sandra Juul, University of Washington, Daniel M. Kammen, Director, Renewable and Appropriate Energy Laboratory, Dennis H. Knight, Professor Emeritus, University of Wyoming, Randy Korotev, Professor of Earth & Planetary Sciences, Washington University, Dr. Margaret Lieb, University of Southern California, Dr. Lee March, Department of Political Science, Young Harris College, Dr. Diana Matesic, School of Pharmaceutical Sciences, Mercer University, Dr. J.A.P. McCrary, Department of Natural Resources, Albany State College, Dr. Kent Montgomery, Department of Astrology, Young Harris College, Richard B. Norgaard, Professor of Energy and Resources, UC Berkeley, Margie Oleksiak, Research Associate, University of Missouri—Kansas City, Richard Ottinger, Dean Emeritus, Pace Law School, Dr. Thomas Michael Power, Professor and Chair, Economics Department, University of Montana, Don Preister, Nebraska State Senator, Dr. Ron Pulliam, Institute of Ecology, University of Georgia, Dr. Richard Rich, Professor and Chair, Institute for Environmental and Energy Studies, UVA, Dr. Gary Rischitelli, Center for Research in Occupational and Environmental Toxicology, Michael Rosenzweig, Professor of Ecology & Evolutionary Biology, University of Arizona, Stephen Ruoss, M.D., Stanford University, Dr. Arnold Schecter, Professor, School of Public Health at Dallas, Everett Shock, Professor of Earth & Planetary Sciences, Washington University, Leonard Stitelman, Ph.D., Professor, School of Public Administration, University of New Mexico, Larry Waldman, Ph.D., Department of Economics, University of New Mexico.

OTHER GROUPS

American Lands, Arizona Center for Law in the Public Interest, Audubon's Appleton-Whittle Research Ranch, Better World Group, Bicycle Coalition of Maine, Center for Energy & Environmental Policy (University of Delaware), Center for Rural Affairs, Charleston Bicycle Advocacy Group, Childhood Lead Action Project, Citizens for Missouri's Children, Citizens for Pennsylvania's Future, City of Creve Coeur (MO) Recycling & Environment Committee, Coalition of Citizens with Disabilities in Illinois, Coalition to Advance Sustainable Technology, Collaborative Center for Justice, Inc., Common Cause, Concerned Citizens of Roane, Calhoun, and Gilmer Counties, WV, Concerned Citizens of Jefferson County, GA, Democratic Party of Dallas, TX, Development Center for Alternative Technologies, Downwinders at Risk.

Education for Sustainable Living, Emerald Resources Solutions, Environmental and Human Health, Inc., Friends of Merrymeeting Bay, Full Circle Environmental, Green Party of Lancaster County, PA, Green Party of York County, PA, Hispanic Political Action Committee, Indian-American Political Forum of Connecticut, Institute for Agriculture and Trade Policy, Intertribal Council on Utility Policy, Jobs with Justice, Dallas TX, Kansas Rural Center, Keystone Action Network, Local Power, Louisiana Bucket Brigade, Loyola University Enviro Action, Maine Center for Economic Policy, McKeever Institute of Economic Policy Analysis, Minuteman Media.

Missouri Botanical Garden, MoveOn.org, National Educational Resource Center, Inc., Nebraska Farmers Union, Ohio Family Farm Coalition, Oil and Gas Accountability Project, Physicians for Social Responsibility, Physicians for Social Responsibility, Maine Chapter, Physicians for Social Responsibility, Philadelphia, Physicians for Social Responsibility of South Carolina, Project Underground, Public Allies, Sautee-Nacochee Community Association, Scenic Missouri, Living Resource Center, Sierra Students at West Virginia University, Southwest Research Information Center, Springfield (IL) Urban League, State University of New York (SUNY), Students Against Violating the Earth, Sunrise Sustainable Resources Group, Texas Black Bass Unlimited, Webster Groves Nature Study Society, Western Colorado Congress.

Mr. JEFFORDS. My standard is achievable. To date, 12 States have successfully enacted renewable standards, several of which exceed the 20 percent by 2020 standard of my amendment.

States and utilities, recognizing the cost and environmental benefits of clean energy, are setting goals similar to mine for their use of renewable energy. Governor Pataki of New York, for example, recently ordered all agencies in the State of New York to produce 10 percent of their electricity from renewable energy sources by 2005 and 20 percent by 2010.

While good as far as it goes, Senator DASCHLE's amendment would result in about half of the renewable energy generation that would be achieved under my amendment. Yet a 20-percent standard by 2020 is reasonable, achievable, and will provide for the important capital investment, market security, and environmental benefits for which we should be aiming.

We have an obligation to act now to take the actions needed to secure clean, domestically produced, reliable sources of energy. We must not lag behind the weak standards or no standards at all.

I urge my colleagues to vote for me in favor of this amendment.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has approximately 7½ minutes.

Mr. JEFFORDS. Let me share my long-term interest in this matter. I came into the Congress in 1975. In that year, this Nation was in terrible shape. The oil from the Mideast had been interdicted. We had long lines of cars, and everybody was in dire straits. A number of us at that time formed a coalition to do something about energy. The reason I bring it up is that much of what we are talking about today is much of what was proposed.

First, Norm Mineta, then in the House with John Blanchard of Michigan and me, introduced the wind energy bill. It passed. We drew lots as to how it would be named. It turned out to be Blanchard's bill. That was a major move forward in wind energy.

Photovoltaics was another great interest of mine. I have a fond memory of the coalition we put together at that time. We had over 80 members of the energy coalition, the solar coalition as it was called. So I went on to the House floor to offer an amendment. The amendment would have taken a large step forward in solar energy.

The chairman of the subcommittee came to me and said: Son, you do not offer amendments to appropriations bills unless you check with me first. He said: Come in and I will see if I can get you a couple of million dollars for this project.

I said: I am sorry, but I cannot do that.

He said: Why can't you?

I said: Because I have 80 cosponsors.

He said: You have 80 cosponsors?

Yes.

Well, I guess we are going to have to battle it out.

And we did. It passed, although they cut part of it off for other solar energy. So that was the beginning of the photovoltaics industry in the United States. It was a proud moment, and it was a fun one to look back upon, especially as to the shock on the chairman's face when I told him how many cosponsors we had.

At that time also, we went on to form the Alliance to Save Energy, which included myself, and at that time it was JEFF BINGAMAN and the Senator from Illinois who were with us on that issue, and that has proved to be a very interesting and excellent benefit to our energy situation. Chuck Percy was the Senator's name.

I commend JEFF BINGAMAN, who is in the Chamber with me, for his work over those years. Together we are still working as hard as we can to do what we can about the energy situation.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Wisconsin is recognized for up to 10 minutes.

Mr. FEINGOLD. Thank you, Mr. President.

(The remarks of Mr. FEINGOLD are printed in today's RECORD under "Morning Business.")

Mr. FEINGOLD. 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. THOMAS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THOMAS. Mr. President, I am delighted that we are into the energy package. We have been talking now for some time, of course, about an energy policy in this country. The President has talked about it for a very long time. He has put forth, with the help of the Vice President, an energy policy. So I am pleased that we are into that, and I hope we continue to work on it until we are able to successfully put together a bill that will meet our collective notions.

I ask unanimous consent several letters I received this morning be printed in the RECORD. This one comes from the Vietnam Veterans Institute. These are all directed to Senator DASCHLE in support of the energy program.

This one is from the Veterans of Foreign Wars of the United States, also voicing their support for energy policy. This one comes from the AMVETS, this one from the Catholic War Veterans, and this one from the American Legion.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

VIETNAM VETERANS INSTITUTE,
March 5, 2002.

Hon. TOM DASCHLE,
Majority Leader, U.S. Senate,
The Capitol, Washington, DC.

DEAR SENATOR DASCHLE: As the Chairman and Founder of the Vietnam Veterans Institute, I write today out of a sense of urgency concerning our national security as it relates to our energy supply. Veterans groups with a combined membership of nearly 5 million support the President's energy bill. I am proud to be joined by the American Legion, the Veterans of Foreign Wars, AMVETS, and the Catholic War Veterans of the USA.

I respectfully urge you to pass the President's energy bill, H.R. 4, and the provisions it contains. Further, I agree with the President, who during the State of the Union address, said "We must act, first and foremost, not as Republicans, not as Democrats, but as Americans." He went on to say that we must continue at home and abroad with the same spirit of cooperation. I believe it is imperative to our national security that we stand together as Americans. Make no mistake, responsible exploration of ANWR is a matter of national security.

You have expressed concern with ANWR, stating that an energy plan should not include opening wilderness areas to oil drilling. Senator, do you know that exploration is already taking place in wildlife refuges in 13 states, including Senator Blanche Lambert Lincoln's state of Arkansas and in North Dakota, Senator Kent Conrad's state? It is important to note that in all of those wilderness areas, there has been no harm to the wildlife caused by the exploration in any of those states.

It is crucial for the American public to have the facts. And if the truth is told, the American public will learn that the native peoples of Alaska who actually live in the affected area are 100% supportive of exploration of ANWR—and—do not believe it will be any threat to the environment. Why is it that we are not willing to let the people who live there decide their future and the future of their lands?

The native peoples of Alaska who have opposed ANWR do not live in the affected area and have leased their own lands for oil exploration. I do not know if this has ever been reported. I believe the American public has the right to know.

Please pass the President's energy bill and help us rebuild America!

With the support of our members,
J. ELDON YATES,
Chairman and Founder.

VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
October 29, 2001.

Hon. TOM DASCHLE,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR SENATOR DASCHLE: The 2.7 million members of the Veterans of Foreign Wars of the United States and its Ladies Auxiliary supports H.R. 4, the "Securing America's Future Energy Act of 2001" or SAFE Act of 2001. We applaud the House of Representatives for its bipartisan work in addressing our energy vulnerability by passing H.R. 4. We believe the Senate should consider and vote on H.R. 4 so that our nation has an energy plan for the future and can move forward quickly with a comprehensive plan to develop our domestic energy resources.

Keeping in mind the horrific events of September 11 and mindful of the threats we are facing, we strongly believe that the development of America's domestic energy resources is a vital national security priority. We need to take steps to reverse our growing dependence on Middle East oil as quickly as possible. By passing H.R. 4, the Senate will be supporting our troops serving in combat on Operation Enduring Freedom, the American people, and our national security with a comprehensive energy legislation that is desperately needed to diversify the energy for our country and chart a course for the future.

The VFW strongly urges the Senate to consider and vote on H.R. 4 as passed in the House in this session of Congress.

Sincerely,

ROBERT E. WALLACE,
Executive Director.

AMERICAN VETERANS,
Lanham, MD, March 6, 2002.

Hon. TOM DASCHLE,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR SENATOR DASCHLE: AMVETS urges your favorable consideration of H.R. 4, the Securing America's Future Energy Act of 2001.

As you know, our current reliance on foreign oil leaves the United States vulnerable to the whim of individual oil-exporting countries, many existing in the unpredictable and highly dangerous Persian Gulf. And it cannot be overstated that energy supplies touch nearly every aspect of our lives from our economy to our national security.

H.R. 4, as approved by the House, is a critical part of an overall policy America requires to promote dependable, affordable, and environmentally sound production and distribution of energy for the future. We cannot wait for the next crisis before we act.

Thank you for your service in the United States Senate and please remember that this issue is vital to our nation's security and the brave men and women who serve in the Armed Forces.

Sincerely,

RICHARD A. JONES,
National Legislative Director.

CATHOLIC WAR VETERANS OF THE UNITED STATES OF AMERICA,
March 5, 2002.

Hon. TOM DASCHLE,
Majority Leader, U.S. Senate,
The Capitol, Washington, DC.

DEAR SENATOR DASCHLE: We write today on behalf of our membership to encourage you to pass the President's energy bill, H.R. 4. We support this bill because we believe our national security demands that America be less dependent on foreign oil producers.

The September 11th attacks on democracy have expedited the need for increased oil self-sufficiency. Reliance on other countries, especially during these times of war and international terrorism, threatens our national security and economic well-being.

The Catholic War Veterans of the USA respectfully urge you to support the provisions contained in the House passed version of the ''Securing America's Future Energy Act of 2001.'' The legislation is a major step toward achieving energy independence and ensuring our national security.

Sincerely,

JOSEPH SATRIANO,
National First Vice Commander.

THE AMERICAN LEGION,
Washington, DC, March 5, 2002.

Hon. TOM DASCHLE,
Majority Leader, U.S. Senate,
The Capitol, Washington, DC.

DEAR SENATOR DASCHLE: On behalf of the 2.8 million members of the American Legion, I urge you to support a comprehensive energy policy that will improve the nation's energy independence and strengthen national security.

War and international terrorism have brought into sharp focus the heavy reliance of the United States on imported oil. During times of crisis, such reliance threatens the nation's security and economic well being. The import of more than 55 percent of the nation's petroleum from foreign countries further compounds our foreign trade balance. This is a time when the country's energy demands continue unabated. It is important that we develop additional reliable sources of domestic oil.

The American Legion understands the sacrifices being made by the men and women in uniform. The members of America's all-volunteer force have been tasked with the demanding mission of combating terrorism worldwide and strengthening our homeland security. In addition to active-duty forces, seventy-six thousand National Guard and Reserve members have put their lives on hold and left their families, following the terrorists' acts of September 11. Now, it is the duty of a grateful nation to ensure these brave men and women have the resources that they need to successfully carry out that mission.

The development of America's domestic energy resources is vital to national security. The American Legion respectfully urges you to support the provisions contained in the House-passed version of the ''Securing America's Future Energy Act of 2001.''

I thank you for considering our view on this critical national security issue.

Sincerely,

RICHARD J. SANTOS,
National Commander.

Mr. THOMAS. Mr. President, we had a meeting this morning with the veterans. Over the last several months we have had a number of press conferences and meetings with all kinds of different interests in this country that support us doing something, in a balanced way, about energy policy. We have heard from agriculture, the Farm Bureau, the Farmers' Union. Of course, the labor unions have been very much in support of what is there so we can get on with energy production. We have had small businesses. We have had Native Alaskans here and the veterans associations.

I have been impressed with the breadth of support for an energy policy. I think it indicates in some ways the depth of involvement, how this touches everyone in this country, having an affordable, adequate energy supply, and doing it in a balanced way. It touches everyone's life.

Unfortunately, in terms of moving on something, when last year we were having all the problems in California, of course, the shortage of electricity and the high prices, and gasoline prices were very high, there was great interest in it. Now gasoline prices are down. The California crisis is over. But I hope we do not lose our intensity, knowing that is not going to last unless we have a policy that leads us in the direction, in the future, of having an adequate domestic supply so we are not 60-percent dependent on foreign imports.

Beginning to move towards more diversity in energy certainly ought to be part of our plan. We ought to do that. In a balanced bill, we will have research money to be able to look for new sources of energy, to have clean coal research so we can use those resources more thoroughly, and we should have renewables. All of us are interested in that.

At the same time, we have to do something about production. I guess that is my main criticism of the bill before us, that it leans so much toward conservation and renewables, but it does not take into account what our needs are going to be in the next number of years. If nothing else, we have to look at a balanced energy policy that recognizes that we have to modernize and increase conservation, we have to modernize and expand our infrastructure, we have to have diversity in our supplies, and we have to improve environmental protection—among other things.

We have spent a good deal of time on transportation of electric energy. It is also true of gas and oil, but you can generate all the electricity of the world right here, and if you don't have a way to get it to the market, then you have not accomplished your goals. We need to do something dramatic in this whole area of transportation of electricity. We need to build a network. We have an interstate grid that moves wholesale power, and hopefully we would have regional transportation organizations, RTOs, along there to take it into areas—run by the States. These are things that are pretty much accepted as being necessary ingredients as we move forward with an energy bill.

One of the things that is troublesome—I happen to be on the Energy Committee—is the process that has brought us here. The committee did not have an opportunity to deal with these difficult and detailed questions. That should be done at least initially in committees. We did not do that. The majority leader determined to take the bill out of the committee and bring it here to do this. It has been changed several times since we have been on the floor. That makes it difficult to deal with the details of an energy bill.

Every amendment that comes up here is going to have to be dealt with in such detail, you would think, my gosh, that is the kind of thing that ought to be done in committee. But given the situation, the fact that the majority leader chose to do it that way—I happen to think it is a flawed process—nevertheless we are here. We have had no hearings, no markups, so we are going to be trying to do some of those things.

We will be dealing right now with an amendment having to do with a $20 billion pipeline from Alaska which never had a hearing, never had an opportunity to find out the facts. That is not a good way to legislate.

We will be pushing forward on those issues. I am hopeful that we can move forward. I am hopeful we will have an opportunity to deal with some of the difficult issues such as CAFE standards. I don't think anybody would argue with the idea that we would like to have vehicles that do what we need to do with better mileage. But we cannot be unrealistic, moving it over in just several years, given the costs associated with that —particularly to those who live in the West.

Live where I live and look on the road and you seldom see anything except a pickup and an SUV. I realized

part of the reason for that when I was there. I would never have gotten out of my driveway without a four-wheel drive.

This is realism. This is the way it is. We can make some changes, but we can't substitute those future movements for where we need to be now.

With regard to the security of this country, military security, terrorism—these things require that we have an adequate supply of energy. Much of it comes from the Middle East. Because we are having the problems we are having over there—and foreseeably we will be having them for some time—we have to do more.

I live in a part of the country where we are one of the large energy producers in this Nation. We are the highest producer of coal. We have large reserves of gas, methane gas, and oil. But much of it is very difficult. We need to have access to public lands, among other things. We need to be able to utilize those resources in an environmentally sound way. We have done that and can do that.

So I think the idea that somehow we can substitute production with some kind of renewables or some kind of scientific process that we do not even have before us is a little bit of dreamland, I am afraid.

I am hopeful we can move forward and be realistic in what we do. We ought to have an opportunity, certainly, to be able to deal with these issues in a way in which everyone gets an opportunity to have amendments and to get something together that will be generally acceptable to all of us.

As I said, I come from a State that is rich in resources. We have very high coal and oil and gas reserves. We also have an adequate supply—sometimes overadequate supply—of wind. We can convert some of that into electricity, of course. We should, indeed, do it.

We need a realistic policy that encourages fuel diversity, that utilizes all of our domestic resources in a very broad way, that takes economic and environmental factors into account. In relation to economic factors, we need to be realistic about what we are going to do. We need to provide a cleaner and more secure energy future. We need an overall energy strategy that increases conservation and energy efficiency and boosts supply and promotes alternative energy. I think we can do that.

Some of what I hear in this Chamber, however, would indicate that we do not need to worry about increasing our gas and oil supply because we are going to take care of it with renewables or with raising the standards in mileage. Fine, but you are not going to do that immediately. There is no way. I hope we are realistic enough to deal with it.

One of the areas, of course, that is going to be very controversial is ANWR. We will all have to deal with that and see if we can't determine what the real impact is. I have been to Prudhoe Bay and out in that area particularly. I have seen the work they are doing there now, which, by the way, is very impressive. I have a little idea of what the wildlife refuge looks like.

Sometimes we hear in this Chamber it would be a brandnew idea to have production on a wildlife refuge. It is not a new idea. It is done on a number of wildlife refuges now. The proposition is to have a very small footprint to be able to have a rather large impact. That is the kind of coming together there has been that makes that a possibility, that makes it a necessity, as a matter of fact, to do something there.

We need to move forward with coal. We need to move forward with nuclear. We can do that. We can get more clean coal technology. That is our greatest reserve of energy for the future.

Everyone in this country is affected by electricity, its availability and price. So this isn't just theoretical; this is something that really impacts everyone very directly.

One of the issues we have to understand as thoroughly as we can is technology breakthrough. We need incentives for that, but they do not happen overnight. You cannot just regulate that they are going to do that. They don't just happen. That is not the way it is. Furthermore, it takes away the choices we have, where we ought to be able to do some things by incentive which I think are very possible. I am hopeful we can move forward through our differences and have legislation that will work.

One of the areas that some of us have been working on, and I suspect will continue to work on for some time, is the electric component. Again, there have been debates and discussions about this. The House bill currently does not have an electric title. But there are a number of issues, certainly, that most people would agree need to be reviewed and that we need to do some things in the electric area. We have an opportunity to deal with some of those issues.

One of them is reliability. We have talked about reliability for a very long time. We talked about it in great detail during the time we were having difficulty in California. We really have not done a great deal about that, but we have an opportunity to do so.

We are going to have to make some choices about the way we handle these matters. Quite frankly, we have been through this for some time. We have been through it in terms of reregulation and deregulation.

I thought we had come to the conclusion that those things that are clearly interstate could fairly well be defined and those things that clearly belong on the national level with FERC could fairly well be defined, that those things that have to do with retail and distribution and the unbundled distribution of electricity to homes and businesses within the State would be done by the State. Certainly, that is the way I believe it ought to be done. Having had a little bit of experience and background in the electric business through the rural electrics, I really think that is the way it ought to be. The needs you have in Pennsylvania and the needs you have in Wyoming are sometimes not the same. So we need to have some flexibility to do that. I am hopeful we will.

This bill, as presented to us now, is really heavy on FERC. It gives FERC all the decisionmaking authority in almost every aspect of electricity. Many of us do not believe that is the way we ought to proceed. Many of us believe we can fix that. There needs to be some overall jurisdiction, of course, with FERC, which is the Federal Energy Regulatory Commission, but there are also opportunities for the North American Reliability Council, for Governors, and others.

As a matter of fact, the Western Governors have put forth very detailed ideas of what they would like to do. I happen to agree generally with what they are doing.

So I hope we can deal with this language and deal with how we can best establish a reliable distribution and generation system.

Things have changed. It was not many years ago when you had an electric system, you had the service area, and whoever had that service area generated the electricity they needed. So it was sort of self-confined.

Now we find ourselves more or less deregulated in the generation aspect of it. You have many private market generators that are dealing in it by selling to the distributors. So you have to move it. That is some competition there. I think it can work.

We have to recognize times have changed and we have to do the same thing.

I think we have some unrealistic demands for renewables in this bill. We ought to be moving on renewables, but the idea to put in the bill that it is going to be this percentage or this many tons or this many kilowatt hours by renewables I don't think is a realistic way to do that. We ought to offer incentives, that type of thing. But to put those numbers in there, and say this is the way it is going to be, I think is unrealistic.

We have a number of areas in which we could modify what FERC's authorities are going to be in terms of some things that could better be done on the State level. There are a number of things in the bill that preempt States' rights. I think most of us, or many of us at least, are not of the mind that that is the way we ought to do that.

The Daschle bill basically gives FERC exclusive authority over reliability. It has a renewable portfolio mandate, billions of dollars in consumer cost. It has FERC authority over State matters. It does not need to be that way.

So I think we are in the process of developing a number of amendments which we hope to file and offer as we go

forward, particularly in this area. I am sure there will be many amendments in other areas as well which is proper, particularly since we didn't have committee involvement. We are really doing committee work now on the floor, and that will take some time and effort, but it is necessary in order for us to come out of here with a bill that can be accepted by the Senate, can go to a conference committee, can come out and be accepted by the President.

We have a real challenge before us. I look forward to it and hope we can stick with this issue until it is finished and not come back to campaign finance or something in the middle. We ought to stay with it and keep working, keep as open as we can to other people's ideas, recognizing that it is going to take a long time. But the way it has been brought to us, it has to take a long time.

The PRESIDING OFFICER (Mrs. CARNAHAN). The Senator from New Mexico.

Mr. BINGAMAN. Madam President, my understanding of the status of business is that we are still considering the amendment Senator DASCHLE offered earlier, of which I am a cosponsor, along with Senators REID and MURKOWSKI and others. That amendment is still pending and is being considered for possible second-degree amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. BINGAMAN. I have also been informed by the floor manager for the majority it is his intention that the Senate will go into recess at 1:30 to allow Senators to attend a briefing Secretary of Defense Rumsfeld is going to conduct for Senators from 1:30 to 2:30. Then we would be back at the same place we are now. That is for the information of Senators.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. REID. Madam President, Secretary Rumsfeld will be here in less than 15 minutes. We believe all Senators should have the opportunity to attend that briefing. I checked with both leaders. They agree. Therefore, I ask unanimous consent the Senate stand in recess until 2:30 today.

There being no objection, the Senate, at 1:16 p.m., recessed until 2:30 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER.)

The PRESIDING OFFICER. The Senator from Nevada is recognized.

NATIONAL LABORATORIES PARTNERSHIP IMPROVEMENT ACT OF 2001—Continued

Mr. REID. Mr. President, Senator LIEBERMAN is here to give an opening statement on the bill. Following his statement, we understand that Senator NICKLES will be here to give a statement. We are working our way through the statements. This is such an important bill. There are a number of Senators who have strong feelings about it, and they wish to lay out their view of what the energy policy in this country should be.

While it may appear that we are not making a lot of headway, I personally think we are making great progress. There is an amendment now pending. Senator MURKOWSKI is contemplating a second-degree amendment to the underlying Daschle amendment. If, in fact, he does offer it, and it is about what I have learned, I think we will accept that and have a vote on the amendment—not because we are concerned about where the votes are, as the measure will receive virtually every vote but we want the first amendment to come out recognizing the importance of Alaska and the southern pipeline and know that when it goes to conference, we hope there is close to unanimous support of the Senate on this measure.

Senator MURKOWSKI has indicated he is ready with an amendment. We will be ready to work on that. We hope to complete all of the statements today and have a vote on the underlying Daschle amendment. If Senator MURKOWSKI wants a vote on the second degree, we would be happy to do that also and move to whatever Senator MURKOWSKI wants to offer.

I ask unanimous consent that following the statement of the Senator from Connecticut, Senator NICKLES be recognized to offer an opening statement regarding this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Connecticut is recognized.

Mr. LIEBERMAN. Mr. President, the Senate has begun a very important debate in the last few days on our national energy policy. This is a debate that will literally affect the lives and the quality of the lives of every single American, as well as affect our national security, our independence in carrying out our foreign and defense policies, and the quality of the environment and the natural resources from which we derive such pleasure as Americans. So this is a very important and timely debate.

It has been 10 years since we last passed major energy legislation. We are starting with a bill hundreds of pages long, and hundreds—or at least 100—amendments may find their way onto it. We are going to be debating some very big opportunities and some very big problems, as well as many other smaller issues associated with the bill.

I saw Senator BINGAMAN on the floor. I congratulate him and Senator DASCHLE for their superb leadership, along with that of the occupant of the chair, in developing the energy legislation that we are debating.

The bill before us out of the Energy Committee coordinates the work of many of the committees of the Senate, including the Senate Governmental Affairs Committee which I am privileged to chair, which has contributed a section of this bill. Senator BINGAMAN and Senator DASCHLE have brought before us a very well-balanced national energy policy, which does have some incentives for the development of remaining energy resources in the United States, but makes a turn and acknowledges and acts on the acknowledgment that our energy future is in new technologies being applied to create new sources of energy-efficient, environmentally protected sources of energy. Of course, that will include renewables as well.

Mr. President, this great country became an industrial power for many reasons, including, of course, the skills and ingenuity of our people. But the availability of inexpensive and abundant sources of energy also contributed to the remarkable growth and success of the American economy during the industrial age.

Prior to the mechanization of our society, we relied on wood, water, and horses for much of our energy need. ''King Coal'' powered the early part of our industrial development and still plays a critical role. Hopefully, it will continue, with the application of new technologies, to play a critical role in generating electricity for our homes, schools, offices, and our factories.

From the time oil was discovered in Pennsylvania in 1859, the petroleum industry has grown enormously—at first, displacing whale oil for lighting and, eventually, powering the world's transportation systems. Enormous deposits of oil spurred development of oil fields in many parts of our country, including Texas, Oklahoma, and California. The 1930s witnessed the enormous expansion of hydropower in various parts of our country, including, of course, the Tennessee Valley and the northwest section of America. In the middle part of the 20th century, we began to harness the atom and develop nuclear power, which was going to be, in the view of many at that time, ''too cheap to meter.'' In other words, it would be so inexpensive you would not even be able to keep track of it to base costing on.

Nuclear power continues to be a significant part of our energy mix. In a State like mine, it is most significant. We have two plants up and operating that have been decommissioned. I hope we can find a way forward to build a next generation of safe nuclear powerplants.

The oil price shocks of the 1970s brought home to us our dependence on foreign markets for oil, on which so

much of our country and its economy have become dependent. With those shocks came an understanding of the ability of foreign countries to seriously disrupt our economy and our lives through higher prices, bringing higher inflation, and unemployment. We began to think and do more about reversing this trend by pursuing energy efficiency and developing alternative sources of energy, including renewable energy.

Yet we have remained largely dependent on—some would say addicted to—fossil fuels, which has exacerbated our dependence. We have also found out along the way that our energy has a cost beyond that of discovering, producing, and transporting product to market. It has health and environmental costs. The smokestacks of our powerplants, factories, and the tailpipes of our cars and trucks spew out millions of tons of pollutants in great quantity, including sulfur dioxide, nitrogen oxides, hydrocarbons, mercury, and carbon dioxide. Our citizens —especially our youngest and our oldest—are subject to a variety of diseases associated with their lungs, particularly, including fine particles and ozone.

There is quite a remarkable article in the press today about a study that has been completed—I believe it appeared in the Journal of the American Medical Association—which draws a powerful and unsettling link between certain pollutants and higher degrees of disease and, in fact, projected numbers of premature deaths. That is, people would have lived longer had they not been inhaling the emissions from power plants and some of the rest of our society.

Our lakes and streams have suffered under the assault of acid rain. Our bays are being choked by nitrogen loadings that come from cars and powerplants. People throughout the country cannot eat fish out of lakes nearby because of mercury contamination. The great vistas of our national parks are despoiled by haze created by motor vehicles, powerplants, and the fossil fuels they are burning creating emissions.

We are heating up the planet through greenhouse gases. We face potentially catastrophic consequences over time associated with sea level rise and increased threats from airborne diseases that migrate north toward our country or within our country as we heat up the planet's atmosphere as a result of the use of fossil fuels.

We cannot continue to use the atmosphere as a dumping ground for waste coming out of smokestacks and tailpipes on a business-as-usual basis. It is our responsibility as stewards of the Earth that we are blessed to inhabit as temporary residents, trustees for the generations and generations that will follow us over the centuries ahead, to establish a framework, a system for meeting our energy needs without harming public health or destroying the environment in the process.

We must consider both of those important policy factors as we go forward with this energy legislation. Energy policy and environmental policy are, if you allow me to put it this way, like a gas pedal and a brake pedal. They only make sense when they are used together and used sensibly.

As we consider energy legislation, we have a clear choice between developing an innovative and independent new energy policy or continuing the same policy—a policy that will continue our energy dependence, deprive us of national independence and compromise the health of our people and the openness and condition of our environment.

We all know that America needs a lot of energy. It takes energy to move our cars and trucks, to cool our refrigerators, and power the terrific technological tools that drive our innovative economy. The challenge is—and it is a challenge—how do we get that energy in a way that does not do the kind of damage I have just described?

The biggest challenge is in transportation. Cars and trucks are responsible for two-thirds of all petroleum use in the United States. That overreliance not only harms public health and the environment, but also hastens global warming. The overreliance forces us on a course of foreign policy dependence because it entangles us in unstable regions and forces us to deal in a much less demanding way than we otherwise would with regimes that do not reflect our values, human rights, religious tolerance, openness, and democracy.

Some people think we can drill our way out of this imbalance, but we have to do the math, and the math is powerful. We have 3 percent of the oil reserves left within our control, yet we consume 25 percent of the world's oil. Two-thirds of the world's oil lies in countries in the Persian Gulf, even though we have developed other sources of energy and oil from Latin America, from Africa, and increasingly from central Asia.

We cannot just drill our way out of the problem. The more oil we use, the more dependent we will be on oil that other countries have and own. That is one of the lessons we have to learn from world events and consider as we go forward on this energy legislation.

America's strength is not in our oil reserves. That is the painful fact. America's strength is in our reserves of innovation and technical know-how. An energy strategy that is good for America will exploit those reserves of innovation and technical know-how to produce smart energy-saving technology and cleaner modern fuels.

Unfortunately, many would have us extend our dependence on oil, and because other countries overwhelmingly control the oil reserves, that means extending our dependence on foreign oil.

They have even, in addition, proposed the despoiling of some of our most precious places in the process. And for what? We will obviously will have a debate, as we have had before, on the question of whether to drill in that remaining 5 percent of the North Slope of Alaska. If we opened up, God forbid, the Arctic Refuge to oil exploration, there would be, as we have said over and over, a blip of oil to meet the enormous need we would have. It just does not do it for us.

We should say no to oil development in the Arctic Refuge. We should protect a most unusual, unique, magnificent, inspiring piece of America, piece of God's creation, which is the Arctic National Wildlife Refuge. We have to go in a new direction. We need to spur aggressive development of both new and proven energy sources and technologies, which would include natural gas, the subject of the amendment before the Senate now.

We should encourage hybrid vehicles. Some of those are out and selling very well. There are waiting lists of people who want to buy them and cannot get them rapidly enough.

We must pave the way for renewables, fuel cells, and other barely imagined technologies. I am convinced we have the brain power and the economic power to develop them if we put our mind and will to it. Of course, we should develop our remaining oil deposits that can be developed without hurting the environment, and there are some remarkable new technologies that will help us do that.

Fuel cells are a particularly promising technology, and I hope we in Government will work with industry and others to develop a credible business plan, that is what I would call it, for fuel cell technology development, a business plan that would have clear goals and timetables by which we would develop and deploy fuel cells.

I support the progressive tax incentives for alternative fuels and clean and renewable energy that are part of the package that came out of the Finance Committee. I thank and commend Chairman BAUCUS and Senator GRASSLEY on crafting a responsible and forward-looking set of incentives to transform our energy mix and make us more independent and efficient.

The bill before us does open doors to innovation. It sets up a new framework for the kinds of innovative energy policy we need. That really should be the commitment of our generation, a single-minded, all-out drive to protect our security by developing a new framework for energy use in our country.

We have to start with energy efficiency standards. Over the last 20 years, we have made magnificent efficiency gains which lay a firm foundation for future progress. Increasing the fuel efficiency of cars and trucks by just 3 miles per gallon, well within our reach technologically, would save 6 billion gallons of gasoline per year. As I understand it, by the best estimates, that is about two times the oil that would come out of the Arctic Refuge if we drilled.

That 3-miles-per-gallon increase in fuel efficiency would also save Americans $9 billion a year in annual spending. Imagine that, $9 billion in savings.

The increase would also reduce carbon emissions by 15 million tons a year, that much less contributing to the pollution of our air and the warming of our planet.

We can clearly do, in my opinion, better than 3 miles per gallon. That obviously will be the topic of debate that will occur on the amendment on this bill regarding so-called CAFE standards. We were all shocked in the 1970s by the steep increase in the price of oil as a result of the Arab oil embargo in 1973 and 1974 and the Iranian revolution in 1979. Gas prices were approaching a dollar a gallon, and we thought the price would only continue to rise.

We made some real efficiency gains in our economy and in our transportation fleet, but the price of oil collapsed in 1986. Despite a few price spikes along the way, gasoline is now not that much over a dollar a gallon, making it cheaper, certainly when adjusted for inflation, than it was in 1980. New sales of vehicles are increasingly characterized by sport utility vehicles and light trucks—great vehicles, but our overall fuel efficiency has therefore and thereby declined.

We are caught in a policy bind. We have less expensive fuel, providing little incentive to conserve, and industry remains opposed to increased fuel efficiency standards. So gas prices remain low, our fuel efficiency averages are declining, and therefore we continue to increase our reliance on imports of oil. I hope this legislation before us will provide the opportunity to break that gridlock and that we will support increased fuel efficiency standards for our vehicles.

I believe people who oppose the increases in fuel efficiency may well underestimate the resourcefulness and ingenuity of our researchers and/or industry. For example, the Massachusetts Institute of Technology is developing a most promising new technology for economically reducing gasoline engine vehicle emissions and fuel consumption. It could reduce smog-producing nitrogen oxide emissions from gas engines by 90 percent, and it has the potential to increase engine efficiency by 25 percent and reduce carbon dioxide emissions by 20 percent.

We should take advantage of the many advances that have been made under the aegis of the Partnership For a New Generation of Vehicles, a private-public partnership between the Federal Government and the automobile industry to improve the fuel efficiency of our vehicles. The advances we have made in these hybrid technologies that have already come out of that partnership are dramatic. The administration has embraced fuel cells fueled by hydrogen, and I welcome that, but the results are still some time away. That is why we need to make advances in fuel economy sooner, as well as later.

We must also reform our energy system to give renewables and alternative energy fair access to the market, both by ensuring they can make a physical connection to the grid and by enacting tax credits that will ensure the market is open and welcoming to them; in other words, to give consumers and businesses a tax credit for use of some of the renewable and alternative energy systems coming on board, including fuel cells.

We should also require electricity generators, I believe, to account for a portion of their output through renewable energy sources, and I support the inclusion of a renewable portfolio standard in this bill.

I understand many existing industries are resistant to change because change involves risk. Fortunately, many companies are ready to accept some risk because they know there is reward in that, that nothing ultimately ever stays the same. Many businesses have developed new technologies and are willing to do so even more if given a clear, lasting signal from our Government as to what we are going to ask and in which direction we are going. If Government leads by establishing clear goals, objectives, and incentives, as this bill does, progress will follow. Government can act as an innovation spur, not an innovation barrier.

I know there are some who will argue the energy bill is not the place to address climate change. I disagree. I see climate change as probably the biggest long-term environmental challenge that we as Americans and everyone else on the planet face. Some would argue climate change is separate from energy, but I respectfully disagree; they are inextricably linked. The overwhelming majority of greenhouse emissions come from producing and consuming energy, whether in our powerplants, our factories, or our cars and trucks.

I particularly salute the pioneering bipartisan work done by Senators BYRD and STEVENS to promote research and development on climate change, to require an office in the White House which will have the responsibility of developing and overseeing the implementation of hopefully a national climate change policy.

I am proud to say the Governmental Affairs Committee unanimously passed the Byrd-Stevens legislation and it has become part of the energy bill we are debating. The provision does not create any mandatory programs to address climate change—that debate has been reserved for another day—but it puts a strategic planning and research and development foundation in place so we can understand the nature of our problem and begin to work aggressively on solutions.

In particular, the Byrd-Stevens legislation would create a comprehensive effort within the executive branch that would provide creative thought, the creative thought that global warming requires, including a new White House office to develop a peer reviewed strategy to stabilize the levels of greenhouse gases in our atmosphere to safe levels. Now that is an objective on which I hope we can all agree. In fact, the Senate has already agreed on that goal because it is the stated objective of the 1992 Rio Treaty on Climate Change, which this body ratified.

Finally, I again compliment the comprehensive nature of the Byrd-Stevens provision. In crafting a climate change strategy, the White House office would be instructed to consider four key elements: Emissions mitigation, technology development, adaptation needs, and further scientific research. Very often in our debate on this issue all four of these topics do not make it into the discussion, but they must.

To quote Senator BYRD, his bill is meant to complement, not replace, other mitigation measures by creating a process by which we receive expert evaluation of the challenge we face. I hope this legislation will be the tree off which other critical climate change measures will branch.

This is a challenge of great import to us and to all who will follow us on the planet. As Senator STEVENS starkly reminded our Governmental Affairs Committee at a hearing last year, we can already see some deeply unsettling signs of climate change in the Arctic. Permafrost is melting, glaciers are disappearing, boreal forests are moving north, and the migrating habits of many species are being disrupted.

The provision these two leading Senators, Messrs. BYRD and STEVENS, authored is an important first step in examining and reacting to the climate change crisis. To me, it is one every Member of the Senate ought to be able to support, and I hope because it is part of this legislation before us that all will.

I am thankful for the opportunity to make this opening statement. I repeat what I said at the beginning: This is a bill whose importance to every single American and to our country in general cannot be overstated. I look forward to the debate. I hope we can find common ground to achieve what I believe is our commonly held goal, which is to make America more energy independent than it is today.

I yield the floor.

The PRESIDING OFFICER (Mr. CORZINE). Under the previous order, the assistant Republican leader is recognized.

Mr. NICKLES. Mr. President, thank you very much.

I wish to make a few remarks regarding the energy bill. Let me first compliment my colleague and the former chairman of the committee, Senator MURKOWSKI, for his leadership on this issue and for the statement he made both yesterday and today.

Let me also express my very strong displeasure with the process that leads us here today. I am glad we are debating energy. I am glad we are going to have an energy bill that will be amended and discussed. But I am very upset about the procedure and how we arrived here today.

I served 22 years on the Energy Committee. I worked with Democrats and Republicans to pass historic legislation, to deregulate the price of natural gas. I worked with Senator Bennett Johnson, Wendell Ford, Jim McClure, and other Senators. It was bipartisan, historic, important legislation. We passed other legislation.

My point is, we passed historic, meaningful legislation in a bipartisan manner through committee markups, some of which, as in the case of natural gas deregulation, took years. We worked on it, we amended it, and brought a bill to the floor. We did not do that in this case. I cannot recall in my Senate career a legislative proposal this significant where it bypassed the committee. The committee proposal we have before the Senate had no Republican input. I have not had one chance to offer one amendment to this bill. I am offended by that. I am offended by the process. I am offended by the fact that people think we do not want markup in the committee because we cannot control the committee. Since when do we say, we will not have markups if we cannot win?

That is exactly what happened. I have heard some say, that is not really what happened—we just rule 14 bills all the time. We do not, all the time, take significant legislative action and say we don't want the committee to mark it up; we do not want to have bipartisan input; we do not want to allow people to offer amendments; we do not want them to have an amendable vehicle.

The fact is we did not have a legislative markup in the Energy and Natural Resources Committee for months. I am offended by that. Why am I serving in the Senate? Why did I select the Energy and Natural Resources Committee? Why am I one of the senior members on that committee and not even have a chance to offer an amendment to express some positive or negative points about some provisions that affect every single American? I did not even have a chance to offer an amendment. I did not even have a chance to say this is good or bad. Now we have to do it on the floor.

There are a lot of items in this bill that a lot of people do not know about. I wonder if my colleagues are aware there is a $10 billion loan guarantee in this bill. Most people do not know that is included. We never had a hearing on it. We did not have a hearing on it in the House or in the Senate and it is in the bill. I understand they will change it. That is interesting. That has not been discussed.

When Senator MURKOWSKI was chairman of the committee, we had a lot of hearings dealing with the issue, and we were going to mark up the bill. We started marking up the bill last year but we stopped. Why did we stop? The Washington Post says in an October 11 headline, ''Daschle Stops Panel's Consideration of Energy Bill.''

Then it goes on to say: ''Majority leader, TOM DASCHLE, yesterday abruptly halted further committee consideration of major energy legislation after Democrats concluded there were probably enough votes on the panel to approve the Bush administration's plan for drilling in Alaska's Arctic National Wildlife Refuge.''

In the Washington Times, the headline, ''Daschle Takes Control of the Energy Bill; Republicans decry bid to stall Alaskan drilling as 'partisan' maneuver.''

Daschle yesterday took control of the energy bill in a move to strengthen his opposition to the administration's proposal to drill for oil in Alaska's Arctic National Wildlife Refuge, which President Bush says is critical to national security.

In an unusual legislative action . . .

It is more than ''unusual.'' I don't remember it happening. I have been here 22 years, and maybe others who have been here longer can say it has happened, but I can't remember a majority leader saying: Stop, don't work, don't mark up, I will come up with something on my own.

That does not happen.

Mr. BINGAMAN. Will the Senator yield for a question?

Mr. NICKLES. I am happy to yield.

Mr. BINGAMAN. I recall when we saw the budget resolution last year that contained the President's enormous tax cut, that came from the Budget Committee without markup. That was brought by Senator DOMENICI to the floor, at the request of the majority leader at the time, Senator LOTT. Am I not correct that was a major piece of legislation that came to the Senate floor without ever having a committee markup?

Mr. NICKLES. Let me answer the Senator's question. I thank the Senator for the point.

There is a difference between a budget resolution that is not even law—a budget resolution does not even go to the President for signature. Budget resolutions are entirely different matters. That is not the same. A budget resolution does not have the impact. A budget resolution authorizes committees to say: Here is how much you spend. But it is not a tax cut. You still have to pass a tax cut; you still have to pass the legislation.

This is legislation. This is a bill that will become law. This is a bill that has the potential of increasing the cost of vehicles for everybody in America by $2,000 or $3,000. Are people aware of that? Do I recall a hearing on that provision, the so-called CAFE standards? No. Did the Commerce Committee have a hearing on it? Did the Commerce Committee have a markup on it? Did it pass by bipartisan majority out of the Commerce Committee? The answer is no.

Where is the committee report? One of the reasons we have markups in committees is to have everybody on the committee who has expertise on the issue to have input, to support it or oppose it—to issue a committee report so we can find out what is in it, so you can read what is in it in English, not just the legislative language which is difficult to decipher. Our competent and capable staff prepare a committee report explaining in English, here is what this provision does, here is what this provision means.

On most legislative issues I can remember we have had a committee report. There is no committee report because the committee did not report on this bill.

This bill has enormous potential impact on American citizens, but no one knows what is in it. I didn't know what was in it and still don't, even today. I pride myself on doing a little homework on legislative issues. I kind of like to read bills. The bill introduced by Senator DASCHLE did not come through the committee. Maybe it is supported by Senator BINGAMAN, but it is not supported by this Senator. It was introduced February 15. It is 436 pages. I wanted to get the yeas and nays because I had an idea it might be changed. I was not successful and could not do that. But it was introduced and I thought at least I can now start reading it and do homework.

The more I read, the less I liked. It is a pretty crummy energy bill, in my opinion. I started to say you couldn't do much worse, but maybe you could, surely you could. It is not much to my liking, but I had no input on this bill whatsoever. And I think I happen to be No. 3 in seniority in the Energy and Natural Resources Committee—No. 3 or 4.

Then the bill was changed. That bill was introduced on February 15, and it was 436 pages. On February 26, the bill was introduced, just a week or so ago, and it was 539 pages. It grew by over 100 pages in a couple of weeks. I don't know what the differences are. I am trying to find out. I thought, now I have a printed copy. I had to ask consent to get this copy printed, so I did. So now it would not be just in loose-leaf form, and now we can get some work done. I can do my homework and take this home.

I started reading it. I didn't like this one either. And I didn't have any impact on this. I didn't get to vote on one single page of this bill—not one. I am offended by that process.

Then it was changed yesterday. We have version No. 3. This was dated March 5. It is 590 pages. That is only another 51 pages more than the bill that was on the floor a week or so ago. I have not analyzed that. I don't know what is in the 51 pages. I have not figured that out yet. But I do know I had no impact, no input, no amendment—nothing.

We have a terrible process where the majority leader shuts down the Energy and Natural Resources Committee and says: We do not care if you have 20 members who have experience on these issues. We don't care if you have had a lot of hearings in the past on these issues—issues such as electricity, CAFE standards drilling in Alaska. We

do not care if you have expertise because we do not want your input. The Democrats are going to put together a bill. We will decide what you will mark up.

Sure, there is a reason. They said: If you want to change it, go change it. We will give you some amendments. And we will have amendments. Yes, we will just fix it. That is almost the size of the Bible, and unlike the Bible, it contains no good news.

This is a problem. Now we have to fix it. We will fix it paragraph by paragraph. There are a lot of paragraphs in 590 pages. I keep reading things in here I don't like. What is my alternative? I didn't have a chance to offer an amendment. I do not like the loan guarantee. I don't like any loan guarantee. For the most part I opposed the steel loan guarantees. I lost on that one. Now there are loan guarantees for oil companies in here. I don't like loan guarantees for oil companies either. It is in here. Now I have to strike it, I have to replace it.

I don't like the CAFE standards. Some people think: Let's just increase CAFE standards; we'll go from 27.5 to 35. Wait a minute, in this other version it was 36. But we are going to increase CAFE standards.

Does that include SUVs and pickups? Do they have a different standard? Yes.

How much will that cost? Some people say it costs a couple of thousand dollars a vehicle. It may cost a lot more. It may cost thousands of lives.

Who had a hearing? Where is the committee report? Where is the scientific analysis? Where is the data we have from the Department of Transportation that this is a good change? It is not here.

Where is the committee report, where you can study the pros and cons, the supporting opinions and dissenting opinions that we usually have in the back of the report? It is not here. I don't recall a committee report.

We are going to consider legislation of monumental importance, probably the most important issue we will consider this year—maybe not. Maybe it is in the eyes of the beholder. Maybe some people think campaign reform is more important. I don't. This will impact every single American because energy security is national security. If you don't have energy security, you don't have national security. If you don't have energy security, you don't have economic security.

We have seen that happen in the past. We have found ourselves, in the past, when we have not prepared properly, to have made serious mistakes, to have been really vulnerable to curtailments. We had a curtailment, I might remind my colleagues. In 1973 we had a curtailment. It was called the Arab oil embargo. Some of my colleagues might remember it. I remember it. I was in the private sector back in those days. There were lines; there were shortages; we had brownouts; we had schools that were closed; we had people lined up for blocks to buy gasoline. There was a real shortage. It was caused by an oil embargo because there was a real crisis in the Middle East.

At that particular point in time, we had gross crude oil imports of 26.1 percent. Today we are over 60 percent. In 1979 we had another shortage. It was during the Iranian hostage situation. There was an embargo. At that time we were importing 44.5 percent. Today we are importing 60 percent.

Today we have a real problem in the Middle East. It is flaring up every day in Israel. It could expand. I hope and pray it does not. But we are a lot more vulnerable today than we were back in 1973 and 1979. So now, finally, we have an administration that has put together a package after a lot of work, promoted that package, passed that package, by and large, in the House of Representatives.

Did the Senate have a hearing on the House-passed package and use that as a markup vehicle? We do that a lot, but we didn't in this case.

Did we hold the House-passed bill at the desk and use that as a markup vehicle? We do that a lot. No, we didn't do it in this case.

We started with an entirely different bill, one that has never seen the light of day, one that has never gone through a legislative markup, one that has never had a Republican amendment considered.

Basically, what you have is a couple of people who put this bill together, making a whole lot of special interest groups very happy in the process. There are lot of special interest groups that, because of this bill, are very happy. But it is a pathetic excuse for an energy bill, and it is a very poor excuse if we want to do something that will help solve some of our national energy problems. Even worse than that, it is a terrible legislative process.

If we are going to tell two major committees—the Energy Committee for the energy components of this bill and the Commerce Committee for the CAFE standards—don't mark up, then you have just disenfranchised 47 Senators: We don't want your input; one or two people will decide what we are going to do, and if you don't like it, amend it; and, incidentally, if you try to amend, we are going to filibuster your amendments so now you have to have 60 votes to change this bill.

What is the difference? If a committee markup was held you would have input from Democrats and Republicans. You would probably come a lot closer to having consensus, a bipartisan bill. You would have a committee report so people could understand it, they could read what it is, what people are trying to do, what they are doing in the legislative language. Then, if you disagreed with what the committee did, a group of 40 Senators—in this case, 20 from the Energy Committee and 20 from the Commerce Committee; maybe 42 or 43—you could offer amendments to try to change it.

Instead, we are acting as if we have some type of totalitarian government or some type of kingdom over here that says: Committees don't operate. I'll decide what is in your bills. Maybe one or two people, maybe three—I don't know how many; a few people, not Republicans—put together the bill. It is 590 pages. Oh, we will amend but if you offer a couple of amendments, we are going to filibuster those amendments. You need 60 votes. Good luck.

If you marked it up in the committee and put ANWR in the bill—which we would have—then somebody would have to strike it out of the bill. It is totally different. Then you are talking about a majority vote, you are not talking about 60 votes. There is a big difference. Or if somebody wants to set new CAFE standards, new CAFE standards that have bipartisan support that come out of the Commerce Committee, we didn't do that. It is a terrible legislative process. Shame on the Senate for this legislative process. Shame on the Senate.

I have only been here 22 years, but we have not done this. It is not the same thing as the budget resolution. It is not the same thing as a sense-of-the-Senate resolution. This is very comprehensive, significant legislation. It is similar to legislation with which we wrestled in the last Congress dealing with the Patients' Bill of Rights. It is a tough bill.

I was in charge of a lot of it. I disagreed with a lot of the ideas that were floating around. But we had a markup in the Labor Committee. We had a markup in the Labor Committee that lasted days. We had 30, 40 votes on amendments; more amendments, that many votes.

The committee passed, with Senator GREGG's leadership, with Senator COLLINS' and others, a Patients' Bill of Rights. Senator JEFFORDS was on the committee at that time. They passed a pretty decent Patients' Bill of Rights, and we considered it on the floor and amended it on the floor, and we passed it.

I didn't agree with everything that was in it, but I agreed with the final package. It was a decent package. It brought a lot of people together. Some people said it was not enough. But anyway, it went through the legislative process. It wasn't easy. We could have said: We are in the majority, the heck with the committee; we will come up with what we have deemed is the right package and run with it.

I think that is a violation of Senate protocol, spirit—basically telling the minority they don't matter. It doesn't make any difference if there are 49 Members on the Republican side, you don't matter; you have no input.

I just very strongly disagree with that. It means a lot to people who have not looked at this legislation. Usually a lot of Senators haven't looked at it but they rely on the committee, the authorizing committee, for their expertise and for their homework, and they can rely on them for their judgments.

It is kind of hard for us, many of us on this side of the aisle, because we have not looked at this. I keep finding things in there at which I am kind of shocked: Where did this come from? Well, some lobbyist or somebody had some idea, so he stuck it in the bill. We have all kinds of mandates and subsidies and loan guarantees.

Now there is an amendment that says that we, in our infinite wisdom, are going to choose which pipeline route to go for a natural gas pipeline in Alaska. The underlying bill says there is a $10 billion loan guarantee. I question that. But I also question why we are trying to choose which pipeline route should be involved in building the Alaska natural gas pipeline.

Let me see. Let me count the number of days we have had hearings on this. This is about a $20 billion project—a pretty good size project, over which we should have held several hearings on at the least.

Did they have a hearing in the House of Representatives? No.

This language or similar language is in the House bill. I am not going to fault the House. I think they did a pretty good job.

I question the wisdom of putting this in without hearings. Should we dictate which pipeline route? I hate to say this, but what about the marketplace deciding which route? Why don't we use the route that would be most economical? Why don't we use the route that makes most economic sense? Why don't we use the most feasible route?

Is that language in here? No. The language that Senator DASCHLE is proposing now—in addition to the $10 billion loan guarantee that came from somewhere, just appeared in this bill—it says: Oh, we are going to take the southern route. The southern route—if you look at the chart; that is the one shown in orange—swings through Fairbanks and through Alaska. It is several hundred miles longer than the other route. The other route looks a lot cleaner, a lot shorter, a lot straighter, and it is also in plains, maybe marsh. It is parallel to the Mackenzie River. The other one goes through about 900 miles of mountains.

I used to work for a pipeline company. I helped lay pipe in some of my private sector days. I know a little bit about it. I know it is expensive. Man, it is a lot more expensive to do it in the mountains than it is on the plains. There may be pluses and minuses on both. I do not know all the pluses and minuses.

I know one thing: I probably do not know enough yet to say this is the right route or this other one is. I have not studied it enough. I don't recall a hearing. I have not met with all sides. I have met with a couple people. I have constituents who have an involvement. I have constituents who have some minerals or gas in the project, and they would like to get it to market. I would like to get it to market. It would be good for the economy to get it to market.

But why are we going to mandate which way to go? Why are we going to mandate which way to go under Senator DASCHLE's amendment without even a hearing? Whose special interest group is this?

I just question the wisdom of acting this way, of having this bill up in this manner. We have not had a hearing on this bill. No one knows what is in it except for a few people. And now here is an amendment that says: Oh, in our infinite wisdom, we are going to dictate you go this route. Let's go the longer route, the route that looks a lot more expensive because it is several hundred miles longer than the other route. We are going to dictate that?

I don't think we should. Maybe I am in the minority on that. I want to defer to my friend from Alaska, Senator MURKOWSKI. I have great respect for him. But I really question the wisdom of Congress trying to dictate this, and it just goes with the whole process of this bill.

I am more offended by the process and the way this has come to the floor than anything procedurally in the Senate in my career, and certainly out of this committee. I have not been on other committees. Maybe other committees have tried a little end run like this in the past, but I can't remember. But I know they have not in the Energy Committee because I have been on the committee. I would have been very outspoken. If our side tried to do it, I would say: No, that is not right. We have to run it through committee. You have to have input from Democrats and Republicans.

You may have party-line votes once or twice, but most of the time on the Energy Committee we didn't vote on party lines. We tried to vote for what was right and in the best interests of the country.

This is 590 pages of all kinds of little subsidies for alternative fuels, mandates. Oh, we already have a big mandate for ethanol, about 53 cents a gallon for ethanol. Now we are going to mandate not only the subsidy, but we are going to mandate that they have to produce so many gallons; I think it is something like 5 billion gallons in another 10 years or something. Wow. How much are we going to do? Then on and on and on.

The more I see—oh, we have subsidies for wind energy, you name it. There are all kinds of things that are in this bill, some of which are very questionable economically, some of which are going to greatly increase consumer prices.

Then let me just touch on the other side of it, and that is the issue of CAFE. The Federal Government is going to mandate that we raise the fuel average economy standards from 27.5 miles per gallon to 35 miles per gallon, and do that over the next 13 years. In a previous bill it was over 11 years. Now that has been adjusted.

My wife happens to drive a Pathfinder, an SUV. We should send out signals to SUV moms all across the country: Hey, the Senate Democrats, under this bill, are going to raise the price of your vehicle by at least a couple thousand, if not $3,000 or $4,000. Notice to soccer moms, notice to SUV vehicles: It is in here. It is going to increase the price of your vehicle.

Maybe I should have an amendment that says Senate cars should meet these standards, because they do not. But we are going to make every soccer mom in America pay for this because it is in this bill.

Oh, soccer moms: One of reasons you like these SUVs is that they are kind of big, kind of safe. My son has two kids, and he has one. He has the baby seats in it, and he likes it because it is safe. It is not going to be nearly as safe if this bill passes because this bill is going to mandate—well, the vehicle is going to have to have a much smaller engine, it is going to have to be a lot lighter, it is going to resemble something more like a Volkswagen than it is an SUV, and we are sorry about that.

Will the fatalities go up if we pass this bill? The answer is yes, by the thousands. How many? What scientific studies do we have? We don't know. We have not had a hearing. We were not able to ask the safety experts. We were not able to ask the experts who build this: Can this be done? Can it be done safely? And how much will it cost?

I would love to ask the automobile manufacturer: How much is this going to cost? Can we comply with these standards? How much more will SUVs cost in 8 years if they meet this standard?

I will tell you, it is going to be in the thousands. We do not know because we have not had the hearing. We have not asked those questions. We have not gone the legislative route. There is no committee report. There was no homework done. This is put together and changed almost on a daily basis.

It is a crummy way to legislate. And this first amendment is a crummy way to legislate, a very poor way. Shame on the Senate if, oh, we are just going to decide this is the way we are going to build this pipeline, we are going to dictate you have to take this route.

That is not the way it should be done, not when you are talking about $20 billion, not when you are talking about Federal loan guarantees that should not be in the bill in the first place. Oh, now we are going to have loan guarantees and we are going to dictate which route to go. We never had a hearing. We do not know which way is the best as far as protecting the environment is concerned. We do not know which is best as far as the economy is concerned. One might cost twice as much.

I would think to build a mile of pipeline through the mountains would probably be several times as expensive as building one on the plains. Yet we have an amendment offered by Senator DASCHLE, the first amendment up: Here is what we are going to do. Maybe

there are political considerations behind his amendment. I don't know. But I am just astounded by this process.

I am very disappointed in this process. This process should not be repeated. It should not be repeated by Democrats or Republicans. We have committees for a purpose. We have committees for a purpose: So we can have bipartisan input, so we can have the legislative process work, so we can have hearings on legislation so people can know what they are voting on, to where they can try to improve it, to where any member of the committee has an opportunity to read the bill and to amend it, to change it—win or lose, at least they have the opportunity to try.

No one has had an opportunity to amend this bill—no one. A few people might have been able to get their special interest provisions in, thanks to the majority leader and to the chairman of the committee. But no one, no Member of the Senate, has offered an amendment to this bill because it has not had a markup.

Right at about half the Senate has been disenfranchised because we did not have a markup on the CAFE standard and did not have a markup on the energy package. So now we are presented with an energy bill: Here it is. Go get it. Have at it. See if you can improve it. Oh, yes, if you have an amendment we don't like, get 60 votes. That is not the way the Senate is supposed to work.

The Senate is a great institution. People are violating the thrust of the Senate. Totally ignoring the committee process should not be done lightly. So I am critical of it.

I want my colleagues to know of the problem of how we are situated. So we have a bad bill. Some of us are going to try to make it better. It may take a while. We may have to ask a lot of stupid questions: What is this in here for? How much is it going to cost? I would like the proponents to know I am going to be asking those questions because I did not have a chance to ask them yet. I did not have that chance to ask them in committee, so I am going to ask them on the floor. So this markup may take a little while.

This amendment may take a little while. I do not want to filibuster this amendment, but I want to know how much it is going to cost. I want to know why this route is preferred over the other route. I want to know why there is a $10 billion loan guarantee in the bill. Why? Who benefits from that? What is the purpose? Is that the best way to do it? Should it be done? Is it necessary for it to be done? Could we build the other route even without a loan guarantee? Without price supports? Is that possible? Does it need to be? Or does the marketplace dictate we have to go this way?

Aren't those decent questions? Shouldn't those questions be asked? They have not been asked before. Yet we are getting ready to commit to a $20 billion project? This is a crummy way to legislate. The Senate leadership should know this is not the way to operate.

We should not disenfranchise 40 some Senators from the committee process. I hope we won't do it in the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. I wonder if I could respond to some questions that the Senator from Oklahoma, the minority whip, brought up because I certainly agree with his contention that these matters have not been addressed in a committee process. They are being addressed on the floor.

As I indicated earlier in my opening statement, we have quite a responsibility before us to educate Members. I think the questions my friend from Oklahoma posed deserve consideration. I wonder if I could perhaps offer an explanation as to why the proposed route that has been supported by the State of Alaska is the preferred route.

As my colleague knows, the concentration of capital necessary to build either route is going to be substantial, somewhere in the area of $15 to $20 billion. Clearly, the companies that are going to build this pipeline are interested in a return on their investment. I don't think my colleague is aware of the particulars associated with the northern route.

It would require roughly 400 miles of pipeline at sea. If I can refer to the map, I think it is important to recognize that this is an area that is extraordinary because it runs roughly from Prudhoe Bay, where the gas has been discovered about 400 miles off the Arctic coast. This is an area that is only ice free about 40 days of the year. We are well above the Arctic Circle here. As a consequence, the technology is obviously achievable, but there is still a question of at what price.

As the Senator from Oklahoma is well aware, we have been trying for decades to get permits and the authority to open up ANWR, which is on land, for oil and gas exploration. The consideration has been whether we could do it safely. The problem we have in laying this pipeline in this particular body of water is access because much of the year it is covered with very heavy ice.

Theoretically, most pipelines are laid with a trench being dug on the ocean floor and then covered up, and so forth. We are talking probably about this pipeline being 3 to 4 miles offshore where you would get the adequate depth. The unique problem you have with the engineering is this scouring of the bottom when the ice moves because, as you know, about seven-tenths of the ice is underwater. So these present some engineering problems.

They also present some problems associated with the concern over the Native people, the Eskimo people of Alaska and their concern over the migratory bullhead whale which they are dependent on from the standpoint of subsistence. They support drilling on land and support activity on land, but they are reluctant to see activity offshore that may change the route of the migratory whale movement of the bullhead whale. So they are opposed.

I can cite for the record comments I received in opposition to anything out at sea that might affect them.

I ask unanimous consent to print the comments in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMENTS ON PROPOSALS FOR A NATURAL GAS PIPELINE FROM THE NORTH SLOPE OF ALASKA BY GEORGE N. AHMAOGAK, SR. MAYOR, NORTH SLOPE BOROUGH, BARROW, ALASKA

(Submitted to the United States Senate, Committee on Energy and Natural Resources, October 2, 2001)

I want to thank Chairman Bingaman and the Committee for inviting comments on North Slope natural gas development from residents of the regions, because we will be most affected by the impacts of development. As Mayor of the North Slope Borough. I represent the people who live in eight communities scattered across the top of Alaska. The majority of our residents are Inupiat Eskimos, whose ancestry is traced back thousands of years along this stretch of the Arctic Ocean coastline.

For more than a quarter of a century, the people of the North Slope have played an active role in Alaska's oil and gas development. After our initial fears about the environmental safety of oil and gas operations were calmed by experience, we struck a stance on development that has not wavered. We have supported onshore projects when they contain adequate environmental safeguards for the land and animal populations and when they do not jeopardize our traditional subsistence hunting and fishing activities, which are so crucial to the continuation of our Native culture.

We have pursued these goals in our interactions with the oil industry largely through our local powers of planning and zoning within the oil fields. We have also sponsored extensive biological research and worked with state and federal agencies to gauge the continuing health of wildlife species in the region.

Twenty-five years later, we remain committed to the stewardship of our homeland as we work in partnership with state and federal agencies and the industry to extract the oil and gas resources our nation so clearly needs. Our commitment to a culturally sensitive development approach leads us to a very firm position on natural gas development. We recognize the need to export the North Slope's vast natural gas supplies, and we believe there is only one environmentally sensible transportation path—along the route of the existing Trans-Alaska oil pipeline. Most of the issues associated with pipeline routing have already been identified and successfully resolved through years of experience with the TAPS oil pipeline. Using the existing corridor is more environmentally efficient than any alternative and is unlikely to result in significant surprise impacts related to land or wildlife. It is clearly the safest and most acceptable transportation plan in our opinion.

For these reasons, we support the State of Alaska's insistence on a southerly (Alaska Highway) route. We also are adamant in our opposition to any project that would involve an offshore pipeline to the McKenzie Delta on the Canadian side of the border. We believe this ''over-the-top'' scenario is technologically arrogant and offers substantially

greater risk of environmental and cultural damage.

Our elders and our subsistence whalers are the true experts on the seasonal movements of sea ice along the arctic coast. They have spent decades studying the forces of pack ice as it piles upon itself to create huge pressure ridges the size of tall buildings. They have witnessed the results of current-driven ice scouring the ocean floor. They have heard stories about these forces, stories that represent the oral preservation of empirical science handed down from generation to generation.

At the same time, the industry has repeatedly tried and failed to show its ability to clean up an oil spill in broken ice conditions. Demonstration of such ability should be an absolute requirement before any offshore oil development is allowed to occur.

Our opposition to an over-the-top route is not conceived lightly. We have proven ourselves to be both willing partners and environmental stewards. When we stand up against a proposal, our objection cannot be dismissed as environmental dogmatism. Nor can our support for a project be written off as pro-development fanaticism. Ours is a more complex position, stemming from a cultural perspective that acknowledges the advantages of development, clings to an inherent environmental ethic, and has as its highest goal the continued health of the original culture attached to this part of the world. The southerly route offers the best solution in light of this trio of concerns.

While we support the southern route, we do not believe that a natural gas pipeline should be supported at any and all cost. A successful project must have the inherent fiscal strength to preserve existing arrangements for local property taxation of energy infrastructure. We have heard rumors of tax concessions associated with a gas pipeline project, but we have not been asked for our opinion on such a scheme. We do not support tax concessions at the local level.

Additionally, we are concerned about the cumulative impacts of oil and gas development. Federal project permits are based in part on an analysis of potential environmental impacts on land, wildlife and human inhabitants of the area. However, this analysis is project specific, and while it has been discussed for years, no provision has ever been made for alleviating the cumulative effects of industrial activity on local communities.

We see the effects in a constant level of stress in our villages. Health problems, family dysfunction, alcohol abuse and other symptoms require intervention. We need help in assessing and addressing these impacts, and we look to the government for impact aid or some other form of assistance aimed at combating these social stresses.

Discussion of a natural gas pipeline necessarily exists in the larger context of North Slope resource development. With that in mind, I would like to reiterate our support for careful exploration in a small portion of the Arctic National Wildlife Refuge (ANWR). This is in keeping with our belief that activity in onshore areas of strong potential is more responsible than offshore exploration and development. Directional drilling and other technical improvements make low-impact activity on the edge of ANWR feasible. Accommodations for seasonal caribou migration can be achieved in ANWR as they have been elsewhere in the region.

Again, I appreciate the committee's interest in the perspective of people who live on the North Slope. I hope my comments assist you in your deliberations. Ours is certainly not the only perspective, but it is a view that springs from the landscape whose future you are considering. I honor the difficulty of your task, and I hope that faith, determination and the good of the people guide you.

Mr. MURKOWSKI. As the Senator from Oklahoma has expressed, we have not had any hearings. We don't know what the scientific answer is. But there is the fear of the people and therefore an objection to any offshore activity.

Then there is the question of trying to get permits to do something for which we don't know what the impact will be. We have never been able to get permits even on land, let alone the difficulty of offshore.

There is also a considerable discussion that has taken place in the engineering community about the prospects of having to loop the line at sea because if you had a break or a fracture and the tremendous amount of volume of somewhere in the area of 4 to 6 billion cubic feet a day flowing through that into a market in the Midwest, perhaps in Chicago, if there was a fracture, you would have a devastating supply situation. And your ability to get at it in the winter with the heavy ice, which is 4 and 5 and 6 and 9 feet thick, would mandate a duplicate route. These are all theoretical, but nevertheless they are concerns expressed.

I will highlight the concern associated with this route. It is certainly a route that is less from the standpoint of distance. There are a couple other aspects we should point out. This is not necessarily a mountainous route. This is a route that parallels the highway and also is a route proposed in 1941 for a railroad to Alaska. The Senator from Oklahoma knows we don't have a connection with the transcontinental railroads of the United States or Canada. But this route is a relatively low elevation. There is one pass in here where the pipeline goes. But as the Senator knows, you increase pressure, and it is not nearly as bad at picking up friction as an oil pipeline.

There are a couple other points I do want to make that are relevant to our consideration. That is the realization that since this is Alaska gas, not found on Federal land but Alaska State land, we obviously want access to the gas for petrochemical and development within our own State, as opposed to the northern route which would simply move the gas offshore with very little secondary industry opportunities for Alaska petrochemical employment, and so forth.

Furthermore, we have been exporting gas out of Kenai to Tokyo, to Tokyo Gas and Electric since about 1966. That gas has come from Cook Inlet. The reserves are running lower now, and we are concerned in Anchorage about only two year-round manufacturing plants for urea and ammonia, and an LNG plant having access to gas. If it goes this way, the majority population centers will not be afforded the opportunity of this gas.

I don't disagree with the Senator from Oklahoma. I think he knows me well enough to recognize, as businessmen, the market dictates. But Alaska is a little different than Oklahoma. We are isolated from the United States by Canada. If we don't put our foot forward in the area of development, we are simply going to be a State where our resources are exported. We have no residential capital base of any kind so capital comes in, exploits the resources, takes them out, and leaves nothing. Our oil companies are good citizens that come to Alaska. They support our efforts. But they are not domiciled in Alaska.

The Senator from Oklahoma is fortunate in having oil companies domiciled in his State even though I guess some of them are moving to a little bigger State—not the biggest State. I would like to see them move to Alaska rather than Texas. He has a lot of independent oil companies, oil and gas. We don't have that in Alaska because we have never been able to accumulate residential wealth nor the availability of private land.

This is a public lands State. As you know, the wealth that is accumulated in our State is public wealth. It is not private. So we don't have domiciled capital ventures that develop our State. We are dependent on outsiders coming in with a lot of money. When they take the resource out, they don't leave much more for it.

This has been the constant history of Alaska. It has been exploitation. First, it was the copper at Kennicott near Cordova. They took the copper out for years and left nothing, absolutely nothing except an abandoned railroad. The canned salmon industry exploited the fishing in southern Alaska. It was all controlled out of Seattle. They left, and there is nothing left in Alaska. We have had the oil industry, and we see our oil going down to Valdez and shipped out of the State. It benefits Washington and Oregon and California.

We are at the point of saying: Wait a minute. We have a resource in our State. We want to make sure we are involved in utilizing this resource to employ our people. We had 30,000 of our young people, ages roughly 19 to 35, leave our State in the last 10 years because we are not able to offer good paying jobs in blue-collar resource development. Yet we are the State with the largest resource base: Oil, gas, timber, the fish, the minerals. But as the Senator from Oklahoma notes, in our effort to open up ANWR, we are taking on the whole public posture of America's environmental community. It is a different set of circumstances.

I trust that my friend from Oklahoma will get a little better understanding.

This isn't just a simple matter of a shorter pipeline. It is a matter of jobs in Alaska, resident opportunities in Alaska because, as this route goes, the jobs and activity are virtually all in Canada. You have the Yukon Territory, Northwest Territory, Alberta, British Columbia, and so forth.

I don't dispute the reality that economics dictate how things happen. But

remember one thing, and this has been overlooked in this debate: This gas belongs to the State. It doesn't belong to Exxon; it doesn't belong to BP; it doesn't belong to Phillips. They hold the leases. When this gas is developed, one-eighth of the gas can be taken by the State in kind. We should have something to say about where our gas goes and how it benefits our State.

So that is the action that was taken in the House of Representatives and they designated the route that would be most beneficial to the State of Alaska. That is why I have cosponsored the amendment offered by the majority leader this morning.

But I totally agree with my friend from Oklahoma about the manner in which the majority leader circumvented the committee process and, as a consequence, we are here now educating one another on the merits of this bill.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. NICKLES. Will the Senator yield for 1 minute?

Mr. REID. Yes.

Mr. NICKLES. I thank my friend and colleague, Senator MURKOWSKI. I understand his situation. We are dealing with $20 billion projects, $10 billion worth of loan guarantees, and we haven't had nearly the number of hearings necessary to consider proponents of both sides and environmentalists. In addition, we should have people who are going to be granting permits, and so on, to give us some input and some estimates on how much it will cost and what the time delays would be, and so on. I haven't seen that being done.

The chairman of the Energy Committee is not here, but I want to have this hearing—and I may not get this hearing before this bill is taken care of, but I want to have a hearing on this before we get a conference report. So he is not here, but I will insist on it. We are not going to have a conference report until we get to have some hearings. I think if we get to the conference, I might have something to do with what is going to be in the conference report. To have this kind of issue and ask Senators to vote on it when we haven't properly reviewed its substance in committee, that is a real procedural mistake. We need to have more significant input from many more experts before making these decisions. I think it is a mistake for us to dictate which pipeline we should be building, without more information.

With that comment, I yield the floor and thank my colleague from Nevada.

Mr. MURKOWSKI. Mr. President, if I may make one clarification.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. REID. Mr. President, before my two dear friends leave—and perhaps they are not leaving—I would like to have the opportunity to clear the record on a few things. First, my friend from Oklahoma, for whom I have the greatest respect, talked about a number of bills. We know that last time we talked about the energy bill. It got to the floor the same way this bill got here. We know that on the budget resolution the same thing happened, and also on the Patients' Bill of Rights. They got to the floor the same way.

Mr. NICKLES. Will the Senator yield?

Mr. REID. I will in a minute. I want the record to reflect the fact that after Senator BINGAMAN took charge of the committee, a number of hearings were held: June 26 of last year, July 12, July 13, July 17, July 19, July 24, July 25, July 26, August 1, August 2. On August 1 and 2, there was a markup of provisions of this bill.

I also say to my friend from Oklahoma, there have been hearings on this. We have had extensive hearings on this.

Mr. NICKLES. Will the Senator yield?

Mr. REID. I will in a second. I am trying to lay out something on the record, and we can elaborate on it later.

In fact, we had just one hearing where we had 15 witnesses, including the Governor of Alaska, the State Senators from Alaska. We had people from Exxon and BP. Senator MURKOWSKI told us how important this is to them. We have had 15 people talk about this. We had 4 different panels.

Senator BINGAMAN is doing something now and is out of the Chamber momentarily, but I want everybody to understand that Senator BINGAMAN has done an outstanding job of holding hearings. My friend from Oklahoma should not in any way feel that people have not had knowledge of what goes on.

Mr. NICKLES. I think there are factual inaccuracies here.

Mr. REID. I will be happy to talk about that in a second.

H.R. 4, which they say is a great bill, has the same stuff in it that we are talking about today. I don't understand why they are upset when we are following the example that the Republicans used when they were in control of the Senate. If the Republicans are wrong and we are wrong in doing that, the bill is here and it is open for amendment. People can talk as much as they want.

As I said, I will bet Oklahoma wished they were in the quandary that Alaska is in today. Alaska has a chance of getting the southern route pipeline that would create 400,000 jobs. That is a pretty good deal for a small State like Alaska, or even a big State like New York. It would be a great deal for Nevada.

This is an economic development program for Alaska that I support. I think it is great. But I want everybody to know that I think Senator BINGAMAN has done an outstanding job. I think he is an exemplary chairman and we should not complain about how we got here; we are here.

Mr. NICKLES. Mr. President, the Senator mentioned that we had hearings. Can he give me the dates? Have we had a hearing on the two alternatives for pipelines for Alaska?

Mr. REID. We had a hearing to receive testimony on the status of proposals for the transportation of natural gas from Alaska to markets in the lower 48 States, and on legislation that may be required to expedite the construction of a pipeline from Alaska, Tuesday, October 2, 2001, 10 a.m.

Mr. NICKLES. I am surprised. I don't recall that. I don't recall considering the two alternatives. I asked staff did we have a hearing and they said no. I asked if there was a House hearing; they said no. On something this controversial, I am just not so sure we did. Maybe my memory is short, but for a $20 billion project, I kind of think I would know about it. Maybe that is not the case. Maybe I am wrong, but I doubt that hearing was set up in a way that said let's consider these two alternatives.

I will do a little more homework to find out what happened on October 2. I want to find out if we were in session. This doesn't ring a bell.

The Senator said the Republicans brought up Patients' Bill of Rights under this procedure. That is wrong. We had a committee markup on Patients' Bill of Rights. It was marked up, amended, voted on. It was tough, difficult, and it was a very challenging thing, but we marked up the Patients' Bill of Rights. We passed it in committee and on the floor.

The Senator mentioned a budget resolution. That is not a law; that is a guideline for the Congress. Maybe my colleague is right. Maybe we should not have done that. But, at least in my 22 years in the Senate, we have never had substantive, major, significant legislation out of the Energy Committee where we had a day or two of markup and the majority leader said ''no more'' and we have no more input or consideration of amendments. That has not been done, I am absolutely certain, in my 22 years in the Senate.

Mr. MURKOWSKI. I wonder——

Mr. REID. Mr. President, I had the floor.

Mr. MURKOWSKI. May I ask my friend a question?

Mr. REID. In a minute. I want to explain that we have here from the CONGRESSIONAL RECORD the fact that the hearing was held on the Alaska natural gas pipeline. The committee concluded hearings to examine the status of proposals for the transportation of natural gas from Alaska to markets in the lower 48 States, and on legislation that may be required to expedite the construction of a pipeline from Alaska. After receiving testimony from—and it lists well over a dozen people, including the Governor of Alaska, whose testimony I read into the RECORD today.

So this was shortly after September 11. We all had a lot of things on our minds, and I know how heavily involved the Senator from Oklahoma was on matters that leadership was involved in. Maybe he missed this, but

this was an extensive hearing that took a long time.

Mr. NICKLES. I may well stand corrected, and October 2 is pretty close to September 11. Maybe I missed it. My guess is that hearing did not consider the two alternatives. It may have been promoting one alternative. It may have been promoting the alternative that the Governor wanted, but other people—I don't know.

I happen to think there is a lot of interest in two alternatives, and I do not know which is right. I will readily admit that I do not have the answer to which is the best, which is the most economical, which is feasible. My colleague from Alaska was saying we may have to go offshore and build that pipeline; it is a challenge. I do not know that we have to go offshore. These are things that need to be discussed and need to be explored. We did not do that.

My point is, though, we began markup on this bill and that markup was stopped. Again, I will go back to my little 22 years; I cannot remember a substantive legislative item, certainly in the Energy Committee, where we started a markup and then were stopped and were told: No more committee markup; i.e., we do not want input from other people; we are just going to come up with a bill on the floor.

That has not been done, and the process is terrible. I am going to maintain my criticism of it. I look at the 590 pages, and it has grown 100 pages—actually it has grown 154 pages in the last 3 weeks—and I do not know what is in it because we did not have it in committee. There is no committee report. I am fumbling around here. I do not see a committee report. There is no minority report.

That is very unusual for something that is going to increase people's bills, that is going to increase the cost of electricity. We ought to know something about it. It is not out there.

I stand corrected. I always want to be factual. I may have strong passions, but I want to be factual. If we had the hearing and I said we did not, I stand corrected, and I thank my colleague.

Mr. REID. Mr. President, also, there were witnesses talking about the northern route at the hearing. Among those testifying was Forrest Hoglund, chairman and CEO of Arctic Resources Company in Houston, TX.

Maybe the Senator is upset about the procedure, but he should back off a little bit because he has clearly been wrong in the statement about not having a hearing. It was a long hearing; it took a long time.

I state again we are in the Senate working on this most important legislation. I have in my hand S. 1344, which is the Patients' Bill of Rights. This came to the Senate without a single hearing. There were hearings on the Patients' Bill of Rights but not this bill. It was the same with the energy bill we had on the floor when the Republicans were in control of the Senate.

We went one step further than they did. My friend from Oklahoma said: I have never known in 22 years they started a markup and then got the bill here this way. The Republicans would not allow us to even start a markup. We at least started one.

Mr. President, this seems to be getting a little silly. We are here. It is Wednesday. We have to move this legislation. We have other things we need to do. We only follow the lead of the Republicans. If they were wrong, then maybe we should have followed somebody else's lead. The fact is we are here; let's do the best we can on this legislation. If there is something people do not understand—and I am sure my friend from Oklahoma, who is an astute legislator, and he does read legislation and understands it—that he may not have had the time. He has one of the best staffs in the Senate. I am sure very quickly they can bring him up to snuff.

Mr. NICKLES. Will the Senator yield for a question? Since there was a hearing and my able staff pointed out that, yes, there was a hearing, it happened to be on October 2, did that hearing involve the necessity of loan guarantees? Where did the $10 billion loan guarantee come from? This is a surprise and, to my knowledge, was not considered.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I do not believe there was substantial testimony on the issue of loan guarantees. Frankly, this is a proposal we included to make the point to the Senate that some type of risk sharing might well be possible if this project was going to be viable, if the construction of a pipeline was going to be viable.

As I understand it, the ranking member of the committee is in favor of pursuing a different course. I am certainly working with him jointly to see if there is any other way to reduce the risk involved to the companies, if they decided to go ahead with a pipeline.

I can understand there are different points of view about whether or not that would be an appropriate thing to do. We will have an opportunity for a debate on that, I am sure, if the bill finally does contain some kind of financial incentive or support provision like that.

If the Senator from Oklahoma is opposed to that loan guarantee, he ought to propose to delete it. That is certainly an option.

Mr. NICKLES. Will the Senator yield?

Mr. REID. Mr. President, I think I still have the floor.

The PRESIDING OFFICER. The Senator from Nevada has the floor.

Mr. REID. Mr. President, while the Senator from New Mexico is here, I say to him that I very much enjoyed telling everyone what a great chairman he is in his absence. I think he has done a tremendous job getting the bill to this point. This bill and this provision is so important to people of Alaska and our country.

I agree with the Senator from New Mexico. If someone does not like parts of this very important amendment, then move to delete it. But I think we are going to have the support of Senator STEVENS and Senator MURKOWSKI on this, as they should support this.

I say to my friend from Oklahoma, I repeat, maybe there is blame to go around about how legislation happens, but we only follow the example set by my friends in the minority. However we got here, we are here now. It is legislation that is important for this country, and I acknowledge changes probably should be made. It is imperfect, but I think it is really a strong step forward.

I look forward to working with my friend from Oklahoma in any way he thinks is appropriate to improve this legislation.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, before my friend from Nevada leaves, let me clarify a couple things. One, he referred once or twice to the Patients' Bill of Rights. We had a markup on the Patients' Bill of Rights. I am absolutely positive of that. No matter how poor my memory is, I know there was a markup on it.

Mr. REID. Not this one.

Mr. NICKLES. I do not care how many times the Senator from Nevada waves that bill around, I remember there was a markup. I remember putting several people in our committee through a very difficult markup to pass legislation, which they did.

My colleague says, if you do not like the loan guarantees, strike it. The point is, we did not have a committee markup. If we had had a committee markup, I would have had an opportunity to strike it in committee. We would have had 20 people around the committee who would have maybe participated in this hearing and maybe had some impact, but we did not have that chance. I pointed out the $10 billion loan guarantee because I do not know where it came from.

The point is, it would have been nice to have a markup so we could have discussed it. Maybe I would support it. I do not doubt it is a real national energy plus if we can get all the gas reserves that are just being pumped into the ground to the lower 48. That would give us some energy security. That is positive. I would like to see that happen. But I know one thing: I did not have any chance in committee to debate should we have a loan guarantee? Should we have cost shares? what kind of protection do we have for the Government? Is that the best way to go? I am interested in these things. Is this the correct alternative?

I do not believe the hearing was to consider which alternative is the best. Maybe it was, and maybe it was just too close to September 11 and there were other things going on. I am not sure.

We did not have a markup, and I know if we had a markup and somebody offered amendments which said we are going to dictate which route we go, I think I would say why not let the marketplace decide which route to go.

My colleague from Alaska may be exactly right, maybe the southern route is the way to go, but I am saying let's let the marketplace decide.

We have pipelines running all over my State, and I have never voted once on where they should go. We have sort of let the marketplace work. Alaska is a little unique, but should we not find out how much these two routes cost?

My colleague says if I do not like the $10 billion, strike it. Part of our problem right now is we are taking this whole bill up on the floor and now we have to try and fix it. It would have been nice to have had a markup where we could have debated this in committee instead of, oh, I am reading through the bill and, oh, there is a $10 billion loan guarantee. That is interesting. I wonder where that came from?

It is very interesting some of the things one will find in this bill. I am going to be reading more of the bill, much to the chagrin of the manager of this bill. I hope we do not pass a bad bill. I question the wisdom of a $10 billion loan guarantee, but my point is we should have had a markup on it so these issues would have been resolved. If in the committee markup a loan guarantee was supported, I might have been convinced in the process it was the right thing to do so we would have bipartisan support for it, and maybe we do.

The problem is no one knows. I asked my caucus: How many of you know there is a loan guarantee? Nobody, except for Senator MURKOWSKI. The point is, we should have had a markup so we would not have to go through an educational process on the floor and go through a lot of this. Again, clearly the Senator from Alaska knows what he is talking about but I would imagine about 90-some percent of the rest of the Senate does not, and that is kind of unfortunate.

I wish we would have had a markup on the entire bill. It would have eliminated a lot of the process and a lot of the mess that we are in trying to pass an energy package that is 590 pages and, in my opinion, still needs a lot of improvement before we are finished.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. Maybe I can enlighten my two colleagues. I see the majority whip has left our midst. He told me he is going to talk to a Republican Governor. That may help his frame of mind, but maybe not.

In any event, in reviewing what took place in October, it was not addressing the issue specifically of routing. It was to consider how to market Alaska's natural gas, and there were proposals for LNG, there were proposals for the boroughs of the North Slope, the Fairbanks borough, the Valdez borough, to come together. There were about half a dozen proposals. It is fair to say, and I want the RECORD to note, that I was not aware, nor did I request, the $10 billion guarantee that is in the underlying bill. This was put in, I think, as an explanation offered by my good friend from New Mexico, to try and address some kind of a safety net that was expressed primarily by one producer from the State of Oklahoma.

That being what it is, I was of the opinion, after talking to the producers—Exxon, BP, and Phillips—that this $10 billion loan guarantee that was put in—and I assume it was put in probably by staff in their willingness to try to come up with something that would provide a safety net—would not provide the assurance they need relative to the magnitude of this project. This is a $20 billion project. So I think the record should note we are going to have to address the necessity of this, and the Senator from Oklahoma has already indicated he questions it.

There has not been a hearing held on it. I hope before this debate is over, we could get a position from the producers, namely the companies that hold these gas leases, on whether they think it is necessary and whether it would be beneficial. That is pretty important relative to a determination of this nature.

I intended to ask, and I will for the record, my good friend from Nevada, who indicated we kind of had a choice—we had a curtain that we could have an ANWR, we could have a gas line, and that sounds very encouraging. I ask if he would give us an up-or-down vote on either one, a 50/50 vote. I will have an opportunity to pose that to him later, or maybe Senator DASCHLE can provide that.

I also ask him, since he was so accommodating, to provide me with an answer of what the position of the committee was on ANWR. What was the position of the Energy and Natural Resources Committee on ANWR? I think the RECORD should reflect it. I do not think we are going to get an answer, and I think the Senator from Oklahoma would agree with me that we are not going to get a committee position on ANWR, which is as a consequence of the manner in which the whole bill was constructed, eliminating the committee process and eliminating the opportunity to have a debate and voting on it one way or another out of committee. It was designed to circumvent the committee process.

I ask the majority whip if he could provide us, in his opinion, what the committee position was on ANWR. I think that may enlighten some of my colleagues.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. NICKLES. Mr. President, to answer the question, I think it was obvious the reason why we did not complete markup on the bill is because the votes were in the committee to have an ANWR provision, and I think obviously the majority leader did not want that to happen. So he basically told the committee not to mark up the bill.

I ask for the yeas and nays on committee amendment No. 2917.

The PRESIDING OFFICER. It takes unanimous consent to ask for the yeas and nays.

Mr. NICKLES. I ask unanimous consent that the yeas and nays be ordered on amendment No. 2917.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. BINGAMAN. 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. 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 on the bill for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBACK. Mr. President, I want to make a few comments on the energy policy in the form of an opening statement. It is something which should take a couple of weeks for us to decide given the bill was not taken through committee. We need to do a lot of work, and I hope we can have a very open amendment process so we can work through the issues and at the end of the day arrive at a bill we are all satisfied with, one that we can be proud of for an energy policy because I think an energy policy has been neglected for too long. It is too important, and it is something we need to act upon.

We are driving a lot of foreign policy based on our lack of an energy policy, and we are having to do some things in regions of the world we probably should not do because we lack that energy policy, because we are so dependent upon the foreign sources.

I particularly point out that the areas upon which we are so dependent for oil are so volatile, we could almost count on the fact that at some time within the next couple of years we are going to see energy disruptions from the Middle East.

We are having some difficulties with Saudi Arabia now, a key place of energy supplies. If we do not act to diversify and get more domestic sources of oil and energy, we are setting ourselves up for a problem that we know is coming, so we need to get a bill through. We need to get a bill through this Congress.

Our energy policy has been neglected for far too long. We see the effects of this neglect in the sporadic high gas prices at the pump during the summer,

in the fact that we import 57 percent of the petroleum we use, and in the complexities we must endure in our foreign policy because of that energy dependency. To alleviate these problems, the U.S. must produce more domestic oil and natural gas while diversifying our energy sources with renewable energy sources, as well. Accomplishing this goal means we engage in a thorough debate on the matter.

I am pleased the Senate is finally addressing such an important issue. I urge my colleagues to resolve our differences so we can get a bill passed.

The Democratic bill before the Senate has some noble goals, particularly with regard to increasing renewable energy, encouraging conservation, fuel efficiency, and addressing global climate change.

However, I am concerned that the specifics in this bill will not get the United States to the shared goal we all have: greater energy independence and improving our energy infrastructure. At issue is a real philosophical difference between the two parties as to how we should meet these goals. As I look at the bill before me, I am concerned the main objectives are accomplished through mandates that may not be achievable by the industry we are trying to grow. Whether it is the CAFE issue or climate change, we need to focus more on incentives, market-based mechanisms, to meet our shared goals.

There are some basic tenets that our conservation energy policy should address that are not included in this bill. The prime issue is our domestic oil and gas production. The bill has some positive measures encouraging renewable energy, particularly ethanol, biomass, and biodiesel, of which I am very supportive. It neglects to address that we need to expand oil and gas in this country. As a result of not having that base in this country, we are forced for reliance on foreign energy. That has numerously dangerous consequences. Increasing our domestic production of oil and gas cannot be left out of the energy security equation. Conservation is important, but it will not solve the problem alone.

The problem is larger than just our domestic situation. It greatly affects our foreign policy, as I noted at the outset. If we were freed from our Middle East dependency on oil, there would be important security benefits for our Nation. Regrettably, at this point, renewables alone cannot accomplish this task, but a combination of increased focus on renewable energy, along with increased domestic production and increased imports from new energy exporters such as the central Asian countries—and I hope we will be working with other nations, too—can yield a formula for accomplishing our mutual energy security and independence goals. It is not a simple equation, but I do think we can see through to a solution.

I commend the work done by the Finance Committee in putting together what looks to be a very positive energy tax package. The tax component is a critical part of making this work. My friend, Senator GRASSLEY, has worked hard to ensure a positive approach to achieving the goals I have described, particularly in support of renewable fuels such as ethanol. Specifically, I am pleased to see the inclusion of tax credits for marginal oil and gas production as part of our important need to increase domestic production. We have many of the marginal oil and gas wells in my State, and this will help bring those online or, in some cases, keep them in production.

We must encourage an infrastructure to serve as a barrier against high prices OPEC may inflict. Independent oil and gas producers are this country's safety net for energy security, and it is in our national interest to preserve and enhance that infrastructure.

Further, the bill provides tax incentives to consumers to buy hybrid vehicles which pollute less and consume less energy. These are positive measures. I am hopeful we can push them through this body, along with some support for other alternative methods of energy production.

As I mentioned, regarding biomass, we can have coal-fired plants that can burn a portion of biomass in their energy production. That can help with our carbon dioxide emission problems but also help having localized sources for energy.

Securing comprehensive energy policies is one of the most important efforts this Congress should undertake this year. We should take the time, we should take the effort, and we should not just vote along partisan lines but work back and forth in the amendment process to come up with a good bill at the end of the day. Let the body work its will.

Regarding how this bill got to the floor, we need to have the body itself work its will and not get tied down on partisan lines. Then at the end of the day we can come up with a national energy strategy that is as broad based as this Nation and the desires here—although our end objective for all of us, energy security, is shared by every Member of this body.

Energy is a key engine that drives our economy. Neglecting it forces us into international dilemmas that can conflict with our security and counterterrorism agenda. I urge my colleagues to work out our differences and pass legislation on this vital topic.

I am hopeful in one other area that I would like to discuss, the area of carbon dioxide emissions. There are important parts of the bill, and I will submit amendments with other Senators, to reduce carbon dioxide loading into the atmosphere. I strongly believe we should go forward with a policy of a trading system, where we go to least cost methods and we put in place a marketplace to reduce carbon dioxide emissions in this country. We have done it previously on issues such as acid rain. We need to do this with carbon dioxide so we can reduce the CO_2 level at the least cost base as others trading for those carbon credits.

There have been innovative programs put in place. I traveled to Brazil to look at one program the Nature Conservancy is implementing there. It is innovative, helping the environment by reducing carbon dioxide. We should incorporate it as part of our energy strategy. I look forward to this process. I think it is important.

As I noted, this is one of the most important bills we can consider this year.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MILLER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2982 TO AMENDMENT NO. 2980

Mr. MURKOWSKI. Mr. President, on behalf of Senator STEVENS and myself, I send a second-degree amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Alaska [Mr. MURKOWSKI], for himself and Mr. STEVENS, proposes an amendment numbered 2982 to amendment No. 2980.

Mr. MURKOWSKI. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To protect the jurisdiction of the State of Alaska and provide for workforce training)

At the end of the amendment insert the following:

On page 142 after line 20 insert a new section as follows and renumber all following sections accordingly:

"SEC. 708. STATE JURISDICTION OVER IN-STATE DELIVERY OF NATURAL GAS.

''(a) Any facility receiving natural gas from the Alaska natural gas transportation project for delivery to consumers within the State of Alaska shall be deemed to be a local distribution facility within the meaning of section 1(b) of the Natural Gas Act, and therefore not subject to the jurisdiction of the Federal Energy Regulatory Commission.

''(b) Nothing in this Subtitle, except as provided in subsection 704(e), shall preclude or affect any future gas pipeline that may be constructed to deliver natural gas to Fairbanks, Anchorage, Matanuska-Susitna Valley, or the Kenas peninsula or Valdez or any other site in the State of Alaska for consumption within or distribution outside the State of Alaska.''.

On page 148 after line 2 insert:

"SEC. 714. ALASKAN PIPELINE CONSTRUCTION TRAINING PROGRAM.

''(a) Within six months after enactment of this Act the Secretary of Labor (hereinafter referred to as the 'Secretary') shall submit a report to the Committee on Energy and Natural Resources of the United States Senate

and the Committee on Resources of the United States House of Representatives setting forth a program to train Alaska residents in the skills and crafts required in the design, construction, and operation of an Alaska gas pipeline system that will enhance employment and contracting opportunities for Alaskan residents. The report shall also describe any laws, rules, regulations and policies which act as a deterrent to hiring Alaskan residents or contracting with Alaskan residents to perform work on Alaska gas pipelines, together with any recommendations for changes. For purposes of this section Alaskan residents shall be defined as those individuals eligible to vote within the State of Alaska on the date of enactment of this Act.

''(b) Within 1 year of the date the report is transmitted to Congress, the Secretary shall, directly or through grants or cooperative agreements, establish within the State of Alaska, at such locations as the Secretary deems appropriate, training center(s) for the express purpose of training Alaskan residents in the skills and crafts necessary in the design, construction and operation of gas pipelines in Alaska. The training center shall also train Alaskan residents in the skills required to write, offer, and monitor contracts in support of the design, construction, and operation of Alaska gas pipelines.

''(c) In implementing the report and program described in this section, the Secretary shall consult with the Alaskan Governor.

''(d) There are authorized to be appropriated to the Secretary such sums as may be necessary, but not to exceed $20,000,000 for the purposes of this section.''.

Mr. MURKOWSKI. Mr. President, if I may just give a brief explanation.

This amendment makes it explicitly clear that the State of Alaska has complete authority when it comes to regulating in-state distribution of natural gas coming off the Alaska Gas Transportation System.

It also directs the Secretary of Labor to design and establish a program in the State of Alaska to train Alaska residents in the skills and crafts necessary to enhance their ability to compete for jobs and contracts associated with gas pipeline construction.

These amendments are needed because the first degree amendment offered this morning by the majority leader falls short of protecting Alaskan's prerogative to regulate in-State distribution of gas coming off the Alaska Natural Gas Transportation System. I want to highlight in-State distribution.

This ability to control their own destiny is critical to the long-term creation of jobs and the establishment of a gas based industry in my State.

The economic future of Alaska rests with the development of its natural resources—key to the utilization of these resources is the ability of the State to manage their in-State use.

My amendment accomplishes this with respect to North Slope natural gas—it puts Alaskans in a position to guide their own future.

They will decide how and under what conditions gas will be distributed within the State of Alaska.

It will provide locations across Alaska like Anchorage, Fairbanks, the Kenai Peninsula, Delta Junction, and Valdez and Point Mackenzie in Manuska Valley, with the opportunity to pursue gas based opportunities when, and if, they work out the economics.

Like the remaining states of the union, Alaska needs access to a reliable and economic source of clean burning energy. North Slope gas answers this need for the Nation and my State.

The second part of my amendment directs the Secretary of Labor to design and establish a program in the State of Alaska to train Alaska residents in the skills and crafts necessary to enhance their ability to compete for jobs and contracts associated with gas pipeline construction.

Because the impact of this project will fall upon Alaskans in a disproportionate manner, it is only fair that they be provided with the training necessary to compete for pipeline jobs in the State.

These training opportunities will be available to all Alaskans regardless of where they live in the state.

I point out to my colleagues that there is nothing in this amendment that gives Alaskans a priority selection right for pipeline related jobs. Rather, it gives them the training which will allow them to ''compete'' for those jobs.

My amendment calls on the Secretary of Labor to come up with a plan on how to best accomplish the goal of enhanced employment opportunities for Alaska residents.

This plan will be transmitted to the Congress for our review. This will ensure that this investment will produce the desired results.

The greatest investment we can make in any project is investment we make in the people who will design, build, and operate the system.

Senator REID said this morning that Alaskans should be grateful that they are likely to end up with at least the gasline. That comment demonstrates a fundamental lack of understanding of the economy of Alaska. Our economy does not rely on one resource any more than this Nation can rely on a single energy source. The gas pipeline, if constructed, will provide the foundation for the potential development of a petrochemical industry in my State. ANWR, on the other hand, is a resource destined for consumption in the lower 48. In addition, ANWR is critical to the economic, health, and education future for the peoples of northern Alaska, especially the Inupiat who live on the Coastal Plain. These are entirely separate issues and both offer considerable benefits to the State and to this Nation if we simply have the understanding and courage to do what is right.

While this amendment will rectify some of the shortages in the original proposal put forward by the majority leader, it will be necessary to offer several additional amendments that we are still trying to work out.

For the moment, however, I urge my colleagues to join with me in support of this second-degree amendment.

Mr. BINGAMAN. Mr. President, let me speak in favor of the amendment Senator MURKOWSKI is offering. I think it does improve the underlying Daschle amendment. I strongly support it.

I note one thing with regard to the job training aspect. There is a Federal job training program that is set up under the Workforce Investment Act that makes funds available to each State for job training. I think we are in agreement that is a very important activity. We need to be aware of that as we put the budget together this year and as we do the appropriations bills because those job training programs are being threatened with major budgetary cuts under the administration's proposed budget. I hope the program authorized in this amendment that Senator MURKOWSKI and Senator STEVENS have offered will be consistent to the maximum extent possible with the existing workforce training programs in the State of Alaska.

I was requested to ask unanimous consent that Senator STEVENS be added as a cosponsor of the underlying Daschle amendment. I do not believe he has been so listed as yet.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BINGAMAN. As far as I know, there is strong support for the amendment on our side and we could proceed to a vote.

Mr. MURKOWSKI. I thank the committee chairman.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. I do not think I overlooked adding Senator Stevens on this morning. So he is on both the second-degree and the Daschle amendment.

I urge adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2892) was agreed to.

Mr. REID. Mr. President, I move to reconsider the vote.

Mr. MURKOWSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, if I could address my friend from Alaska and the manager of the bill, Senator BINGAMAN, we now have the Daschle amendment pending. We have been talking about it most all the day. I am wondering if we can agree on some time to vote on it. We have a number of people wishing to speak, but we cannot do that until we have this amendment disposed of, or at least a time set for the vote. The Senator from Georgia wishes to speak. The Senator from South Carolina has an extremely important piece of legislation he wants to introduce and speak about that for awhile. Until we have a time to vote, I don't think we can move off this legislation.

Mr. MURKOWSKI. I have no objection to trying to set a time.

Mr. President, we understand there is another Member coming over who may

offer a second-degree. I guess we will have to wait.

Mr. REID. 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. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I have checked with my counterpart, Senator NICKLES, and the two managers of the bill, and they are in agreement that the Senator from Nevada, Mr. ENSIGN, can speak as in morning business for a period up to 6 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. ENSIGN and Mr. REID are printed in today's RECORD under ''Morning Business.'')

Mr. REID. 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. REID. 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. REID. Mr. President, I have spoken to the Republican manager of the bill and my friend the Senator from Oklahoma. They have graciously consented to allow the chairman of the Commerce Committee to speak for up to 15 minutes as in morning business relative to introduction of a bill.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, I thank the most distinguished assistant majority leader.

(The remarks of Mr. HOLLINGS pertaining to the introduction of S. 1991 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. HOLLINGS. Mr. President, I thank Senator REID, Senator BINGAMAN, and Senator MURKOWSKI for their courtesy. I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the previously agreed to amendment No. 2982 be in order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BINGAMAN. 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 (Ms. STABENOW). Without objection, it is so ordered.

Mr. REID. Madam President, the Senator from Georgia, Mr. MILLER, wishes to make a statement now in regard to this bill, and he has an amendment which he is not going to offer but wishes to talk about. I ask unanimous consent that he be allowed to speak—we have received permission from the Senator from Alaska, even though we probably do not need it other than to call off the quorum; we appreciate his courtesy—for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Georgia.

Mr. MILLER. Madam President, I rise today in defense of that great American workhorse: The pickup truck. I am proud to sponsor, along with my friend, Senator GRAMM of Texas, an amendment that would exempt all pickup trucks from the higher CAFE standards that have been proposed.

This is a very simple and short amendment. Pickups are now required to meet a standard of 20.7 miles per gallon, and our amendment would simply freeze pickups at that standard. All pickups would be exempt from any higher mileage standard proposed in this legislation.

Some have said we should only exempt the very largest pickups from the higher standards. That would only cover a small percentage of the pickups that are on the road, and I do not think that is good enough. Our amendment says all pickups will be exempt from the higher CAFE standards.

We absolutely should not impose these higher mileage standards on our pickups. We absolutely should not impose the undue safety risk and extra cost of these CAFE standards on our farmers, our rural families, and our small businesses that rely so heavily on the pickup.

We have had a lot of conversation about the state of the economy these days, and we hang on every word of Alan Greenspan, Robert Rubin, and the like, about the recession and when we are coming out of it. I knew a fellow back in Georgia. He did not have a Ph.D. in economics; he would have thought Ph.D. stood for ''post hole digger.'' But he was one of the wisest men I ever knew. He told me years ago that if you really want to know when times are bad, take notice of the number of people having to sell their pickups. Look at the ads in the paper and the ''for sale'' signs in the yards. The more you see, the worse it is because pickups are the very symbol of the working man. As the pickup goes, so does the working man and the very heart of this country.

Madam President, a pickup truck has two ends to it: A working end and a thinking end. Of course, the working end is the engine in the front. I would like to tell you about the thinking end in the back.

I submit that the back of a pickup is the think tank of rural America. I suspect more problems have been solved on the tailgates of pickup trucks after a long day's work than have been solved anywhere.

I do not rise to speak often in this hallowed Chamber. I am still learning the complexities of being a Senator. I envy my learned colleagues who can speak with such great assurance on so many subjects. But, Madam President, on this one you can trust this man from the mountains of North Georgia. If this amendment fails, the tailgates of rural America are going to drop, and it will be a clank that will reverberate from now through November because then the conversation at the end of the day on the back of a pickup as the Sun goes down will not be about the farm or the family or the State or the Nation; the subject will be how to get rid of us in the next election.

Every election year we talk a lot about all those soccer moms out there and how they vote in such high percentages. Well, there is another group out there that votes in a very high percentage. They are the pickup pops. In fact, I would bet pickup pops go to the polls in higher percentages than any other Democratic group out there, and they also have long memories.

If these higher CAFE standards are applied to pickups, they will be made unaffordable for many, and unsafe for all, and that will hurt those pickup pops. It will hurt the working man. It will hurt rural America.

We are big on acronyms in Congress, and quite frankly they can be a little deceiving and confusing. I cannot even keep up with all of them. When we talk about CAFE and CAFE standards, most folks think we are talking about restaurants.

People in rural America also understand what an acronym is, and I think on this issue they would say that ''pickup,'' P-I-C-K-U-P, is an acronym for ''People in Congress Keep Us Perplexed.'' Let us not keep them perplexed anymore.

One of the first things I noticed when I came to Washington, DC is that you hardly ever see a pickup. They are scarce in Washington, DC, but they are not scarce outside the beltway, out there in middle America.

I want to show this chart. In 1999, pickup trucks accounted for almost 18 percent of all registered vehicles in this country. In 29 States, these red and blue States—that is more than half of our States, of course—pickups amounted to as much as 20 to 37 percent of all the registered vehicles. In the year 2000, drivers in this country bought 3.18 million pickup trucks. That makes pickups the third most popular choice of vehicle for American drivers.

So pickups may not be prevalent in Washington, DC, but pickups are popular across the rest of America. When all this talk about CAFE started last year, I got worried Washington was going to stick it to the pickup owners of this Nation, so I tried to write a song about it. I am no ORRIN HATCH, but I tried to write a song about it with

my good friend, Jack Clement, in Nashville. It is called the ''Talking Pickup Truck Blues.'' I will spare everyone the agony of my singing, but I want to share one verse. It goes something like this:

Sure, an SUV is classy travel, but it ain't much good for hauling gravel, or hay seed or bovine feces. So please do not make my pickup truck an endangered species.

Now, I will be the first to admit that song has not climbed to the top of the charts, but here is the point we are making: Do not mess with the working machine of the American road. Do not mess with pickups. Farmers depend on them. Families in rural America depend on them. Small businesses across this country depend on them, small businesses such as construction companies and home builders.

One of the greatest economic engines we have in this country is the housing industry. You can go to any construction site across America and see at least a half dozen pickups. Plumbers drive them. Electricians drive them. Painters drive them. Carpenters drive them. Raise the cost of a pickup truck and more than just pickup owners will be harmed; entire industries will be hurt—the housing industry and others that rely heavily on pickups.

Folks buy pickups not because they are affordable and they are safe. They buy them because they get the job done, whatever that job may be, whether it is pulling a trailer full of cattle or hauling lumber to a construction site or driving on gravel and dirt roads in rural America. There are times when only a pickup will do.

So I urge my colleagues, who represent the millions of pickup owners across this country, when this amendment comes up at a later date to vote for this amendment. We must exempt the American workers, the pickup truck, from these higher CAFE standards.

Like the last verse in my song goes:

So help us, Lord, and let there be a little wisdom in D.C.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Madam President, I ask unanimous consent that I be permitted to speak for 3 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. DOMENICI are printed in today's RECORD under ''Morning Business.'')

Mr. BINGAMAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, we are in the process of getting agreement for a vote in the next few minutes on the underlying Daschle-Murkowski amendment. We hope that will be accomplished soon. We are waiting to hear from one person whether or not we can proceed with that vote. Members should be alerted we are going to see if we can have a vote this evening.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, I would like to express my appreciation to everyone for their cooperation at this point in this debate. There has been some very good debate. It has been heartfelt on both sides. But I think we are moving forward with this legislation.

As Senator MURKOWSKI said earlier today, this is only preliminary. We have many difficult issues on this bill that are going to come forward in the next few days. So we have to recognize we may have some late nights. We may have to work long and hard on this legislation.

I ask unanimous consent the time until 5:50 today be divided equally and controlled for debate with respect to the Daschle amendment No. 2980, as modified and amended, and at 5:50 p.m. today the Senate vote on the amendment, with no further second-degree amendments in order thereto.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. Who yields time?

Mr. REID. Madam President, I ask unanimous consent the unanimous consent agreement I just propounded be amended to begin the vote at 5:45 p.m. today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BINGAMAN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2980, AS MODIFIED

Mr. BINGAMAN. Madam President, what is the regular order?

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2980, as modified and amended.

Mr. BINGAMAN. Madam President, I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. Madam President, 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. NICKLES. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NICKLES. Madam President, for the information of our colleagues, we are going to be voting momentarily. I appreciate the cooperation of my friend from New Mexico for postponing the vote for just a moment.

I urge my colleagues to vote against the Daschle amendment, which was also modified by my friend and colleague, Senator MURKOWSKI, because it mandates that we pick the southern route for a major gas pipeline to go through Alaska. That may be the best route. There are other possibilities, other alternatives.

There is a northern route. It is several hundred miles shorter. It may be more economical. Most of the northern route goes through the Mackenzie River Delta which is on a pretty flat plain and would not require going through 900 miles of mountains.

I do not know which one we should choose. I do not think that Congress should choose it. I do not think we should mandate it without more significant oversight and discussion.

I would like to hear the experts. I would like to hear the environmentalists. I would like to have some input from a lot of people. And I would like to have an idea how much the alternatives would cost.

I have heard that the pipeline route that Senator DASCHLE is trying to mandate, the southern route—going through Alaska, and then going through Canada—would cost about $20 billion. I do not know. I do know that in the underlying bill there is a $10 billion loan guarantee. We have never had a hearing on the loan guarantee. We have never had a hearing on how this is going to be financed, whether it needs governmental assistance or not.

I think it is wrong for us to dictate we go this particular way and other options cannot be considered. I would like to think we believe in the free market system enough to where we would let the marketplace decide what is the best route, what is the most economical route, what is the route that will do the least environmental damage. Instead, we have people coming up and saying: Oh, wait a minute, I have talked to a couple politicians. We are going to mandate the southern route with very little discussion or debate.

Let's let the marketplace decide. Let's get some input from a lot of people. I do not think we are doing that in this case. I do not think this is a good way to legislate.

I do not think we know how much it will cost. I do not think we have an idea of the environmental impact. Instead, we are just going to have a 2-

hour debate on the floor, and then we are going to say: Let's go make a decision on a $20 billion pipeline.

Do we need a loan guarantee? Do we need Federal assistance? Do we need to have Federal financing for this project?

I think we are moving pretty quickly here. I would hope we would be silent and assume we could go through the regulatory process.

We have built hundreds of miles of pipeline through my State, and we have never had Federal legislation designating what you have to do, nor have we had State legislation designating what you have to do.

I question the wisdom of us mandating one particular route at this particular time. So I urge my colleagues to vote no on the Daschle amendment.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Madam President, I am sad to disagree with my friend from Oklahoma. I point out to the Senate that this oil and gas is produced on State lands, with State leases. And our State law prohibits the rights-of-way for this gas to be moved on the northern route. It is within our province to guide the course of this asset of our State so that we might enjoy part of it.

If this gas goes east from Alaska, Alaskans will never enjoy one single benefit from it except a portion of the wellhead price coming to us as royalties. We will not have any right to use it in our second largest city, in Fairbanks, along the Alaska highway going out of Alaska into Canada. This is a very dynamic area from the point of view of tourism.

In addition to that, we have two major bases there, Wainwright and Eielson, and the national missile defense system is right alongside that road. This gas must come south. My State has recognized that and has now passed legislation, signed by the Governor, that specifies that no route will be allowed going east on these State lands. This gas must exit State lands before it can go either east or south.

We have spoken as a State. We understand there may be some problem for us downstream. The Senator from Oklahoma would know, it may well be that the wellhead price of this gas will be lower and our share of that wellhead gas will be lower. But we will have access to the gas. We will have a chance to build the industry that might well utilize this gas in our State.

This is the same problem that came up in the oil pipeline. When the pipeline route came through, there was an argument whether we should be able to take oil out of that pipeline around Fairbanks. As a matter of fact, we have won that argument. We do take out oil. We run it through two different refineries, and it is one of the greatest sources of aviation fuel for our country. It is available in the Nation's largest cargo landing port at the international airport at Anchorage.

I disagree with my friend from Oklahoma. I think we have every right to say we should enjoy a portion of this resource that comes from under our own State lands and to utilize it in a way that will mean a future job base and future low energy costs for the one area of our country that pays the highest energy costs, and that is the area that this pipeline will come through and down to the border of Canada.

That is the only route that is going to be built. I hate to tell my friend this. I told the industry that that line would go east over my dead body. I am not about ready to leave this world.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Madam President, it is my understanding there has been a vote ordered at 5:50; is that right?

The PRESIDING OFFICER. Yes, that is correct.

Mr. REID. So the regular order would be for us to begin voting; is that right?

The PRESIDING OFFICER. The Senator is correct.

The Senator from Oklahoma.

Mr. NICKLES. Madam President, I ask unanimous consent to speak for 1 minute.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Madam President, I ask unanimous consent that the Senator from New Mexico be given 2 minutes. So Senator NICKLES, 1 minute; Senator BINGAMAN for 2 minutes; and then we vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NICKLES. I thank my friend and colleague.

I tell my friend from Alaska, I have no desire whatsoever for him to depart this world at this particular moment or any time in the not too distant future. Also, it is not my intention to say that the northern route is preferable to the southern route. I just don't think we should mandate that it be the southern route. It may well be, due to the information our colleagues have had, the southern route is the preferred route. I am not saying it is not. I just don't think it should be mandated by this legislation that it be the southern route, when we may find out that it costs twice as much as some other alternative.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Madam President, I strongly support the amendment on which we are about to vote. It has the support of the Alaska delegation, as Senator STEVENS indicated, as Senator MURKOWSKI has indicated. It has the support of the Governor of Alaska. It is totally consistent with the action this Congress took in 1976 with the Alaska Natural Gas Transportation Act. It is clear to me that this is the correct policy for the Congress to adhere to at this point. I urge my colleagues to support the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. Madam President, I thank my colleagues, Senator BINGAMAN and Senator REID, the majority leader, and others for their cooperation in seeing that the basic Daschle amendment, which was laid down, and the second degree, which was accepted, clearly make this project much more feasible because it gives Alaskans the option on the southern route that suggests we will benefit the State in many ways, not only for Fairbanks but for all utilization of gas within the State, for Point Mackenzie, for the Kenai area, for Valdez, and for the Matanuska Valley.

As Senator STEVENS indicated quite strongly in his opinion on the necessity of this happening, it clearly gives us an opportunity to have some secondary industries in Alaska to support our young people, the greatest natural resource we have—I am most appreciative—as well as the job training that is provided in this bill. I encourage my colleagues to vote in favor of it.

The PRESIDING OFFICER (Ms. CANTWELL). All time has expired. The question is on agreeing to amendment No. 2980, as modified, as amended.

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Virginia (Mr. WARNER) and the Senator from Kansas (Mr. ROBERTS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 93, nays 5, as follows:

[Rollcall Vote No. 41 Leg.]

YEAS—93

Akaka	Dodd	Lincoln
Allard	Domenici	Lott
Allen	Dorgan	Lugar
Baucus	Durbin	McConnell
Bayh	Edwards	Mikulski
Bennett	Ensign	Miller
Biden	Enzi	Murkowski
Bingaman	Feingold	Murray
Bond	Feinstein	Nelson (FL)
Boxer	Fitzgerald	Nelson (NE)
Breaux	Frist	Reed
Brownback	Graham	Reid
Bunning	Grassley	Rockefeller
Burns	Gregg	Santorum
Byrd	Hagel	Sarbanes
Campbell	Harkin	Schumer
Cantwell	Hatch	Sessions
Carnahan	Helms	Shelby
Carper	Hollings	Smith (NH)
Chafee	Hutchinson	Smith (OR)
Cleland	Inhofe	Snowe
Clinton	Inouye	Specter
Cochran	Jeffords	Stabenow
Collins	Johnson	Stevens
Conrad	Kennedy	Thomas
Corzine	Kerry	Thompson
Craig	Kohl	Thurmond
Crapo	Landrieu	Torricelli
Daschle	Leahy	Voinovich
Dayton	Levin	Wellstone
DeWine	Lieberman	Wyden

NAYS—5

Gramm	Kyl	Nickles
Hutchison	McCain	

NOT VOTING—2

Roberts	Warner

The amendment (No. 2980), as modified, as amended, was agreed to.

Mr. REID. Madam President, I move to reconsider the vote.

Mr. KYL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. The Senator from Arizona has been patient during the day, and he wishes to speak on the bill for up to 10 minutes. Although we need to leave, he has indicated he has a very difficult day tomorrow. I ask unanimous consent the Senator from Arizona be allowed to speak on the bill for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona.

Mr. KYL. I thank the Senator from Nevada for his courtesy. I will summarize my remarks and try to find another time to expand on some of my thoughts. I appreciate his courtesy.

There is a big difference between what the President has proposed in terms of an energy policy and the bill we are beginning to debate on the floor of the Senate. The President's energy policy, I believe, was a very well balanced set of recommendations that would have helped achieve the goal of energy efficiency, less dependence upon foreign sources of oil, and a series of steps of progress toward changes in our policy that would result in more environmentally friendly fuels and a variety of reforms almost everybody is willing to support.

Unfortunately, the President's proposals were not met with support by many on the other side of the aisle. As a result, even though I believe there was sufficient support in the Energy Committee, on which I sit, for many of the reforms that the President has proposed, our committee was not allowed to deal with this matter. The only hearings held were a long time ago and did not deal with most of the specifics of the legislation. We were never permitted to mark up the legislation. In fact, the bill that is on the floor today has undergone iterations, and I am not precisely sure I have the very last version.

In terms of process, we are suffering under an inhibition of the primary committee of jurisdiction never having had the opportunity to work out details, to try to smooth out rough edges, and resolve differences that probably could be resolved if we had taken the time to do that in the committee structure. It is hard to write a complex bill during its consideration on the floor of the Senate. Yet that is what we will have to do. As a result, I am afraid we are not going to end up with a product that would be nearly as good as it would have otherwise been.

Let me mention several aspects of the bill that are going to need a lot of work. I will briefly address four or five of them. The bill is written to restructure the electric energy industry. This is a very complex and difficult subject. I think it is done in a very clumsy way. It preempts a lot of State authority. It gives a lot of authority to FERC, largely at the expense of the States. It gets the Federal Government involved in retail matters, with a utility serving its customers in matters such as real-time pricing, net metering, and consumer protection issues. That is not the business of the Federal Government.

It gives FERC broad authority with respect to the interstate transmission grid. There is some authority here. One can make the case that on interstate matters FERC should be able to help open up the market for easier transmission of energy. I think we can work some provisions out that provide broader authority to FERC even in that area. We have to be careful that we do not ''socialize the costs,'' which is the term used by one official, with respect to how the costs will be allocated. We are going to have to treat the costs in a very fair way and make sure the existing customers are not the losers, that a utility that currently serves them can continue to do that, and they will not have to pay the cost of someone else coming to connect to the grid.

There are a lot of issues with respect to this electric restructuring to which we are going to have to pay attention that we could have resolved in committee if we had the opportunity.

The second has to do with nuclear power. The bill itself, unfortunately, does not adequately deal with the need to modernize the law with respect to the provision of nuclear power. It does extend the Price-Anderson Act for 10 years but only for DOE contractors. For those not aware, that is the liability protection that has historically been provided to nuclear generators to ensure that they would be able to provide the power and not have to worry about the insurance costs for some catastrophic accident.

There will be an amendment offered to add the NRC licensees, which are the commercial powerplant operators, to this Price-Anderson protection. I believe that will pass. I think most recognize that is going to be necessary.

There are 103 nuclear powerplants operating in the United States today, including 3 in my home State of Arizona. They supply almost a quarter of the power in the United States in a very environmentally safe manner—no emissions, no gases such as nitrogen oxide, sulfur dioxide, or other gases that threaten the environment. Nuclear energy, of course, is the most efficient. It costs 1.83 cents per kilowatt hour compared to 2.08 per kilowatt hour for coal-fired plants. We need to work to ensure that the nuclear provisions of the bill are modernized. We will have amendments to present to do that.

One of the most contentious parts of the bill relates to increasing our ability to generate oil and gas production in the United States so we do not have to rely so much on foreign sources of oil. This gets primarily into the question of whether we should be able to explore for oil in an area of Alaska that was set aside for that purpose by the U.S. Government some years ago, an area called the Arctic National Wildlife Refuge or ANWR.

The facts have gotten very confused by people who do not support this proposal. The area we are talking about is about the size of the State of South Carolina. But the amount of land that would actually be exposed to exploration is no larger than the footprint of an airport in most of our communities, including, if you want the exact acreage, Dulles Airport outside of Washington, DC, or Sky Harbor Airport in my home State of Arizona. Out of an area the size of South Carolina, we have an area the size of an airport in which the drilling would occur.

It is simply not possible to have the degradation of the environment that some claim with the modern technology that would be used to provide for this production and the small area and the environmentally friendly ways in which it would be done. The drilling pads are 80 percent smaller than they were a generation ago. You can literally get oil 6 miles away by drilling down 2 or 3 miles and drilling out 2 or 3 miles and in that way keep your footprint to a very small area.

The critics have said there is not very much oil, so it is not worth the effort. I will state how much: It is 600,000 barrels of oil per day, which is almost the same amount of oil we are importing from the country of Iraq. It is the supply of oil we get from the country of Iraq for 40 years. That is a lot of oil. If we get into a conflict with Iraq, we will wish we had an alternative source so we would not have to rely upon purchasing it from Iraq.

Suffice it to say, if we are going to be serious about increasing our energy production, we are going to have to be able to drill for oil in Alaska.

There is a provision of the bill dealing with CAFE standards, setting the miles per gallon that cars have to meet. While all Members are desirous of trying to improve the miles per gallon that our cars meet, the only way we have found to do that has, as a result, caused an increased number of automobile fatalities. The National Academy of Sciences, certainly an unbiased source, found that previous fuel economy measures likely resulted in 1,300 to 2,600 additional crash fatalities annually, which is the equivalent, according to the National Safety Council, of wiping out the recent hard-won gains of safety belt use, airbags, or drunk driving legislation.

The point is we have had a lot of people unnecessarily killed on our highways because we have had to make cars lighter in order to meet these CAFE standards. It seems to me we have to weigh the benefits that might be achieved—might be achieved—in terms of fuel savings on the one hand and the saving of lives that would be achieved on the other hand if we do not carelessly move forward with these CAFE standards.

Once again, we will have an amendment that will have to deal with that.

I will have amendment also to deal with other subjects. There will be other amendments that will attempt to improve the underlying bill.

My bottom line is this. In this brief opening set of comments, I just want to make the point that the bill before us is not the bill that the President recommended. It is not the bill that I think could have come out of committee. It is a bill that requires a lot of work. It is going to take a lot of time. When we try to do the amending process on the floor of the Senate, we don't necessarily end up with the best of products—just because of the way we have to proceed. It is regrettable we have to do it that way, but since we are opened up to a series of amendments, then I think we will have to have the indulgence of everyone as we present and debate those amendments and hopefully get them passed.

The PRESIDING OFFICER. The Senator from Nevada.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent the Senate now proceed to a period of morning business with Senators permitted to speak for up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING FORMER SENATOR HOWARD CANNON

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Madam President, it is a very sad day because Nevada lost one of its great citizens—Howard Cannon died today.

Howard Cannon served in the Senate for 24 years. He left the Senate in 1982. He was a wonderful man. I have great memories of him when I worked as a police officer, when I was going to law school. Howard Cannon had been a bar examiner before coming back here. He was a very fine lawyer, had a great legal mind. He tutored me, as busy as he was as a Senator, to help me pass the bar. I am always grateful for that. I am grateful for all he did for me as I moved up the political ladder to different offices.

I remember the first political office I ran for was the hospital board. His chief of staff, Jack Conlin, through Senator Cannon, gave me some money for this race. He was always very caring about me, and I cared a great deal about him. I do have, though, some satisfaction because just a couple of weeks ago, on his 90th birthday, I came to the Senate and talked about what a fine man he was, how much he had done for the State of Nevada. I talked to him that day on the telephone.

COMMEMORATING SENIOR AIRMAN JASON CUNNINGHAM

Mr. DOMENICI. Madam President, I rise today to commemorate a fallen hero from my home State of New Mexico—I see Senator BINGAMAN so I think it is appropriate to say ''our home State''—Senior Airman Jason Cunningham. He lost his life this week while trying to save the life of another serviceman in eastern Afghanistan.

I express my heartfelt condolences to Jason's wife Theresa; his daughters, 2-year-old Hannah and 4-year-old Kyla; as well as his parents Larry and Jackie. I know I speak for all New Mexicans when I say how proud we are of your husband, father, and son, and that our thoughts and prayers are with you.

Jason was a member of the Air Force's elite pararescue team whose mission is to rescue downed pilots in hostile territory. He joined the 38th Rescue Squadron because it was his passion to save lives, and that is exactly what Jason and his comrades were doing this week when he came under heavy fire from the al-Qaida force.

During an attempt by our forces to land a reconnaissance team in a mountainous region known to be inhabited by al-Qaida and Taliban, one troop fell from a helicopter when it was hit by enemy fire. Later, it was Jason and his rescue team who bravely went into the area where the trooper and helicopter were down in an attempt to extricate him. A heavy fire-fight ensued and Jason and five other Americans lost their lives.

I know that words are of little consolation at such a difficult time for Jason's loved ones, but I want his family to know that all New Mexicans—this Senator, and I am certain my colleague, Senator BINGAMAN—mourn with them today. I am sure that for Jason's heroics his country will bestow upon him one of the most highly respected honors it can give, the Purple Heart. Such valor deserves no less.

The loss of such fine Americans as Jason in the war on terrorism can be heartrending, but as a nation we must honor the sacrifices of men and women like Airman Cunningham and remain steadfast in our resolve to protect our freedoms and liberty from terrorism.

President Bush has told us many times that this war would not be quick or easy, and it would be good to remember that while we mourn the loss of a good man like Jason Cunningham.

I ask unanimous consent that a detailed statement surrounding the young man and his family headlined ''New Mexican Dies Trying to Save Others'' from the Albuquerque Journal, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NEW MEXICAN DIES TRYING TO SAVE OTHERS

(By Miguel Navrot)

Jason Cunningham was one of the best the Air Force had to offer.

Cunningham served as a pararescueman—trained to rescue downed pilots from the most hostile of enemy areas—in one of the military's elite teams, sometimes compared to the Navy SEALs.

Cunningham, who grew up in Carlsbad and Farmington and recently lived in Gallup, once considered becoming a SEAL as a Navy petty officer. He had passed the Navy's fitness test but decided to move to the Air Force.

''I didn't want to kill people,'' Cunningham told Airman magazine, an Air Force publication, in October 2000. ''I wanted to save them.''

Cunningham, 26, died trying to save another serviceman Monday. He was one of eight soldiers killed in renewed fighting in eastern Afghanistan.

The remains of seven of those servicemen arrived Tuesday at Ramstein Air Base, Germany.

Jason's parents, who live in Gallup, learned of their son's death Tuesday morning.

''We're very proud of our baby,'' Jackie Cunningham said of her son as she tried to hold back tears at a family news conference on the lawn outside their blue ranch-style home.

''Jason died doing what he liked to do, save lives,'' said his father, Larry ''Red'' Cunningham, choking on his words as he read a brief statement.

Since last summer, Cunningham, a senior airman, was stationed at Moody Air Force Base near Valdosta, Ga., with his wife, Theresa, and two daughters, 2-year-old Hannah and 4-year-old Kyla. He was deployed Feb. 1, his family said.

''We last heard from him on Saturday,'' the father said.

Cunningham was the middle child of the family. Standing next to his parents were his brother, Chris, 29, of Washington state, and his sister, Lori, of Farmington.

The family said memorial services will be in Georgia and in Carlsbad this week. A funeral and burial are planned for next week in Camarillo, Calif., where his wife is from.

Cunningham was born and raised in Carlsbad. The family moved to Farmington just before his high school years. After graduating from high school, Cunningham went into the Navy for four years before moving to the Air Force.

Cunningham began the Air Force's pararescue school, a grueling 21-month training program that few finish, about 2½ years ago.

Training for pararescuemen, or PJs, concludes at Kirtland Air Force Base. Cunningham graduated from the school on July 7, when he donned the group's maroon beret, Kirtland officials said.

He belonged to the 38th Rescue Squadron.

Tech. Sgt. Tim Donovan, a supervisor for air operations with the school at Kirtland, called Cunningham ''kind of silly, kind of goofy,'' with a heart totally dedicated to the pararescue mission.

''He had several setbacks that he overcame and persevered through all the training,'' Donovan said. ''He never quit. He was totally focused. . . .

''A lot of times you have kids who don't feel they have their hearts into it or they're just in it for the beret or they're doing it for something other than the motto (That Others May Live). That wasn't him at all.''

Cunningham is the fourth pararescueman the Air Force has lost in the past three months. The Air Force has about 300 pararescuemen.

''They're a small, tight-knit community, and all of them will most assuredly feel the loss of one of their own and mourn his passing,'' Kirtland spokeswoman 2nd Lt. Kelley Jeter said Tuesday.

Theresa Cunningham spoke to her parents early Tuesday.

''She was hysterical. She talked to her mom and said, 'Jason is dead.' That's it,'' said her father, Lito D'Castro.

''He's a nice guy. He loves the service,'' D'Castro said from Camarillo.

D'Castro said the last time he saw Cunningham was when he visited Camarillo at Christmas-time.

Cunningham was one of seven Americans who died in the bloodiest operation of the war in Afghanistan. They were killed as troops were being taken into the battle area on two different missions, the Pentagon said Tuesday.

Early Monday, a two-helicopter team was ferrying in reconnaissance troops south of Gardez when one was hit by enemy fire, said Brig. Gen. John W. Rosa Jr., deputy director of operations for the Joint Chiefs of Staff.

One soldier fell from a helicopter and later died, Rosa told a Pentagon news conference.

Cunningham was killed during a subsequent rescue mission involving special forces on two helicopters. Once on the ground, those forces got into a firefight in which at least 11 were wounded and six died.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Madam President, I join my colleague, Senator DOMENICI, in expressing condolences to the family of Jason Cunningham. I also read with great sadness the report of his death in Afghanistan. It was emphasized in the report which I read that he was part of this para-rescue team and that he had made a very conscious decision in choosing his career path in the military to be on a para-rescue team rather than on a different type of military team because he did want to commit his life to saving other people's lives. That is the exact activity he was engaged in in Afghanistan when he came under enemy fire and was killed in that combat.

This is a reminder to all who serve in the Senate, as well as, of course, to his family. It is an enormous responsibility we take on as a nation when we send our best young people into battle to do the work of this country, to put these men and women at risk, as has been the case in Afghanistan. It is an enormous undertaking. His sacrifice is the ultimate sacrifice and his family's sacrifice, as well. We join with them in mourning his death.

INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA

Mr. FEINGOLD. Madam President, I rise today to voice my support for the International Criminal Tribunal for Rwanda which is the often-neglected sister court to the International Criminal Tribunal for the former Yugoslavia at the Hague. While the international media carries regular coverage of the Milosevic trial and the NATO efforts to arrest individuals wanted by the ICTY, much of the world, it seems, has forgotten about the ICTR. This week, as the UN's fifth committee considers the tribunal's budget, I want to make plain my continuing concerns about the tribunal, but I also want to be crystal clear about my continued support for its work.

In 1994, an unspeakable horror unfolded in the tiny central African site of Rwanda. Despite the initial references to ''ancient tribal hatreds'' at the source of violence, we now know that the genocide was not a series of spontaneous acts; it was not about crowds gone wild or tribal bloodlust. It was carefully planned and centrally directed. Extra machetes had been imported, militia groups were in place, and incitements to murder had become a regular element of programming on the hate-radio station. The planners targeted not only ethnic Tutsis, but also politically moderate Hutus who threatened their grip on power. We know today that individual people—leaders and planners—are responsible for the deaths of some 800,000 people, and that the blame for these atrocities cannot be heaped on some imagined cultural failing.

Two weeks ago, I had an opportunity to visit the International Criminal Tribunal for Rwanda in Arusha during a weeklong trip to Kenya, Tanzania, and Mozambique that I undertook in my capacity as Chairman of the Senate Foreign Relations Committee's Subcommittee on African Affairs. During my brief visit, I was able to meet with the Deputy Registrar, with Judge Navanetham Pillay, who is the President of the ICTR, and with some members of the Prosecutor's office. I was also able to sit in on one of the trials underway—that of Laurent Semanza, a former mayor of Bicumbi who is charged with several counts of genocide, conspiracy to commit genocide and crimes against humanity, including rape. I heard some of the wrenching testimony in that case, and was astounded at the strength of the tribunal officials, whose work requires them to confront the horrible facts of the Rwandan genocide every day of their work.

For many years, I have strongly supported accountability measures in cases where crimes against humanity have occurred, and I think that international support for such measures is particularly important in Africa, where too often the international community fails to respond to atrocities the way we would if such acts occurred in Europe or North America.

For this reason, I have been a supporter of the Special Court for Sierra Leone. I have long supported the ICTR. In the last Congress, I authored legislation that was signed into law that would extend the U.S. rewards program to allow our government to offer and pay rewards for information about individuals wanted by the tribunal. The reason that we did this is because this provision had already existed for the International Criminal Tribunal for the Former Yugoslavia—an example of how a double standard relating to the courts was at one time institutionalized in our government.

What had happened since the Arusha tribunal's inception is nothing short of groundbreaking. The ICTR was responsible for the very first international convictions for the crime of genocide. Many people do not realize this, although the international community adopted the definition of the crime of genocide following the holocaust, it was the ICTR that launched the first successful investigation and prosecution for that crime. It was the first-ever international tribunal to convict an individual of rape as a crime against humanity and to rule that rape can be a crime of genocide. The Tribunal was the first such institution to actually convict a national leader, the former Prime Minister of Rwanda, of genocide. The court has established principles of international law that will be studied in law schools around the world for generations to come.

And more importantly, it is establishing, in the minds of African leaders and African elites and African societies, the possibility that those responsible for crimes against humanity may one day be held accountable for their actions. In central Africa in particular, this goal is essential to ending the culture of impunity for gross violations of human rights, whether they occur in Rwanda or Burundi or eastern Congo. The people who have been laboring in Arusha to hold those most responsible for the genocide and for crimes against humanity in Rwanda in 1994 deserve recognition, and respect, and support.

Now, there are a number of steps that the international community can take to help this worthy effort. First, we can ensure that the prosecutor's office is adequately staffed. It is almost appalling that the post of Deputy Prosecutor has been vacant since the middle of last year. I was informed that vacancies exist throughout the office. The UN has to speed up its recruitment process, priortizing the expeditious placement of competent applicants in important jobs, rather than starving the court of staff for the overriding goal of even geographic distribution of personnel. UN member states must also help to address another problem—that of sentence enforcement. Currently, few of the African countries willing to house persons convicted by the ICTR in their jails can meet international standards for prison conditions. Of course I am not suggesting that the international community refurbish the prisons of an entire continent. But I am suggesting that perhaps there are small and reasonable steps that we can take to help.

And the US and the rest of the international community I think should support the tribunal's request for ad litum judges. They have already supported a similar request for the ICTY for the former Yugoslavia. All observers have been concerned about the pace of the tribunal. It makes sense to provide it with the capacity to move more quickly through its work.

Mr. President, must has been made in recent days of the Administration's decision to publicly push for the ICTR and ICTY to finish their work in the next few years. And the need to wrap-

up the Tribunal's work is not in dispute—in my meetings with Tribunal officials, no one suggested that the Tribunal should not aim to finish its work by 2008. This consensus, however, does not change the fact that much important still remains to be done, and the tribunals will need continued support to complete it.

Some have also suggested that the existence of tribunals has given the international community a rationale for neglecting developing of indigenous justice systems in countries subject to the tribunals. And I agree that this is a pitfall that must be avoided, and I strongly support efforts to strengthen the capacity and independence of the judiciary in countries that have suffered from wide-scale human rights violations. Last week, Ambassador-at-Large for War Crimes Pierre Prosper told the House International Relations Committee that ''the United States stands prepared to assist the states in rebuilding their shattered judicial systems to make them capable of dispensing truth-based justice and establishing systematic respect for the rule of law.'' I certainly hope he is right, because this is an indispensable element in the global effort to bring some stability to the heart of Africa. But I am not yet convinced that our actions will match this rhetoric, and I am specifically concerned that no funding is being requested in 2003 for the Great Lakes Justice Initiative. And while I am encouraged by the Rwandan Government's efforts to address the massive backlog of genocide-related cases through a system of community courts known as gacaca and believe that the international community should help the government in Kigali to ensure the integrity and efficacy of this effort, I also respect the Rwandan's decision not to attempt to try those most responsible for the genocide—known as Category One suspects—in these untested courts in which judges have very little training and where only limited safeguards exist for victims and for the accused.

Madam President, it is important to acknowledge that much of the criticism that has been leveled at the tribunal is fair, and it reflects real, and in some cases ongoing problems with the ICTR. Too often in the past, allegations of waste and mismanagement proved to be accurate, and the tribunal must exercise constant vigilance to fight corruption and abuse. Decisive steps must be taken to address the issue of fee-splitting between those on trial and defense counsel. I was pleased to learn about some of the efforts currently underway during my visit. I have raised these issues with the Chief Prosecutor, I have raised them with U.N. officials in New York, I raised them in Arusha, and I will continue to raise them. And overall, the tribunal simply has to pick up the pace of its work. I believe that this, too, is being addressed. During my visit there were three cases being heard simultaneously. And as I have mention, providing additional judges to the ICTR will help to address this problem.

Madam President, because this tribunal is so important, the international community must keep working to get it right. The ICTR still has a great deal of work to do, and the international community, including the United States, must ensure that they are operating with all the necessary support, and operating under clear demands for accountability and integrity. These two initiatives—supporting the court and demanding an end to corruption and waste—are not contradictory, they are complementary. I urge my colleagues and the administration to pursue both with equal vigor.

The PRESIDING OFFICER. The Senator from Nevada.

TRIBUTE TO PFC MATTHEW COMMONS

Mr. ENSIGN. Madam President, I rise to speak of a brave young nevadan, PFC Matthew Commons, who was killed in combat in Afghanistan. I am humbled and grateful that he was willing to make the ultimate sacrifice to preserve our freedom.

For he is one of the noble soldiers of whom Thomas Jefferson spoke when he warned that ''the tree of liberty must be refreshed from time to time, with the blood of patriots and tyrants.''

In doing his duty for God and country, he gave up all so that we could grow and thrive and learn and love in the greatest Nation in the world.

He is our fallen hero. A grateful Nation should never forget, he had family, friends, and plans for the future. He was just 21 years of age, old enough to dedicate his life to protecting our country, but too young to have a family of his own.

His mother told me that one of the hardest burdens she now has to bear is the knowledge she will never get to hold Matthew's children.

Matthew was an all-American kid, growing up in Boulder City. He ran track and played soccer at Boulder City High. He was elected secretary of his senior class.

On September 11, al-Qaida terrorists attacked the United States.

On March 4, Matthew Commons sought to make sure that would never happen again.

He died to make sure that no American was left behind at the mercy of al-Qaida. His mission was a success. And his fellow soldiers endured heavy fire so that he, too, ultimately would come home from the front.

In fighting for our Nation, he ensured that we would be free.

In dying, he left in his wake the grief of those who knew and loved him, including his mother, Patricia Marek and his father, Greg Commons.

God bless you, Matthew Commons.

And God bless America.

Would the senior Senator from Nevada like to make some comments?

The PRESIDING OFFICER. The senior Senator from Nevada.

Mr. REID. Madam President, I certainly applaud my colleague from Nevada for making his heart-felt statement. I am not much for calling people when there is a tragedy. I tend to write letters. It is difficult for me to speak to people upon the loss of a loved one because it brings back memories of those loved ones of mine I have lost. So I normally just write a letter.

But I thought it was appropriate yesterday, when I learned about the death of Matthew, that I call and speak to the parents; and I did that. Certainly, it was not a pleasant call in the sense that you call and talk to grieving parents, but it was a call I will never forget.

His mother asked me if I would write her a letter. I said I would be happy to. She said: The reason I want the letter is because I will have that to refer to. I will not have my son anymore. And she broke down and cried a little bit about that.

As I just indicated, I talked to his mom, Patricia, who lives in Las Vegas. I also talked to his dad, Gregory. Gregory, as do most fathers, put up a very brave front during the first part of our conversation. Like all dads, toward the end of it, his emotions got the best of him. He shed a few tears, I know. I could tell by his voice that he was crying on the other end of the line.

I talked to him about Matthew's brothers. Matthew had three brothers. Matthew was the oldest. And his dad said: Matthew always looked out for his brothers, that if anyone tried, in any way, to get the better of his little brothers, he was always standing there making sure that they did not.

And I said to Mr. Commons: You have to explain to your sons that they have a great example to live up to because their brother gave his life for our country.

So I was saddened to see that one of those who died was from Bolder City, NV. As indicated in the Washington paper today, in their comments about his death, Matthew was the youngest of those who were killed, but the parents and the wives of the other men who were killed are grieving just as Matthew's parents, no matter where they live in this great country of ours.

But I do say that as a result of the courageous act of Matthew, who was actually going to the aid of one of his comrades, we are going to win the war on terrorism—because there are people all over America today like Matthew Commons willing to give their lives for their country.

GENETIC INFORMATION NONDISCRIMINATION ACT OF 2002

Mr. ENZI. Madam President, I rise today to join my colleagues in introducing the Genetic Information Nondiscrimination Act of 2002. I am particularly grateful to Senators SNOWE, JEFFORDS, FRIST and GREGG for their

leadership on the extremely important policy matter of protecting individuals from genetic discrimination.

This bill would effectively and fairly protect against genetic discrimination in health insurance and employment. The group of members assembled to introduce this bill is bipartisan. We all worked together in the past on a bill that dealt strictly with genetic discrimination in health insurance, and today are introducing a bill that includes a new title to also protect individuals from genetic discrimination in employment. During the last Congress, our bill dealing with health insurance discrimination passed the Senate three times. I hope this new bill just has to pass once before the President can sign it into law.

As I have previously stated, I believe there is unanimous support for enacting legislation which prohibits discrimination in both health insurance and employment. The promise that genetic information holds for revolutionary advances in the diagnosis and treatment of diseases such as cancer, Parkinson's disease, heart disease and diabetes should not be hindered by fears about the discriminatory use of this information.

As a result of a lot of hard work and a hearing held by Chairman KENNEDY on February 13, 2002, we are able to introduce a bill today that reflects the cutting edge knowledge about genetic science and also reflects the current regulatory state with respect to medical records privacy. Both the original Snowe bill and the alternative Daschle bill were drafted years ago. The Human Genome has since been mapped. Comprehensive medical records privacy regulations, which will cover genetic information, have since been promulgated. And, the Equal Employment Opportunity Commission, EEOC, has since stated the need to expressly protect individuals from employment discrimination based on genetic information.

In other words, this bill provides the most informed policy to meet the goal of protecting individuals from discrimination without denying the promise of genetic science. Here are just a few examples of how our bill has been improved.

First, the definition of genetic information correctly reflects the science of genetics as the best minds know it today, not 4 years ago. Secondly, the medical records privacy regulation called for under the Kennedy-Kassebaum Health Insurance Portability and Accountability Act of 1996, HIPAA, is nearly final. The Kennedy-Kassebaum law clearly intended that genetic information be considered medical information, and, therefore, should be equally protected under the same privacy standards. The Snowe bill we're introducing today codifies that intent.

The President has also called upon Congress to pass legislation prohibiting discrimination on the basis of genetic information that is fair, reasonable and consistent with existing discrimination statutes when it comes to protecting individuals against employment discrimination. Consistency is mandated to protect the rights of employees and employers alike. Consistency is mandated to protect the carefully designed process for enforcing and redressing employment civil rights legislation.

Therefore, I believe that federal legislation prohibiting employment discrimination based on genetic information must not deviate from other employment discrimination laws, namely Title VII of the Civil Rights Act of 1964 and the Americans with Disabilities Act, with regard to enforcement and remedies.

Furthermore, we cannot enact new employment discrimination legislation without examining its interaction with existing laws. We must be careful to avoid enacting legislation that places employers between a rock and a hard place. That is, in order to comply with one law, an employer violates another. For example, an employer should not be placed in the impossible position of violating genetic discrimination legislation by virtue of its requirement to comply with the ADA or Family and Medical Leave Act. Nor should employers be held to conflicting standards governing the disclosure of genetic information.

Let me briefly address the issue of enforcement of employment discrimination claims on the basis of genetic information. Under Title VII and the ADA, Congress gave the Equal Employment Opportunity Commission the role of investigating and enforcing complaints of violations of these laws. Under both of these laws, a claimant must first file a complaint with the EEOC before being able to file a private suit in court.

The EEOC plays a critical role in the compliance with and enforcement of employment nondiscrimination laws. The EEOC's mediation activities also serve to expedite resolution of employment cases and reduce the backlog of such cases in our courts.

Federal legislation on genetic nondiscrimination that would allow a claimant to bypass the vital role that the EEOC plays undermines the efficacy of such legislation. Furthermore, what is the justification for allowing an individual claiming genetic discrimination to circumvent the complaint process that claimants of other basis of employment discrimination must follow?

With regard to remedies for employment discrimination based on genetic information, federal legislation should not disregard the remedy structure of other employment discrimination laws. The Civil Rights Act of 1991, which applies to remedies available under Title VII and the ADA, places a cap on consequential and punitive damages that is progressive with the size of the employer.

I cannot see the justification for allowing unlimited damages for employment discrimination based on genetic information. Why should someone claiming genetic discrimination, but who is asymptomatic, be able to recover greater damages than someone who is actually disabled in the present or who is a claimant of race discrimination? We must guard against enacting legislation that, in an effort to protect individuals who have been subjected to one type of discrimination, creates inequities for individuals who have been subjected to another type. Unfortunately, I read the alternative bill sponsored by Sen. DASCHLE to create just such an inequity.

The issue of confidentiality of genetic information in the employment context in relation to existing privacy laws might seem very complex. However, I think that the issue is not as complex as we make it out to be. First and foremost, an employer should not be held to conflicting legal requirements regarding the confidentiality of such information.

The HIPAA medical records privacy regulation I mentioned before governs the disclosure of all medical information, including genetic information, by health plans, health care clearinghouses and certain health care providers. Therefore, an employer who is acting in its capacity as a group health plan will be subject to the HIPAA privacy regulation. Federal legislation that prohibits discrimination in health insurance and employment on the basis of genetic information should not create confidentiality requirements for employers acting as group health plans that conflict with the privacy regulation. Again, Sen. Daschle's bill would create this kind of conflict.

On a subject as important as the use and disclosure of genetic information, we must understand and build from existing federal laws and regulations. With this foundation and the benefit of today's understanding of genetic science, I look forward to passing legislation to prohibit discrimination in health insurance and employment of the basis of genetic information.

LOCAL LAW ENFORCEMENT 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 last year. The Local Law Enforcement 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 January 30, 1993 in Wilmington, NC. A gay man was dragged from a bar and beaten. The assailants, Colin C. Hunt, 20, Patric G. Gardone, 23, and Walter G. Watkins, 26, were charged with four counts of assault 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.

ADDITIONAL STATEMENTS

TRIBUTE TO GENERAL WILLIAM H. FAIRBROTHER.

• Mr. McCAIN. Mr. President, I rise today to honor a great American patriot, Brigadier General William H. Fairbrother, USAF, Ret. General Fairbrother passed away on January 27th at Air Force Village II in San Antonio. My deepest sympathies go out to his wife, Patricia, and his daughters, Bonnie and Nancy.

William Herman Fairbrother was born in Endicott, NY, on March 28, 1923, the son of Lieutenant Herman and Caroline Fairbrother. He grew up on a variety of Infantry Posts, to include the Panama Canal Zone and Manila, Philippine Islands. Bill entered the United States Military Academy at West Point on a Congressional appointment from the 34th District of New York. When he arrived at West Point he knew the prepared sling, the hasty sling, and had qualified with the 30-caliber water-cooled machine gun which made it easy to shoot expert with the M1 Garand plebe year. Academics, however, were something else. With the help of ''Sully's Cram School'' in Washington, DC the previous year he did fairly well in the first half year. But after that it was a continuing struggle to stay proficient. Because of many moves, high school had been rushed and spotty, and four years of Academy study being rushed into three because of World War II made the task even harder. On the other hand, flying, which was his first love went smoothly. Primary flight training in Texas and then Basic and Advanced at Stewart during the three years went without problems. It was during the Plebe year that he picked up the nickname ''Fair-B'' in keeping with the academy tradition to reduce the spoken word to its simplest form.

Fair-B graduated with the class of 1944, the D-Day class, albeit rather far down the list. On the very next day, in the Cadet Chapel, he married his childhood sweetheart, Patricia Ross of Kenmore, New York and they lived happily ever after. P–40 and P–47 training, together with those of the class selected for the Fighter business, followed with time at many different bases, as the Service endeavored to cram as much military experience into the class as they could before sending them overseas. Shortly thereafter it was off to Ie Shima Flying P–47's against the Japanese. After the war the unit moved over to Okinawa and Patricia joined him there in 1946. They, along with many other pioneer souls, set up housekeeping in a Quonset hut. , Bonnie, his first daughter, was born in Okinawa in 1947. In December 1947, Fair-B brought the family back to the U.S. to Selfridge, Michigan. The duty was with the 56th Fighter Group flying F–80's and F–86's, where he was squadron adjutant and group adjutant. It was during this time, in 1948, that his second daughter, Nancy, was born. In 1951 it was off to Minneapolis in the Air Defense Control Center business. There he was assigned as an aircraft controller and control center chief with the 31st Air Division. Flying time was cadged from the local guard squadron, which was equipped with P–51s. Then in 1953 cold weather assignments continued, this time to Rapid City, South Dakota and the 54th Fighter Interceptor Squadron at Ellsworth Air Force Base. This was probably the happiest assignment in his career, with over two years of the time there being in command of the squadron. Initially, the airplanes were P–51s, then F84Gs and finally F–86Ds. He had always said that next to being a Captain and Fighter Squadron Flight commander, the position of Fighter Squadron Commander was the best job in the Air Force.

Exchange duty with the Royal Air Force at RAF Manby, England followed in June of 1956. The assignment was attendance at the RAF Flying College. The family thoroughly enjoyed this short tour living in the small East Anglia town of Sutton-on-Sea, going to English Schools, learning the language, dealing with pounds, schillings and pence, and driving on the left side of the road. Fair-B accumulated a respectable amount of time in British Aircraft to include the Gloster Meteor, Hawker Hunter and British Electric Canberra. In January 1957 the family arrived in Rabat Morocco. The assignment here was Chief, Combat Operations in the 316th Air Division. Further broadening and true sophistication took place during this time. Not only was the Division partially manned with French Air Force personnel but also, the family lived in a French villa. In addition, flights with the family on military aircraft up to the European continent were allowed once a year. They took full advantage of this privilege and managed to visit Spain, Portugal, Italy, France, Germany and Switzerland during their Moroccan stay. The Division Fighter Squadrons were equipped with F–86D and F–100 aircraft so Fair-B was able to keep his hand in flying. There were many trips to Wheelus Air Force Base in Tripoli, Libya, where the squadrons went TDY for gunnery and rocketry training.

The three and a half years in North Africa went by quickly, and the return to the US happened in June 1960 with attendance at the Air War College. Following graduation from the Air War College he spent a long five years in the Pentagon, first on the Air Staff in War Plans and then as Executive Assistant in the Office of the Air Force Chief of Staff. One year with Curtis LeMay and one year with John McConnell provided rare and valuable staff experience.

After the fast pace of the Washington area, duty on the CINCPAC staff in Hawaii, starting in 1966, seemed slow indeed. Here Fair-B served on the staff of the Commander in Chief, Pacific, at Camp Smith. Not only did they take off for the weekends, but Wednesday afternoons as well. The duty was good, with many evaluation trips to the MAAG supported countries in the Far East. This, together with quarters on Hickam, and the benevolent Hawaiian weather made for a delightful tour.

Patricia stayed in Hawaii when Fair-B went to the Republic of Vietnam to join the 14th Special Operations Wing. As Vice Commander and then Commander he was kept busy monitoring the varied activities of the Wing, which were performed from nine separate bases. The little command O–2 aircraft spent a lot of time touring the country. In addition to the clandestine operations, the Wing had the AC–47 and AC–119 gunships, the psychological warfare business with O–2s and C–47s and the only armed helicopter squadron in the Air Force, flying UH–1Ns. He served the Wing from September 1969, to September 1970.

After Vietnam the next assignment as Deputy Chief of Staff at Headquarters Air Force Logistics Command at Wright-Patterson Air Force Base, Ohio with the job of DCS Distribution. The assignment was not awarded because of any logistics experience buy mainly because the boss man wanted some operational talent on the staff. The job was fascinating and of enormous scope. Fair-B jumped in with his typical enthusiasm and his performance helped in getting him promoted to Brigadier General on April 1, 1972. Separation from the Air Force came in 1974 with Fair-B being allowed to keep the wife and kids and the Air Force keeping the airplanes. His decorations and awards include the Legion of Merit (2), Distinguished Flying Cross (2) with oak leaf cluster, Air Medal (3) with two oak leaf clusters and the Meritorious Service Medal. He was a command pilot.

Fair-B and Patricia, hand-in hand then returned to Hawaii, their choice of all the places they had tried throughout the years. They moved into an apartment on Waikiki beach and then took the time to read what there wasn't time for before and work on the projects that had long ago been put aside. Other activities during this eight-year idyll included working with the House Republican Whip in the Hawaii State Legislature, activities with the Retiree Affairs Council at Hickam and work with the Oahu Chapter of the Air Force Association. 1982 found them in San Antonio, Texas, and in 1987 they made their next-to-the-last move into a cottage at Air Force Village II. Fair-B served three year as a Trustee on the Board of the Air Force Village Foundation, and over three years as a Director on the Air Force Village II Board of Directors.

Fair-B is survived by his wife of 57 years Patricia; daughters and sons-in-

law Bonnie and Jerold Kreidler, Nancy and James Councilor and granddaughters Katherine and Patricia Councilor.

While it can be said he never single handedly moved the world around, Fair-B certainly participated in many worthwhile events that did. As a result, those who knew him well can look back over his busy years and say, ''Not too shabby, old son, not too shabby.'' ●

IN APPRECIATION FOR MAJOR GENERAL PHILIP G. KILLEY

● Mr. JOHNSON. Madam President, today I express appreciation for the work that Major General Philip G. Killey has done as the Adjutant General for the South Dakota National Guard. Today, General Killey and other members of the National Guard come up to the Capitol for their annual trip to Washington, and I wanted to take this time to thank the general for the terrific leadership he has provided to the Guard over the past four years.

General Killey reports that South Dakota has continued its high rankings in terms of readiness of its Guard and Reserve units. South Dakota's units are also tops in the Nation in the quality of its new recruits. I commend the South Dakota Guard for its continued excellence, and General Killey for his leadership, which has led to the maintenance of this high standard. National rankings only confirm the quality that has come to be expected of the Guard and Reserve of a great State.

Most South Dakotans know at least one of the 4,500 current members of the South Dakota Guard and Reserves or the thousands of former Guardsmen and Reservists. Sometimes, the connection is even more direct. Before joining the Army, my oldest son Brooks was a member of the South Dakota Army Guard in Yankton.

Almost every community in my State benefits from the work of these Guardsmen. Following the tragedies of September 11, Guardsmen were called to assist in the campaign against terrorism and have performed security duties at airports around the state. From Aberdeen to Yankton, the Guard and Reserves are active members of the South Dakota community.

In addition to the support the Guard and Reserves give to South Dakota, they have also supported overseas operations including those in Central America, the Middle East, Europe, and Asia. The South Dakota Air Guard performed admirably in their deployment to the ''no-fly zone'' over Iraq late last year.

These latest activities, and the professionalism that our South Dakota Guardsmen have shown, are a testimony to the leadership of General Killey. Before becoming the Adjutant General in 1998, General Killey served with distinction in both the active duty Air Force and in the South Dakota National Guard.

General Killey received his commission in 1963 through Officer Training School, at Lackland AFB in Texas. He served a tour in Southeast Asia in 1967–1968 flying the F–4 with the 8th Tactical Fighter Wing at Ubon Royal Thai Air Force Base, Thailand. He left active duty in 1969 and joined the Air National Guard in 1970. He held various positions with the South Dakota Air National Guard before becoming the Adjutant General. He was recalled to active duty as director of the Air National Guard from 1988 until 1994. General Killey was the first Guardsman to serve as commander, 1st Air Force, Air Combat Command, and Continental United States North American Aerospace Defense Command Region, Tyndall Air Force Base, Florida from 1994 until 1998.

I commend General Killey for his many years of service, and thank him for all that he has done for this nation and for our great state of South Dakota.●

TRIBUTE TO COLONEL EDWARD D. BISHOP

● Mr. SESSIONS. Madam President, it has come to my attention that Colonel Edward D. Bishop is retiring after 30 years of exemplary active military service in the United States Army. He served his country with dignity, honor, courage and integrity.

Colonel Bishop is concluding his career as the Chief, Congressional Affairs, U.S. Army Materiel Command, AMC, from August 2000 to May 2002. The Colonel's extraordinary insight into congressional affairs has greatly assisted the United States Army Materiel Command with the tough before the United States Congress. AMC is the one place in the Army where technology, acquisition, and logistics are integrated to assure Army readiness. Colonel Bishop as the Chief, Congressional Affairs, AMC was able to work the hard issues for the Army in order for AMC to continue to sustain the nation's defense industrial base.

Ed Bishop is a world-class logistician who served our nation in numerous logistical assignments throughout his career. From January 1996 to August 2000, he was assigned as the Director of the United States Central Command, CENTCOM, Liaison Office. He was the commands representative to the Office of the Secretary of Defense, the Joint Staff, the Service Staffs, Congress, and numerous Federal Agencies on political-military, operational, and logistics issues affecting 25 countries in Southwest Asia, Central Asia, and Horn of Africa.

Ed's other assignments included Division Chief in the Joint Logistics and Security Assistance Directorate from June 1993 to January 1996. During this period, he negotiated host nation support agreements with selected Gulf countries, monitored the readiness of prepositioned materiel, and provided interface with CENTCOM and the Joint Staff Crisis Action Team. Prior to this period, Col. Bishop was assigned to U.S. Forces Command and Joint Task Force, Somalia.

Colonel Bishop is a native of the great state of Alabama and a distinguished graduate of Jacksonville State University, Jacksonville, Alabama in 1972, and commissioned as a Second Lieutenant of Infantry. Later, he earned a Master of Business Administration, MBA, in Business Administration in 1982, from Florida Institute of Technology, and is a graduate of the Industrial College of Armed Forces at Fort McNair, Washington, D.C.

Colonel Bishop's military decorations include the Defense Superior Service Medal, Army Meritorious Service Medal with five oak leaf clusters, a Joint Service Commendation Medal, Army Commendation Medal with three oak leaf clusters, the Army Achievement Medal, the United Nations Service Medal, and the Army Humanitarian Service Medal. Throughout his career, Colonel Bishop has brought astute judgment, bold recommendations and selfless service to our Army.

Mr. President, Colonel Bishop deserves the thanks and praise of the nation that he faithfully served for so long. I know the Members of the Senate will join me in wishing him, his wife, Linda, two sons, Ryan and Troy, their daughter-in-law Sonya, and their lovely grandson Dylan, all the best in the years ahead.●

TRIBUTE TO ROBERT HODGES, THE OLDEST AMERICAN VETERAN

● Mr. EDWARDS. Madam President, today I pay tribute to an incredible North Carolinian, Mr. Robert Hodges.

On Friday, the Department of Veterans Affairs will host a ceremony in Pamlico County and officially recognize Mr. Hodges as the oldest American veteran. According to VA records, Mr. Hodges celebrated his 111th birthday last June. But if you ask Mr. Hodges, he'll tell you he is actually 114 years old.

As remarkable as his age is, it's not how long he's lived, but how he has lived those 111 or 114 years that is so inspiring.

Mr. Hodges is truly an example of living history. His life has been touched by almost every struggle this nation has endured. He was born in 1888, the same year Benjamin Harrison was elected President. His father, a runaway slave who lived to be 112 years old, often told him stories of the Civil War. He grew up on a former plantation in Beaufort County. He was never offered the chance for a formal education, so he helped his mother and father raise corn, cotton and peanuts on land that just decades before had been tended by slaves.

Shortly after America entered World War I, Mr. Hodges volunteered to serve his country. Mr. Hodges was one of nearly 20,000 African-American soldiers from North Carolina, men dedicated to

protecting a nation that treated them as second-class citizens at best. Military life offered no escape from the racism and segregation of civilian life, but Mr. Hodges didn't let that deter him. He served his country with distinction as a medical corpsman, ordnance technician and supplymaster. Mr. Hodges even became friends with General John ''Black Jack'' Pershing, commander of the U.S. Allied Expeditionary Force.

Following his service, he returned home to his mother and father's farm. He married Malinda, and despite the economic hard times, the two eventually saved enough money to buy their own land and build a home in Stonewall. He and Malinda had eight children. Sadly, after more than 50 years of marriage, Malinda died in 1997.

Time has not touched his incredible spirit. In fact, if you ask him to, he can still describe his feelings at the moment he heard an orderly shout to the front lines ''The war is over!''

Several years ago, a reporter covering a Veteran's Day celebration in Stonewall asked Mr. Hodges why it was so important for him to tell his story. Mr. Hodges replied because ''so many people . . . didn't get to come home.''

Mr. Hodges' story is remarkable. He overcame discrimination and prejudice and served his country with honor. He raised a loving family and has become a pillar of his church and community. I am proud to help tell his story of service and patriotism today, and I'm certain it will serve as an inspiration to all of us.●

CONGRATULATIONS TO ULUS JOHNSON OF SYMSONIA, KENTUCKY

● Mr. BUNNING. Madam President, today I congratulate Ulus Johnson of Symsonia, KY on being named by the Benton Kiwanis Club this year's Grand Marshal of events for the annual Tater Day Parade.

Mr. Johnson, who was with the Navy Seabees during WWII and served 28 months in the South Pacific, is believed to be the first non-Marshall Countian ever to be named Grand Marshal in he Parade's 159 years of existence. Like Mr. Johnson, Tater Day has survived the various twists and turns of history. During the 1950s and 1960s, many believed the parade was on the brink of being canceled. But with the help of friends, Ulus Johnson was able to revive the tradition of Tater Day for future generations.

Tater Day has its origins on the first Monday in April because this day also happened to be County Court Day and a good time for farmers to gather from across Kentucky in Benton to stock up on supplies, including sweet potatoes, for the upcoming planting season. They could also visit with neighbors, swap horses, dogs, knives and more than a few quality stories and tales. Johnson vividly remembers pretending to be ill on this day as a young boy so that he could miss school and attend the events of Tater Day. For many years, Johnson even drove his stagecoach to the parade for the sake of tradition, but now this item stands in a glassed-in enclosure at the rear of his home, where school children often come to learn about modes of transportation from the past. Ulus Johnson has been a vital figure for the Tater Day Parade almost his entire life and will certainly do a great job carrying on its tradition and legacy.

I once again congratulate Mr. Johnson for this honor and wish him and the rest of the participants a glorious Tater Day.●

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.)

PRESIDENTIAL MESSAGE

Under the authority of the order of the Senate of January 3, 2001, the Secretary of the Senate, on March 5, 2002, during the recess of the Senate, received the following message from the President of the United States, together with the accompanying papers; which was referred as indicated:

PM–72. A message from the President of the United States, received during adjournment, transmitting, pursuant to law, a report to facilitate positive adjustment to competition from imports of certain steel products; to the Committee on Finance.

To the Congress of the United States:

In accordance with section 203(b) of the Trade Act of 1974, as amended (the ''Act''), I hereby transmit documents to the Congress that describe the safeguard action that I have proclaimed on imports of certain steel products, pursuant to the authority vested in me by section 203(a)(1) of the Act and as President of the United States, and the reasons for taking that action.

GEORGE W. BUSH.

THE WHITE HOUSE, *March 5, 2002.*

MESSAGES FROM THE HOUSE

At 10:49 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3789. An act to designate the facility of the United States Postal Service located at 2829 Commercial Way in Rock Springs, Wyoming, as the ''Teno Roncalio Post Office Building.''

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 338. Concurrent resolution authorizing the printing as a House document of a collection of memorial tributes made in honor of the late Gerald Solomon.

H. Con. Res. 305. Concurrent resolution permitting the use of the Rotunda of the Capitol for a ceremony to present a gold medal on behalf of Congress to former President Ronald Reagan and his wife Nancy Reagan.

The message further announced that pursuant to section 2(a) of the National Cultural Center Act (20 U.S.C. 76h(a)), amended by Public Law 107–117, the Speaker appoints the following Members of the House of Representatives to the Board of Trustees of the John F. Kennedy Center for the Performing Arts: Ms. PRYCE of Ohio and Mr. KENNEDY of Rhode Island.

At 10:55 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has agreed to the amendments of the Senate to the bill (H.R. 622) to amend the Internal Revenue Code 1986 to expand the adoption credit, and for other purposes, with amendments to Senate amendments pursuant to House Resolution 347, in which it requests the concurrence of the Senate.

Under the authority of the order of the Senate of January 3, 2001, the Secretary of the Senate, on today March 6, 2002, during the recess of the Senate, received a message from the House of Representatives announcing that the House has passed the following bill, without amendment:

S. 1857. An act to encourage the negotiated settlement of tribal claims.

ENROLLED BILL SIGNED

At 6:03 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks announced that the Speaker has signed the following enrolled bill:

S. 1857. An act to encourage the negotiated settlement of tribal claims.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3789. An act to designate the facility of the United States Postal Service located at 2829 Commercial Way in Rock Springs, Wyoming, as the ''Teno Roncalio Post Office Building''; to the Committee on Governmental Affairs.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 338. Concurrent resolution authorizing the printing as a House document of a collection of memorial tributes made in honor of the late Gerald Solomon; to the Committee on Rules and Administration.

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. MURRAY (for herself, Mrs. BOXER, Ms. CANTWELL, and Mr. CORZINE):

S. 1990. A bill to establish a public education awareness program relating to emergency contraception; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HOLLINGS (for himself, Mr. BIDEN, Mr. BREAUX, Mr. CARPER, Mr. CLELAND, Mrs. CLINTON, Mr. CORZINE, Mr. DURBIN, Mrs. HUTCHISON, Mr. JEFFORDS, Mr. KENNEDY, Mr. KERRY, Mr. LEAHY, Ms. MIKULSKI, Mr. ROCKEFELLER, Mr. SCHUMER, Mr. STEVENS, Mr. TORRICELLI, Mr. REID, and Mrs. FEINSTEIN):

S. 1991. To establish a national rail passenger transportation system, reauthorize Amtrak, improve security and service on Amtrak, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. KENNEDY (for himself, Mr. BINGAMAN, Mr. CORZINE , Mrs. BOXER, Mr. DASCHLE, Mr. HARKIN, Ms. MIKULSKI, Mr. REED, Mrs. CLINTON, and Mr. DURBIN):

S. 1992. A bill to amend the Employee Retirement Income Security Act of 1974 to improve diversification of plan assets for participants in individual account plans, to improve disclosure, account access, and accountability under individual account plans, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. CARNAHAN:

S. 1993. A bill to authorize a military construction project for the construction of a Weapons of Mass Destruction Responder Training Facility at Fort Leonard Wood, Missouri; to the Committee on Armed Services.

By Mr. KERRY (for himself and Mr. BOND):

S. 1994. A bill to establish a priority preference among certain small business concerns for purposes of Federal contracts, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Ms. SNOWE (for herself, Mr. FRIST, Mr. JEFFORDS, Mr. ENZI, Ms. COLLINS, Mr. HAGEL, Mr. DEWINE, and Mr. GREGG):

S. 1995. A bill to prohibit discrimination on the basis of genetic information with respect to health insurance and employment; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DASCHLE (for himself, Mr. LOTT, Mr. REID, and Mr. ENSIGN):

S. Res. 217. A resolution relative to the death of the Honorable Howard W. Cannon, formerly a Senator from the State of Nevada; considered and agreed to.

ADDITIONAL COSPONSORS

S. 540

At the request of Mr. DEWINE, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 540, a bill to amend the Internal Revenue Code of 1986 to allow as a deduction in determining adjusted gross income the deduction for expenses in connection with services as a member of a reserve component of the Armed Forces of the United States, to allow employers a credit against income tax with respect to employees who participate in the military reserve components, and to allow a comparable credit for participating reserve component self-employed individuals, and for other purposes.

S. 813

At the request of Mr. SANTORUM, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 813, a bill to amend title XVIII of the Social Security Act to increase payments under the medicare program to Puerto Rico hospitals.

S. 999

At the request of Mr. BINGAMAN, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 999, a bill to amend title 10, United States Code, to provide for a Korea Defense Service Medal to be issued to members of the Armed Forces who participated in operations in Korea after the end of the Korean War.

S. 1007

At the request of Mr. REID, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 1007, a bill to amend the Internal Revenue Code of 1986 to treat gold, silver, and platinum, in either coin or bar form, in the same manner as stocks and bonds for purposes of the maximum capital gains rate for individuals.

S. 1062

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1062, a bill to amend the Public Health Service Act to promote organ donation and facilitate interstate linkage and 24-hour access to State donor registries, and for other purposes.

S. 1140

At the request of Mr. HATCH, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 1140, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

S. 1286

At the request of Mrs. CARNAHAN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1286, a bill to provide for greater access to child care services for Federal employees.

S. 1335

At the request of Mr. KENNEDY, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 1335, a bill to support business incubation in academic settings.

S. 1394

At the request of Mr. ENSIGN, the names of the Senator from North Carolina (Mr. HELMS), the Senator from South Dakota (Mr. JOHNSON), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 1394, a bill to amend title XVIII of the Social Security Act to repeal the medicare outpatient rehabilitation therapy caps.

S. 1607

At the request of Mr. ROCKEFELLER, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 1607, a bill to amend title XVIII of the Social Security Act to provide coverage of remote monitoring services under the medicare program.

S. 1739

At the request of Mr. CLELAND, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 1739, a bill to authorize grants to improve security on over-the-road buses.

S. 1899

At the request of Mr. BROWNBACK, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 1899, a bill to amend title 18, United States Code, to prohibit human cloning.

S. 1917

At the request of Mr. JEFFORDS, the names of the Senator from Utah (Mr. BENNETT) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of S. 1917, a bill to provide for highway infrastructure investment at the guaranteed funding level contained in the Transportation Equity Act for the 21st Century.

S. RES. 109

At the request of Mr. REID, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Vermont (Mr. JEFFORDS), the Senator from Arkansas (Mrs. LINCOLN), and the Senator from Oregon (Mr. SMITH) were added as cosponsors of S. Res. 109, a resolution designating the second Sunday in the month of December as ''National Children's Memorial Day'' and the last Friday in the month of April as ''Children's Memorial Flag Day.''

S. RES. 132

At the request of Mr. CAMPBELL, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. Res. 132, a resolution recognizing the social problem of child abuse and neglect, and supporting efforts to enhance public awareness of it.

S. RES. 206

At the request of Mr. MURKOWSKI, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. Res. 206, a resolution designating the week of March 17 through March 23, 2002 as ''National Inhalants and Poison Prevention Week.''

S. RES. 207

At the request of Mr. BINGAMAN, the names of the Senator from Delaware (Mr. BIDEN), the Senator from North

Carolina (Mr. EDWARDS), and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of S. Res. 207, a resolution designating March 31, 2002, and March 31, 2003, as ''National Civilian Conservation Corps Day.''

S. RES. 215

At the request of Mr. CLELAND, the names of the Senator from New Mexico (Mr. BINGAMAN), the Senator from Alaska (Mr. STEVENS), the Senator from Arkansas (Mrs. LINCOLN), the Senator from Louisiana (Mr. BREAUX), and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. Res. 215, a resolution designating the week beginning March 17, 2002, as ''National Safe Place Week.''

At the request of Mr. CRAIG, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. Res. 215, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. MURRAY (for herself, Mrs. BOXER, Ms. CANTWELL, and Mr. CORZINE):

S. 1990. A bill to establish a public education awareness program relating to emergency contraception; to the Committee on Health, Education, Labor, and Pensions.

Mrs. MURRAY. Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1990

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 ''Emergency Contraception Education Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) each year, 3,000,000 pregnancies, or one half of all pregnancies, in the United States are unintended, and half of all of these unintended pregnancies end in abortion;

(2) the Food and Drug Administration has declared emergency contraception to be safe and effective in preventing unintended pregnancy, reducing the risk by as much as 89 percent;

(3) the most commonly used forms of emergency contraception are regimens of ordinary birth control pills taken within 72 hours of unprotected intercourse or contraceptive failure;

(4) emergency contraception, also known as post-coital contraception, is a responsible means of preventing pregnancy that works like other hormonal contraception to delay ovulation, prevent fertilization or prevent implantation;

(5) emergency contraception does not cause abortion and will not affect an established pregnancy;

(6) it is estimated that the use of emergency contraception could cut the number of unintended pregnancies in half, thereby reducing the need for abortion;

(7) emergency contraceptive use is the United States remains low, and 9 in 10 women of reproductive age remain unaware of the method;

(8) although the American College of Obstetricians and Gynecologists recommends that doctors routinely offer women of reproductive age a prescription for emergency contraceptive pills during their annual visit, only 1 in 5 ob/gyns routinely discuss emergency contraception with their patients, suggesting the need for greater provider and patient education;

(9) in light of their safety and efficacy, both the American Medical Association and the American College of Obstetricians and Gynecologists have endorsed more widespread availability of emergency contraceptive pills, and have recommended that dedicated emergency contraceptive products be available without a prescription;

(10) Healthy People 2010, published by the Office of the Surgeon General, establishes a 10-year national public health goal of increasing the proportion of health care providers who provide emergency contraception to their patients; and

(11) public awareness campaigns targeting women and health care providers will help remove many of the barriers to emergency contraception and will help bring this important means of pregnancy prevention to American women.

SEC. 3. EMERGENCY CONTRACEPTION EDUCATION AND INFORMATION PROGRAMS.

(a) DEFINITIONS.—In this section:

(1) EMERGENCY CONTRACEPTION.—The term ''emergency contraception'' means a drug or device (as the terms are defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321)) that is—

(A) used after sexual relations; and

(B) prevents pregnancy, by preventing ovulation, fertilization of an egg, or implantation of an egg in a uterus.

(2) HEALTH CARE PROVIDER.—The term ''health care provider'' means an individual who is licensed or certified under State law to provide health care services and who is operating within the scope of such license.

(3) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the same meaning given such term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(b) EMERGENCY CONTRACEPTION PUBLIC EDUCATION PROGRAM.—

(1) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall develop and disseminate to the public information on emergency contraception.

(2) DISSEMINATION.—The Secretary may disseminate information under paragraph (1) directly or through arrangements with nonprofit organizations, consumer groups, institutions of higher education, Federal, State, or local agencies, clinics and the media.

(3) INFORMATION.—The information disseminated under paragraph (1) shall include, at a minimum, a description of emergency contraception, and an explanation of the use, safety, efficacy, and availability of such contraception.

(c) EMERGENCY CONTRACEPTION INFORMATION PROGRAM FOR HEALTH CARE PROVIDERS.—

(1) IN GENERAL.—The Secretary, acting through the Administrator of the Health Resources and Services Administration and in consultation with major medical and public health organizations, shall develop and disseminate to health care providers information on emergency contraception.

(2) INFORMATION.—The information disseminated under paragraph (1) shall include, at a minimum—

(A) information describing the use, safety, efficacy and availability of emergency contraception;

(B) a recommendation regarding the use of such contraception in appropriate cases; and

(C) information explaining how to obtain copies of the information developed under subsection (b), for distribution to the patients of the providers.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for each of fiscal years 2003 through 2007.

By Mr. HOLLINGS (for himself, Mr. BIDEN, Mr. BREAUX, Mr. CARPER, Mr. CLELAND, Mrs. CLINTON, Mr. CORZINE, Mr. DURBIN, Mrs. HUTCHISON, Mr. JEFFORDS, Mr. KENNEDY, Mr. KERRY, Mr. LEAHY, Ms. MIKULSKI, Mr. ROCKEFELLER, Mr. SCHUMER, Mr. STEVENS, Mr. TORRICELLI, Mr. REID, and Mrs. FEINSTEIN):

S. 1991. To establish a national rail passenger transportation system, reauthorize Amtrak, improve security and service on Amtrak, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. HOLLINGS. Madam President, I rise today to introduce the National Defense Rail Act on behalf of myself and some 19 co-sponsors. This legislation will establish a strong and efficient national passenger rail system. For far too long, we have neglected investing in our Nation's passenger rail system. We have taken an active responsibility in developing the infrastructure of all other modes of transportation, whether it has been federally funding the development of the interstate highway system, subsidizing airport construction, or taking the responsibility for dredging harbors and channels or building locks and dams. Now it is time to build a world class passenger railroad system in the United States. We know it can be done. Japan and France provide two models of successful passenger railroad service. The time to move ahead is now. We cannot wait for highways and airports to become so clogged that they cannot operate any longer. Rail systems are not built in a day. We need to engage in long-term planning to address future passenger transportation growth and show forethought in crafting transportation solutions—not wait for an impending crisis. My legislation provides the vision to begin to do this.

The atrocious events of September 11, 2001, and the aftermath which followed, exposed the vulnerability of our society and our economy when transportation choices are limited and our mobility is diminished. In the aftermath of the horrific attack on the World Trade Center and the Pentagon, we were forced to adjust to a transportation system that was without access to aviation. That should make us all evaluate the problems inherent in a policy that results in overall dependence on any one particular mode of transportation. We need to have a more balanced system of transportation for passengers in this country. Our economy depends on it; our travelers deserve it; and our roads and airports

could operate more efficiently in a balanced system.

After the Federal Aviation Administration grounded all flights following the terrorist attacks on September 11, 2001, travelers flocked to Amtrak. Whether people had to travel for business, to help with rescue efforts, or just to get home, Amtrak kept our American citizens moving during a time of national emergency.

The situation not only proved that Amtrak works, but that passenger rail is a critical part of our transportation infrastructure during a national emergency or security crisis. Amtrak provided a critical transportation link, carrying 35,000 passengers along the Northeast corridor every day, and hundreds of extra carloads of mail for the U.S. Postal Office in the days following the terrorist attacks.

Transportation security—an essential part of our national security—requires a balanced and competitive system of transportation alternatives. In September, we found that our dependence on the aviation system almost crippled us. We cannot afford to rely on any single mode of transportation; we need to ensure that we have a balanced system that includes a sound passenger rail system. We also know that passenger railroads use less fuel per passenger mile than highway vehicles and commercial airlines. During these times of oil-consciousness, a larger presence of passenger rail in our transportation system would reduce our Nation's dependence on foreign oil.

Passenger railroads, the interstate highway system, and our national aviation network have all taken different paths to their current roles in our national transportation system. The tales of their development stand in quite a stark contrast from each other.

The interstate highway system has received significant attention and federal funding since the construction of the Lincoln Highway in 1913 and the Rural Post Roads Act of 1916, and later during World War II with the Federal Highway Act of 1944. It was not until 1956, however, that the Government began heavily promoting highway transportation with the passage of the Federal Aid Highway Act of 1956. The act established a Highway Trust Fund based upon Federal user taxes, in order to finance up to 90 percent of State construction costs of the $25 billion plan to pay for new roads, and the construction of the Eisenhower National Interstate and Defense Highway System.

Similar policies and Federal attention for aviation resulted in a strengthened infrastructure, and follows much the same story of the highways system.

Passenger rail service was once a vital instrument in the transportation needs of our Nation. For instance, during World War II, not only did the railroads transport 90 percent of all defense freight, but also 97 percent of all defense personnel on their way to theaters of action. By the end of the war, railroads accounted for three-quarters of the common carrier share of intercity traffic, with airplanes and buses sharing the remaining quarter of traffic. However, with national focus turned to aviation and highways, by the late 1960s most rail companies were petitioning the Government to discontinue passenger services because of losses.

Amtrak was created as a Federal corporation in order to relieve the railroad industry of these unprofitable passenger operations, and in the interest of maintaining a national passenger rail network. But in retrospect, Amtrak was set up not to thrive and expand passenger rail service, but really to just maintain the status quo of 30 years ago. That attitude persists even today. Since 1971, Amtrak has received only $25 billion in public subsidies; during that period, the United States invested $750 billion on highways and aviation.

So one problem becomes all too clear—that U.S. passenger rail infrastructure has no stable funding source in contrast to highways, aviation, and transit. In fact, per capita spending on passenger rail is much lower than many other countries: the U.S. ranks behind Britain, France, Japan, Canada, Luxembourg, Austria, Switzerland, Belgium, Sweden, Denmark, Italy, Ireland, Spain, Norway, Czech Republic, Finland, Slovakia, Portugal, Poland, South Africa, Greece, and Estonia. Imagine that of the 23 industrialized nations with rail service, we are at the bottom. Including these countries, no passenger rail service in the world has built and operated a passenger rail system at a profit. All have required Government support for construction and maintenance, or operating support, or both. That same principle holds true for highways and aviation, which have required substantial Federal spending since their beginning and continue to receive generous Federal subsidies today.

Those who want passenger rail to operate without Federal assistance—ultimately forcing more travelers onto cars, buses and airplanes—argue that we should not ''subsidize'' passenger rail. But we subsidize the building of roads and highways with tax dollars. We subsidize the building of airports and pay for all of the equipment and people needed to run our air traffic control system. We consider those subsidies to be worthwhile investments in our economy and our quality of life. We must make the same investment to create a world-class passenger rail system in order to see the same kinds of benefits.

While that argument should stand on its own, here's something the highway and airline crowd can take to the bank: moving more short-haul travelers to rail service reduces congestion on our already overcrowded highways and eases congestion at airports. It also provides real competition to airlines on short-haul trips.

Over the past 30 years, the lack of investment and attention to the needs of passenger rail infrastructure has resulted in a weak passenger rail network, and has caused a strain on the capacity of other modes of transportation in many areas of the country. The Amtrak Reform and Accountability Act of 1997, and preceding statutes, resulted in creating conflicting missions for Amtrak: serve a public function by operating unprofitable long-distance routes, but also attempt to operate at a profit. To add insult to injury, Amtrak has been forced to delay capital improvement projects having important long-term benefits in order to attempt to meet the mandate of the 1997 Act. Congress passed this misguided law in 1997, requiring Amtrak to operate without government support by the end of fiscal year 2002. But there is no truly national passenger train service in the world that makes a profit. Requiring Amtrak to make a profit has forced the railroad to forgo long-term capital investments in favor of short-term, bond payment shell games. Instead of investing in modern trains and infrastructure upgrades, Amtrak was forced to mortgage Penn Station just to pay the electric bill.

From this, it is evident that we need to reevaluate our Nation's rail passenger policy, and clearly define a role for Amtrak. A strong Federal role was required to establish the interstate highway system and the Federal aviation network. And now Federal investment in passenger rail infrastructure is critical; once again, Federal leadership is required to address the needs of a reliable, safe, secure passenger rail network.

This legislation provides a blueprint for the future of passenger rail in the United States. The bill will help develop high-speed rail corridors, which are the building blocks for a national passenger rail system. This will allow regional transportation solutions to play a part in the national system. It will also aid in the development of short distance corridors between larger urban centers, as well as provide funding to preserve longer distance routes for those communities that do not have the population densities to merit air service—sometimes the train is their only alternative to driving. Finally, it will provide Amtrak with the tools and funding it needs to operate efficiently.

This legislation authorizes $1.255 billion in emergency spending for Amtrak's security and life safety needs. Similar language was included in the Rail Security Act, S. 1550, which was favorably reported by the committee on October 17, 2001. In that legislation, we authorized funds to be spent on immediate rail security needs, such as hiring more police officers across the entire Amtrak system and modernizing the safety infrastructure of old tunnels.

This bill will give the Federal Government the script for the role it needs

to play in establishing a national rail passenger system. It would not require any State contribution, and would give preference to projects having right-of-way dedicated to passenger rail, involving high-speed passenger service of 125 mph, although operations of 90 mph speeds or more would be eligible for funding, and those connecting to other modes of passenger transportation, including airports.

The bill authorizes $1.5 billion annually for corridor development. These funds are needed for infrastructure acquisition, highway-rail grade crossing improvement/elimination, acquisition of rolling stock and track and signal equipment. Development of a national passenger rail system carries a high cost, and the Federal Government must take the lead role in funding it.

This bill will also fund $35 billion in loan guarantees. This money will dramatically expand the current Railroad Rehabilitation & Infrastructure Financing loan and loan guarantee program. But we also must restructure that program. Since it was created in 1998 as part of TEA–21 bill, the program has processed only a few loans due to unreasonable constraints imposed by OMB. Our bill eliminates the artificial limits on loan amounts, impossible collateral requirements, and unworkable loan cohort structures.

This bill identifies existing high-speed corridors in 29 States and the District of Columbia for priority consideration. Many of these corridors are in areas where people are now driving cars or taking airplanes on trips of 300 miles or less. In these areas, like the East Coast, travelers could take a high-speed train instead and arrive at about the same time. But right now they don't have that rail option, and they won't until we build it.

The passenger railroad system that has worked well in the Northeast can work in other highly-congested areas of the country: the South, the Midwest, California and the Northwest. Thirty years ago, those areas did not have the population to support high-speed intercity rail. But today those areas are growing by leaps and bounds. As the highways in those areas clog up and the planes run 3 hours late, their Governors—many of them Republicans—are asking us for help to build high speed rail.

A short-term benefit of this legislation will be stimulation of the economy by providing jobs in developing new corridors. This bill ensures that fair labor standards for all projects receiving funds under it, including payment of prevailing wages and allowance of collective bargaining over wage rates.

Another immediate benefit will be the closing/improvement of highway-rail grade crossings in high-speed rail corridors. Under this bill, funds are set aside specifically for these important safety improvements.

This legislation will provide the necessary funds of $1.31 billion for Amtrak to repair and upgrade the track it owns and operates in the Northeast corridor. This corridor is a prime example of the benefits we can attain when there are transportation choices for travelers. The Northeast corridor has become an invaluable asset to our national transportation system, and it should not be left in disrepair. This bill authorizes funds to enable Amtrak to eliminate its capital backlog of projects, maintain ongoing projects to capital infrastructure, and improve capacity to accommodate projected growth in traffic. It also allows Amtrak to reinvest revenues from operations in the Northeast corridor back into the backlog of capital infrastructure projects.

In a nutshell, this is our long term plan to make passenger rail a part of our balanced transportation system. But in the short run, we must make sure Amtrak's financial foundation is strong at a time when we are relying on them more than ever. Amtrak's ridership has increased consistently, and they now carry over 22 million passengers per year. This legislation will give Amtrak the tools and funding they need to create a modern, efficient passenger railroad. The bill reauthorizes Amtrak for 5 years, and fully funds their capital needs and the operating losses with respect to long-distance service.

This legislation repeals the unrealistic operating self-sufficiency requirements. It also authorizes funding for compliance with environmental standards, and the Americans with Disabilities Act.

This legislation will further aid Amtrak to operate more efficiently. It will require Amtrak to reinvest revenues from non-passenger operations into growth projects outside the Northeast corridor. It will require revenue from the Northeast corridor to be reinvested into capital projects on the Northeast corridor. Finally, it will require an annual independent audit of Amtrak, to be reviewed by the Department of Transportation's Inspector General.

I am pleased my colleagues have joined with me in sponsoring this bill. By developing passenger rail as part of a balanced transportation system, this legislation will lead to the creation of jobs in the short run to stimulate our economy. In the long run, high-speed rail corridors will become a key foundation for our national rail passenger transportation system, which is critical to the strong backbone of a prosperous economy.

Like the interstate highway system, the benefits of passenger rail and Amtrak could be immeasurable, so we have much at stake. While I have outlined an ambitious blueprint, I keep in mind that 50 years ago, the National System of Interstate and Defense Highways was ''pie in the sky.'' Now our successful Dwight D. Eisenhower System of Interstate and Defense Highways and national aviation network are used by many, so much that in many places they are congested and strained to capacity. We should not wait until our current transportation problems reach epidemic proportions; our economy cannot afford it.

Madam President, I ask unanimous consent that the bill and an outline of the finances of this bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1991

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

SECTION 1. SHORT TITLE; AMENDMENT OF TITLE 49; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''National Defense Rail Act''.

(b) AMENDMENT OF TITLE 49.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

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

Sec. 1. Short title; amendment of title 49; table of contents.
Sec. 2. Findings.

TITLE I—RAIL TRANSPORTATION SECURITY

Sec. 101. Amtrak security assistance.
Sec. 102. Study of foreign rail transport security programs.
Sec. 103. Passenger, baggage, and cargo screening.
Sec. 104. Rail security.
Sec. 105. Rail transportation security risk assessment.

TITLE II—INTERSTATE RAILROAD PASSENGER HIGH-SPEED TRANSPORTATION SYSTEM

Sec. 201. Interstate railroad passenger high-speed transportation policy.
Sec. 202. High-speed rail corridor planning.
Sec. 203. Implemenation assistance.
Sec. 204. Designated high-speed rail corridors.
Sec. 205. Labor standards.
Sec. 206. Railway-highway crossings in high-speed rail corridors.
Sec. 207. Authorization of appropriations.

TITLE III—NATIONAL RAILROAD PASSENGER CORPORATION

Sec. 301. National railroad passenger transportation system defined.
Sec. 302. Extension of authorization.
Sec. 303. Additional Amtrak authorizations.
Sec. 304. Northeast Corridor authorizations.
Sec. 305. Long distance trains.
Sec. 306. Short distance trains; State-supported routes.
Sec. 307. Re-establishment of Northeast Corridor Safety Committee.
Sec. 308. On-time performance.
Sec. 309. Amtrak board of directors.
Sec. 310. Independent audit of Amtrak operations; review by DOT IG.

TITLE IV—MISCELLANEOUS

Sec. 401. Rehabilitation, improvement, and security financing.
Sec. 402. Rail passenger cooperative research program.
Sec. 403. Conforming amendments to title 49 reflecting ICC Termination Act.
Sec. 404. Applicability of reversion to Alaska Railroad right-of-way property.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Financial investment in passenger rail infrastructure is critical, and Federal leadership is required to address the needs of a reliable safe, secure passenger rail network, just as has been used in establishing the interstate highway system and the Federal aviation network.

(2) Lack of investment and attention to the needs of passenger rail infrastructure has resulted in a weak passenger rail network, and has caused a strain on the capacity of other modes of transportation in many areas of the country. According to the Department of Transportation, in 1999 the cost of wasted time and extra fuel consumption due to delays on congested roads was estimated at $78 billion.

(3) Passenger rail is an integral part of the United States transportation system, and, as can be evidenced in the Northeast Corridor, relieves the pressures of congestion on highways and at airports, and creates a more balanced system of transportation alternatives.

(4) Passenger rail service has been a vital instrument in the transportation needs of our Nation. For instance, during World War II, the privately owned, operated, and constructed railroad industry transported 90 percent of all defense freight, and 97 percent of all defense personnel transported to points of embarkation for theaters of action. By the end of the war, railroads accounted for three quarters of the share of the common carrier share of intercity traffic, with airplanes and buses sharing the remaining quarter of traffic.

(5) Significant attention and Federal funding were required to construct the Eisenhower System of Interstate and Defense Highways. The Federal Aid Highway Act of 1956 established a Highway Trust Fund based upon Federal user taxes in order to finance up to 90 percent of the costs of the $25 billion dollar highway construction plan.

(6) Federal policies with respect to investment in aviation resulted in a strengthened aviation industry and the rapid development of air passenger service, and by the late 1960's most rail companies were petitioning the Government to discontinue passenger services because of losses.

(7) Amtrak was established in 1971 by the Rail Passenger Service Act of 1970 to provide passenger rail services in the United States as a public service; at the time of Amtrak's formation, freight railroads were losing money on unprofitable passenger rail operations. Since 1971 Amtrak has received only $25 billion in public subsidies; during that period, the United States invested $750 billion on highways and aviation.

(8) The Amtrak Reform and Accountability Act of 1997, and preceding statutes, resulted in creating conflicting missions for the National Railroad Passenger Corporation of both serving a public function by operating unprofitable long-distance routes while also attempting to operate at a profit. This policy has also restricted Amtrak's profit potential on the Northeast Corridor by limiting the capital expenditures to help defray other costs.

(9) Due to a lack of capital investment, the Northeast Corridor has accumulated a backlog of repair needs, including life safety and security needs. Investment in the capital needs of the Northeast Corridor would result in capacity improvements which would result in greater utilization of the existing infrastructure.

(10) The Department of Transportation Inspector General's 2001 Assessment of Amtrak's Financial Performance and Requirements (Report #CR–2002–075) found that Amtrak's lack of available capital has impeded its efforts to achieve financial goals.

(11) In order to attempt to meet the mandate of the Amtrak Reform and Accountability Act of 1997, Amtrak has been forced to delay capital improvement projects and other projects which would produce long-term benefits.

(12) The Department of Transportation Inspector General's 2001 Assessment of Amtrak's Financial Performance and Requirements (Report #CR–2002–075) found that Amtrak's most profitable operations are on the Northeast Corridor, where Federal investment in passenger rail infrastructure has been significantly higher than anywhere else in the country.

(13) Federal investments in capital projects to support passenger rail in areas other than the Northeast Corridor would result in improved service and increase profitability.

(14) The need for a balanced interstate and international transportation system that provides a viable alternative to travel by private automobile or commercial aircraft is particularly evident after the events of September 11, 2001.

(15) As a matter of national security, a strong passenger rail network would provide travelers an alternative to highway and air travel, which could lead to reduced United States reliance on foreign oil imports.

(16) In fiscal year 2001, the United States spent less than 1 percent of all transportation modal spending on intercity passenger rail, and since 1998, Amtrak has received only $4.59 billion of the $8.42 billion it has been authorized to receive by Congress.

(17) Passenger rail in the United States has no stable funding source, in contrast to highways, aviation, and transit.

(18) Per capita spending on passenger rail is much higher in other countries than the United States and, in fact, the United States ranks behind other countries including Canada, Japan, France, Great Britain, Italy, Spain, Austria, Switzerland, Belgium, Sweden, Luxembourg, Denmark, Ireland, Norway, the Czech Republic, Finland, Slovakia, Portugal, Poland, South Africa, Greece, and Estonia.

(19) The United States needs to engage in long-term planning to foster and address future passenger transportation growth and show forethought regarding transportation solutions rather than be forced to act due to an impending crisis.

(20) It is in the national interest to preserve passenger rail service in the United States and to maintain the solvency of the National Railroad Passenger Corporation.

(21) Long-term planning and support for passenger rail will help offset the emerging problems created by transportation congestion, and contribute to a cleaner and more environmentally-friendly transportation system.

(22) A comprehensive re-evaluation of our nation's rail passenger policy is required and a clearly defined role for Amtrak and a connected rail passenger network must be established.

(23) The Federal government must take the primary responsibility for developing national railroad passenger transportation infrastructure, and help ensure that it functions as an efficient network. Privatization of the rail passenger industry in Great Britain has been disastrous and passenger service has suffered overall.

(24) The Nation should be afforded the opportunity to receive safe, efficient, and cost-effective rail passenger services, taking into account all benefits to the Nation as a whole.

TITLE I—RAIL TRANSPORTATION SECURITY

SEC. 101. AMTRAK SECURITY ASSISTANCE.

(a) INFRASTRUCTURE SECURITY.—The following amounts are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for fiscal year 2003:

(1) $26,000,000 for tunnel, bridge, electric traction, and tower security, including closed circuit television cameras, vehicle barriers, lighting, and fencing, of which $19,725,000 shall be obligated or expended on the Northeast Corridor and $6,275,000 shall be obligated or expended outside the Northeast Corridor.

(2) $137,370,000 for interlocking security needs, including closed circuit television cameras, lighting, fencing and vehicle barriers, of which 50 percent shall be obligated or expended on the Northeast Corridor and 50 percent shall be obligated or expended outside the Northeast Corridor.

(3) $12,525,000 for equipment facility security, including closed circuit television cameras, lighting, and vehicle barriers, of which $4,175,000 shall be obligated or expended on the Northeast Corridor and $8,350,000 shall be obligated or expended outside the Northeast Corridor.

(4) $22,140,000 for yard and terminal security, including closed circuit television cameras, lighting, fencing and vehicle barriers, of which $9,225,000 shall be obligated or expended on the Northeast Corridor and $12,915,000 shall be obligated or expended outside the Northeast Corridor.

(5) $2,940,000 for mail and express facilities security, including closed circuit television cameras, lighting, fencing, and vehicle barriers, of which $1,470,000 shall be obligated or expended on the Northeast Corridor and $1,470,000 shall be obligated or expended outside the Northeast Corridor.

(6) $20,125,000 for station security, including closed circuit television cameras, x-ray machines, lighting, fencing and vehicle barriers, of which $7,000,000 shall be obligated or expended on the Northeast Corridor and $13,125,000 shall be obligated or expended outside the Northeast Corridor.

(7) $538,000 for employee identification systems, including improved technology for badges issued to employees and visitors controlled through a centralized database.

(8) $75,000 for bomb-resistant trash containers, of which 50 percent shall be obligated or expended on the Northeast Corridor and 50 percent shall be obligated or expended outside the Northeast Corridor.

(9) $5,800,000 for a passenger information retrieval system to capture security information, create watchlists, and an online history of passengers, of which 50 percent shall be obligated or expended on the Northeast Corridor and 50 percent shall be obligated or expended outside the Northeast Corridor.

(10) $6,200,000 for an incident tracking system to create and maintain an electronic database of data on criminal and operational incidents, of which 50 percent shall be obligated or expended on the Northeast Corridor and 50 percent shall be obligated or expended outside the Northeast Corridor.

(11) $4,300,000 for upgrades to ticket kiosks for photo imaging for identification purposes, of which 50 percent shall be obligated or expended on the Northeast Corridor and 50 percent shall be obligated or expended outside the Northeast Corridor.

(12) $16,750,000 for an incident command system to serve as a second command center and a disaster recovery command site, of which $5,000,000 shall be obligated or expended on the Northeast Corridor and $11,750,000 shall be obligated or expended outside the Northeast Corridor.

(13) $5,000,000 for train locator and tracking systems to provide GPS coordinates for all locomotives, of which 50 percent shall be obligated or expended on the Northeast Corridor and 50 percent shall be obligated or expended outside the Northeast Corridor.

(14) $120,000 for a notification system for integration of GPS information into the central computer systems, of which 50 percent

shall be obligated or expended on the Northeast Corridor and 50 percent shall be obligated or expended outside the Northeast Corridor.

(15) $1,245,000 for mail and express shipment software to identify each shipment positively before it is transported by rail, of which $405,000 shall be obligated or expended on the Northeast Corridor and $840,000 shall be obligated or expended outside the Northeast Corridor.

(16) $1,211,000 for mail and express tracking deployment to identify the status of each rail shipment.

(b) SECURITY OPERATIONS.—The following amounts are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for fiscal year 2003:

(1) $354,000 for hiring 4 police officers, each of whom is to be dedicated to a specific region of the United States, to provide intelligence-gathering and analysis, conduct crime-mapping assessments throughout the entire system, work with law enforcement to prevent terrorist acts and reduce Amtrak's vulnerability, of which 50 percent shall be obligated or expended on the Northeast Corridor and 50 percent shall be obligated or expended outside the Northeast Corridor.

(2) $10,411,000 for the hiring of 150 patrol officers and 48 specialized personnel, of whom 101 would be deployed on the Northeast Corridor and 97 outside the Northeast Corridor.

(3) $11,292,000 for the hiring of 250 security officers, of whom 147 would be deployed on the Northeast Corridor and 103 outside the Northeast Corridor.

(4) $1,828,000 for the hiring of 20 canine bomb teams, of which 14 are to be deployed outside the Northeast Corridor and 10 are to be deployed to mail and express facilities.

(5) $30,761,000 for 90 infrastructure security inspectors to inspect the rights-of-way, bridges, buildings, tunnels, communications and signaling equipment, fencing, gates, barriers, lighting, catenary system, and other security features, of which $21,000,000 is to be obligated or expended on the Northeast Corridor and $10,000,000 is to be obligated or expended outside the Northeast Corridor.

(6) $2,990,000 to expand aviation capabilities for security coverage and patrol capabilities, including equipment, staff, and facilities, of which $997,000 is to be obligated or expended on the Northeast Corridor and $1,993,000 is to be obligated or expended outside the Northeast Corridor.

(7) $1,095,000 for the leasing of 150 vehicles and 10 bicycles to support patrol capabilities, of which $569,000 is to be obligated or expended on the Northeast Corridor and $526,000 is to be obligated or expended outside the Northeast Corridor.

(8) $669,000 for 6 management level positions with responsibility for direction, control, implementation, and monitoring of security systems, including the deployment of the 250 security officers throughout the Amtrak system, of which $446,000 is to be obligated or expended on the Northeast Corridor and $223,000 is to be obligated or expended outside the Northeast Corridor.

(9) $980,000 for applicant background investigations, of which 50 percent shall be obligated or expended on the Northeast Corridor and 50 percent shall be obligated or expended outside the Northeast Corridor.

(10) $457,000 for rapid response teams to respond to and prepare for on-site consequence management, all of which shall be obligated or expended outside the Northeast Corridor.

(c) EQUIPMENT SECURITY.—

(1) IN GENERAL.—The following amounts are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for fiscal year 2003:

(A) $1,755,000 to provide two-way communication devices for all Amtrak conductors.

(B) $3,000,000 for 2 mobile emergency command and communication units and rapid response teams, 1 to be located in the Midwest and 1 on the West Coast.

(C) $651,000 for 200 to 400 radioactive material detectors to be deployed system-wide, of which $231,000 is to be obligated or expended on the Northeast Corridor and $420,000 is to be obligated or expended outside the Northeast Corridor.

(D) $4,000,000 for hand-held bomb detectors for use by police to inspect baggage and packages.

(E) $1,400,000 to screen express packages before being placed on trains.

(F) $1,305,000 for secure locking devices on mail and express cars that have satellite-monitoring capability.

(G) $10,234,000 for video recording systems on road locomotives, of which $4,859,000 is to be obligated or expended on the Northeast Corridor and $5,375,000 is to be obligated or expended outside the Northeast Corridor.

(H) $6,712,000 to acquire and install satellite-based technology to shut down any locomotive that is not under the control of its crew.

(I) $4,320,000 to install 10 new communications stations to enable radio communications in remote locations and 12 satellite receivers.

(J) $4,000,000 for 4 self-propelled high-speed rail cars designated for selective patrol and enforcement functions, including critical incident response, dignitary protection, and roving rail security inspections.

(2) ALLOCATION.—Except as provided in subparagraphs (B), (C), and (G) of paragraph (1), 50 percent of any amounts appropriated pursuant to paragraph (1) shall be obligated or expended on the Northeast Corridor and 50 percent of such amounts shall be obligated or expended outside the Northeast Corridor.

(d) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to subsections (a), (b), and (c) shall remain available until expended.

(e) PROHIBITION ON USE OF EQUIPMENT FOR EMPLOYMENT-RELATED PURPOSES.—An employer may not use closed circuit television cameras purchased with amounts authorized by this section for employee disciplinary or monitoring purposes unrelated to transportation security.

SEC. 102. STUDY OF FOREIGN RAIL TRANSPORT SECURITY PROGRAMS.

(a) REQUIREMENT FOR STUDY.—Not later than June 1, 2003, the Comptroller General shall carry out a study of the rail passenger transportation security programs that are carried out for rail transportation systems in Japan, member nations of the European Union, and other foreign countries.

(b) PURPOSE.—The purpose of the study shall be to identify effective rail transportation security measures that are in use in foreign rail transportation systems, including innovative measures and screening procedures determined effective.

(c) REPORT.—The Comptroller General shall submit a report on the results of the study to Congress. The report shall include the Comptroller General's assessment regarding whether it is feasible to implement within the United States any of the same or similar security measures that are determined effective under the study.

SEC. 103. PASSENGER, BAGGAGE, AND CARGO SCREENING.

(a) REQUIREMENT FOR STUDY AND REPORT.—The Secretary of Transportation shall—

(1) study the cost and feasibility of requiring security screening for all passengers, baggage, and mail, express, and other cargo on Amtrak trains; and

(2) report the results of the study, together with any recommendations that the Secretary may have for implementing a rail security screening program to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives one year after the date of enactment of this Act.

(b) PILOT PROGRAM.—As part of the study under subsection (a), the Secretary shall conduct a pilot program of random security screening of passengers and baggage at 5 of the 10 busiest passenger rail stations served by Amtrak (measured by the average number of boardings of Amtrak passenger trains) and at up to five additional rail stations served by Amtrak that are selected by the Secretary. In selecting the additional train stations the Secretary shall attempt to achieve a distribution of participating stations in terms of geographic location and size.

SEC. 104. RAIL SECURITY.

(a) SECRETARY OF TRANSPORTATION.—Section 20103(a) is amended by striking ''safety'' and inserting ''safety, including the security of railroad operations,''.

(b) RAIL POLICE OFFICERS.—Section 28101 is amended by striking ''the rail carrier'' each place it appears and inserting ''any rail carrier''.

(c) REVIEW OF RAIL REGULATIONS.—Within 180 days after the date of enactment of this Act, the Secretary of Transportation, in consultation with the Federal Railroad Administration's Rail Safety Advisory Committee, shall review existing rail regulations of the Department of Transportation for the purpose of identifying areas in which those regulations need to be revised to improve rail safety and security.

SEC. 105. RAIL TRANSPORTATION SECURITY RISK ASSESSMENT.

(a) IN GENERAL.—

(1) ASSESSMENT.—The Secretary of Transportation shall assess the security risks associated with rail transportation and develop prioritized recommendations for—

(A) improving the security of rail tunnels, rail bridges, rail switching areas, and other areas identified by the Secretary as posing significant rail-related risks to public safety and the movement of interstate commerce, taking into account the impact that any proposed security measure might have on the provision of rail service;

(B) the deployment of chemical and biological weapon detection equipment;

(C) dealing with the immediate and long-term economic impact of measures that may be required to address those risks; and

(D) training employees in terrorism response activities.

(2) EXISTING PRIVATE AND PUBLIC SECTOR EFFORTS.—The assessment shall include a review of any actions already taken to address identified security issues by both public and private entities.

(3) RAILROAD CROSSING DELAYS.—The Secretary shall include in the assessment an analysis of the risks to public safety and to the security of rail transportation that are associated with long delays in the movement of trains that have stopped on railroad grade crossings of highways, streets, and other roads for motor vehicle traffic, especially in major metropolitan areas. The Secretary shall include in the recommendations developed under paragraph (1) recommended actions for preventing such delays and reducing the risks identified in the analysis.

(b) CONSULTATION; USE OF EXISTING RESOURCES.—In carrying out the assessment required by subsection (a), the Secretary shall—

(1) consult with rail management, rail labor, and public safety officials (including officials responsible for responding to emergencies); and

(2) utilize, to the maximum extent feasible, the resources and assistance of—

(A) the Federal Railroad Administration's Rail Safety Advisory Committee; and

(B) the Transportation Research Board of the National Academy of Sciences.

(c) REPORT.—

(1) CONTENTS.—Within 180 days after the date of enactment of this Act, the Secretary shall transmit to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure a report, without compromising national security, containing—

(A) the assessment and prioritized recommendations required by subsection (a); and

(B) any proposals the Secretary deems appropriate for providing Federal financial, technological, or research and development assistance to railroads to assist the railroads in reducing the likelihood, severity, and consequences of deliberate acts of crime or terrorism toward rail employees, rail passengers, rail shipments, or rail property.

(2) FORMAT.—The Secretary may submit the report in both classified and redacted formats if the Secretary determines that such action is appropriate or necessary.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary $5,000,000 for fiscal year 2003 to carry out this section, such sums to remain available until expended.

TITLE II—INTERSTATE RAILROAD PASSENGER HIGH-SPEED TRANSPORTATION SYSTEM

SEC. 201. INTERSTATE RAILROAD PASSENGER HIGH-SPEED TRANSPORTATION POLICY.

(a) IN GENERAL.—Chapter 261 is amended by inserting before section 26101 the following:

"§ 26100. Policy

''(a) IN GENERAL.—The Congress declares that it is the policy of the United States that designated high-speed railroad passenger transportation corridors are the building blocks of an interconnected interstate railroad passenger system that serves the entire Nation.

''(b) SECRETARY REQUIRED TO ESTABLISH NATIONAL HIGH-SPEED GROUND TRANSPORTATION POLICY.—The Secretary of Transportation shall establish the national high-speed ground transportation policy required by section 309(e)(1) of this title no later than December 31, 2002.''.

(b) CONFORMING AMENDMENTS.—

(1) The chapter analysis for chapter 261 is amended by inserting before the item relating to section 26101 the following:

''26100. Policy.''.

(2) Section 309(e)(1) is amended by striking ''Within 12 months after the submission of the study required by subsection (d),'' and inserting ''No later than December 31, 2002,''.

SEC. 202. HIGH-SPEED RAIL CORRIDOR PLANNING.

(a) IN GENERAL.—Section 26101(a) is amended to read as follows:

''(a) PLANNING.—

''(1) IN GENERAL.—The Secretary of Transportation shall provide planning assistance to States or group of States and other public agencies promoting the development of high-speed rail corridors designated by the Secretary under section 104(d) of title 23.

''(2) SECRETARY MAY PROVIDE DIRECT OR FINANCIAL ASSISTANCE.—The Secretary may provide planning assistance under paragraph (1) directly or by providing financial assistance to a public agency or group of public agencies to undertake planning activities approved by the Secretary.

''(3) 100 PERCENT FEDERAL FUNDING.—The Secretary may not require any portion of the publicly financed costs associated with eligible activities to come from non-Federal sources.

''(4) PRIORITIES TO CHICAGO, ATLANTA, AND DALLAS/FORT WORTH.—In determining projects to be undertaken pursuant to this paragraph, the Secretary shall give the highest priorities to undertaking planning in the vicinity of Union Station in Chicago, Illinois, in metropolitan Atlanta, Georgia, and in the Dallas/Fort Worth, Texas, area.''.

(b) CONFORMING AND OTHER AMENDMENTS TO SECTION 26101.—Section 26101 is further amended—

(1) by striking subsection (c)(2) and inserting the following:

''(2) the extent to which the proposed planning focuses on high-speed rail systems, giving a priority to systems which will achieve sustained speeds of 125 miles per hour or greater and projects involving dedicated rail passenger rights-of-way;'';

(2) by inserting ''and'' after the semicolon in subsection (c)(12);

(3) by striking ''completed; and'' in subsection (c)(13) and inserting ''completed.'';

(4) by striking subsection (c)(14); and

(5) by adding at the end the following:

''(d) OPERATORS AND CERTAIN SERVICE PROVIDERS DEEMED RAIL CARRIERS.—A person that conducts rail operations, or performs catering, cleaning, construction, maintenance or other services for rail operations, funded or otherwise receiving assistance under this section is deemed to be a rail carrier for purposes of part A of subtitle IV, when so operating or performing such services.''.

(c) CONFORMING AMENDMENT.—Section 511(n)(1) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 831(n)(1)) is amended by striking ''125'' and inserting ''90''.

(d) FINANCIAL ASSISTANCE TO INCLUDE LOANS AND LOAN GUARANTEES.—Section 26105(1) is amended by inserting ''loans, loan guarantees,'' after ''contracts,''.

(e) REINVESTMENT OF NON-PASSENGER OPERATING PROFIT.—Amtrak shall invest any revenue from non-passenger operations in capital needs outside the Northeast Corridor.

SEC. 203. IMPLEMENATION ASSISTANCE.

(a) IN GENERAL.—Chapter 261 is amended by inserting after section 26101 the following:

"§ 26101A. Implementation of corridor plans

''(a) IMPLEMENTATION ASSISTANCE.—

''(1) IN GENERAL.—The Secretary of Transportation shall provide implementation assistance to States or group of States and other public agencies promoting the development of high-speed rail corridors designated by the Secretary under section 104(d) of title 23. The Secretary shall establish an application and qualification process and, before providing assistance under this section, make a determination on the record that the applicant is qualified and eligible for assistance under this section.

''(2) SECRETARY MAY PROVIDE DIRECT OR FINANCIAL ASSISTANCE.—The Secretary may provide implementation assistance under paragraph (1) directly or by providing financial assistance to a public agency or group of public agencies to undertake implementation activities approved by the Secretary.

''(3) 100 PERCENT FEDERAL SHARE.—The Secretary may not require any portion of the publicly financed costs associated with eligible activities to come from non-Federal sources.

''(4) CONTRIBUTION OF LAND.—Notwithstanding paragraph (3), the Secretary may accept land contributed by a State for right-of-way, without regard to whether the State acquired the land directly or indirectly through the use of Federal funds, including transfers from the Highway Trust Fund under section 9503 of the Internal Revenue Code of 1986.

''(5) PRIORITIES TO CHICAGO, ATLANTA, AND DALLAS/FORT WORTH.—In determining projects to be undertaken pursuant to this subsection, the Secretary shall give the highest priorities to undertaking implementation assistance in the vicinity of Union Station in Chicago, Illinois, in metropolitan Atlanta, Georgia, and in the Dallas/Fort Worth, Texas, area.

''(6) SPECIAL TRANSPORTATION CIRCUMSTANCES.—In carrying out this section, the Secretary shall allocate an appropriate portion of the amounts available for implementation assistance to providing appropriate related assistance in any State the rail transportation system of which—

''(A) is not physically connected to rail systems in the continental United States; and

''(B) may not otherwise qualify for high-speed rail implementation assistance due to the constraints imposed on the railway infrastructure in that State due to the unique characteristics of the geography of that State or other relevant considerations, as determined by the Secretary.

''(b) ELIGIBLE IMPLEMENTATION ACTIVITIES.—The following activities are eligible for implementation assistance under subsection (a):

''(1) Security planning and the acquisition of security and emergency response equipment.

''(2) Operating expenses.

''(3) Infrastructure acquisition and construction of track and facilities.

''(4) Highway-rail grade crossing eliminations and improvements.

''(5) Acquisition of rights-of-way, locomotives, rolling stock, track, and signal equipment.

''(c) CRITERIA FOR DETERMINING ASSISTANCE FOR IMPLEMENTATION ACTIVITIES.—The Secretary, in selecting recipients of assistance under subsection (a), shall—

''(1) encourage the use of positive train control technologies;

''(2) require that any project meet any existing safety regulations, and give preference to any project determined by the Secretary to have particularly high levels of safety;

''(3) encourage intermodal connectivity by locating train stations in or near airports, bus terminals, subway stations, ferry ports, and other modes of transportation; and

''(4) ensure a general regional balance in providing such assistance and avoid the concentration of a disproportionate dedication of available financial assistance resources to a single project or region of the country.

''(d) OPERATORS AND CERTAIN SERVICE PROVIDERS DEEMED RAIL CARRIERS.—A person that conducts rail operations, or performs catering, cleaning, construction, maintenance or other services for rail operations, funded or otherwise receiving assistance under this section is deemed to be a rail carrier for purposes of part A of subtitle IV, when so operating or performing such services.''.

(b) RULEMAKING REQUIRED.—Within 90 days after the date of enactment of this Act, the Secretary of Transportation shall initiate a rulemaking to create an application and qualification procedure for providing high-speed rail corridor implementation assistance under section 26101A of title 49, United States Code.

(c) CONFORMING AMENDMENT.—The chapter analysis for chapter 261 is amended by inserting after the item relating to section 26101 the following:

''26101A. Implementation of corridor plans.''.

SEC. 204. DESIGNATED HIGH-SPEED RAIL CORRIDORS.

(a) IN GENERAL.—The Secretary of Transportation shall give priority in allocating funds authorized by section 26104 of title 49, United States Code, to designated high-speed rail corridors.

(b) DESIGNATED HIGH-SPEED RAIL CORRIDORS.—For purposes of subsection (a), the following shall be considered to be designated high-speed rail corridors:

(1) California Corridor connecting the San Francisco Bay area and Sacramento to Los Angeles and San Diego.

(2) Chicago Hub Corridor Network with the following spokes:

(A) Chicago to Detroit.

(B) Chicago to Minneapolis/St. Paul, Minnesota, via Milwaukee, Wisconsin.

(C) Chicago to Kansas City, Missouri, via Springfield, Illinois, and St. Louis, Missouri.

(D) Chicago to Louisville, Kentucky, via Indianapolis, Indiana, and Cincinnati, Ohio.

(E) Chicago to Cleveland, Ohio, via Toledo, Ohio.

(F) Cleveland, Ohio, to Cincinnati, Ohio, via Columbus, Ohio.

(3) Empire State Corridor from New York City, New York, through Albany, New York, to Buffalo, New York.

(4) Florida High-Speed Rail Corridor from Tampa through Orlando to Miami.

(5) Gulf Coast Corridor from Houston Texas, through New Orleans, Louisiana, to Mobile, Alabama, with a branch from New Orleans, through Meridian, Mississippi, and Birmingham, Alabama, to Atlanta, Georgia.

(6) Keystone Corridor from Philadelphia, Pennsylvania, through Harrisburg, Pennsylvania, to Pittsburgh, Pennsylvania.

(7) Northeast Corridor from Washington, District of Columbia, through New York City, New York, New Haven, Connecticut, and Providence, Rhode Island, to Boston, Massachusetts, with a branch from New Haven, Connecticut, to Springfield, Massachusetts.

(8) New England Corridor from Boston, Massachusetts, to Portland and Auburn, Maine, and from Boston, Massachusetts, through Concord, New Hampshire, and Montpelier, Vermont, to Montreal, Quebec.

(9) Pacific Northwest Corridor from Eugene, Oregon, through Portland, Oregon, and Seattle, Washington, to Vancouver, British Columbia.

(10) South Central Corridor from San Antonio, Texas, through Dallas/ Fort Worth to Little Rock, Arkansas, with a branch from Dallas/Fort Worth through Oklahoma City, Oklahoma, to Tulsa, Oklahoma.

(11) Southeast Corridor from Washington, District of Columbia, through Richmond, Virginia, Raleigh, North Carolina, Columbia, South Carolina, Savannah, Georgia, and Jessup, Georgia, to Jacksonville, Florida, with—

(A) a branch from Raleigh, North Carolina, through Charlotte, North Carolina, and Greenville, South Carolina, to Atlanta, Georgia; a branch from Richmond, to Hampton Roads/Norfolk, Virginia;

(B) a branch from Charlotte, North Carolina, to Columbia, South Carolina, to Charleston, South Carolina;

(C) a connecting route from Atlanta, Georgia, to Jessup, Georgia;

(D) a connecting route from Atlanta, Georgia, to Charleston, South Carolina; and

(E) a branch from Raleigh, North Carolina, through Florence, South Carolina, to Charleston, South Carolina, and Savannah, Georgia, with a connecting route from Florence, South Carolina, to Myrtle Beach, South Carolina.

(12) Southwest Corridor from Los Angeles, California, to Las Vegas, Nevada.

(c) OTHER HIGH-SPEED RAIL CORRIDORS.—For purposes of this section, subsection (b)—

(1) does not limit the term ''designated high-speed rail corridor'' to those corridors described in subsection (b); and

(2) does not limit the Secretary of Transportation's authority—

(A) to designate additional high-speed rail corridors; or

(B) to terminate the designation of any high-speed rail corridor.

SEC. 205. LABOR STANDARDS.

(a) EMPLOYEE PROTECTION.—The Secretary of Transportation shall require as a condition of any project financed in whole or in part by funds authorized by this Act that the project be conducted in a manner that provides a fair arrangement at least as protective of the interests of employees who are affected by the project so funded as the terms imposed under arrangements reached under section 141 of the Amtrak Reform and Accountability Act of 1997 (49 U.S.C. 24706 note) on rail carriers.

(b) LABOR STANDARDS.—

(1) PREVAILING WAGES.—The Secretary or Transportation—

(A) shall ensure that laborers and mechanics employed by contractors and subcontractors in construction work financed in whole or in part by funds authorized by this Act will be paid wages not less than those prevailing on similar construction in the locality, as determined by the Secretary of Labor under the Act of March 3, 1931 (known as the Davis-Bacon Act; 40 U.S.C. 276a et seq.); and

(B) may make such funds available with respect to construction work only after being assured that required labor standards will be maintained on the construction work.

(2) WAGE RATES.—Wage rates in a collective bargaining agreement negotiated under the Railway Labor Act (45 U.S.C. 151 et seq.) are deemed for purposes of this subsection to comply with the Act of March 3, 1931 (known as the Davis-Bacon Act; 40 U.S.C. 276a et seq.).

SEC. 206. RAILWAY-HIGHWAY CROSSINGS IN HIGH-SPEED RAIL CORRIDORS.

(a) IN GENERAL.—The entire cost of construction of projects for the elimination of hazards of railway-highway crossings in designated high-speed rail corridors, including the separation or protection of grades at crossings, the reconstruction of existing railroad grade crossing structures, and the relocation of highways to eliminate grade crossings, may be paid from sums authorized by subsection (k). In any case when the elimination of the hazards of a railway-highway crossing can be effected by the relocation of a portion of a railway at a cost estimated by the Secretary of Transportation to be less than the cost of such elimination by one of the methods mentioned in the first sentence of this section, then the entire cost of such relocation project may be paid from sums authorized by subsection (k).

(b) CLASSIFICATION OF PROJECTS.—The Secretary may classify the various types of projects involved in the elimination of hazards of high-speed rail corridor railway-highway crossings, and may set for each such classification a percentage of the costs of construction which shall be deemed to represent the net benefit to the railroad or railroads for the purpose of determining the railroad's share of the cost of construction. The percentage so determined shall in no case exceed 10 per cent of such costs. The Secretary shall determine the appropriate classification of each project.

(c) LIABILITY OF RAILROAD.—Any railroad involved in a project for the elimination of hazards of railway-highway crossings paid for in whole or in part from sums made available under this section shall be liable to the United States for the net benefit to the railroad determined under the classification of such project made under subsection (b). That liability to the United States may be discharged by direct payment to the State transportation department of the State in which the project is located, in which case such payment shall be credited to the cost of the project. The payment may consist in whole or in part of materials and labor furnished by the railroad in connection with the construction of the project. If any such railroad fails to discharge such liability within a 6-month period after completion of the project, it shall be liable to the United States for its share of the cost, and the Secretary shall request the Attorney General to institute proceedings against such railroad for the recovery of the amount for which it is liable under this subsection. The Attorney General is authorized to bring such proceedings on behalf of the United States, in the appropriate district court of the United States, and the United States shall be entitled in such proceedings to recover such sums as it is considered and adjudged by the court that such railroad is liable for in the premises. Any amounts recovered by the United States under this subsection shall be credited to miscellaneous receipts.

(d) SURVEY AND SCHEDULE OF PROJECTS.—Each State shall conduct and systematically maintain a survey of all high-speed rail corridor railway-highway crossings to identify those railroad crossings which may require separation, relocation, or protective devices, and establish and implement a schedule of projects for this purpose.

(e) FUNDS FOR PROTECTIVE DEVICES.—The Secretary shall give priority under this section to the elimination of high-speed rail corridor railway-highway grade crossings, but shall make funds authorized for obligation or expenditure under this section available for the installation of protective devices at high-speed rail corridor railway-highway crossings where appropriate.

(f) APPORTIONMENT.—The Secretary shall apportion funds available for obligation and expenditure under this section between high-speed rail corridor railway-highway crossings on the Northeast Corridor and such crossings outside the Northeast Corridor in an equitable fashion, taking into account traffic volume, traffic patterns, frequency of trains, adequacy of existing hazard warnings, and such other factors as the Secretary deems appropriate.

(g) ANNUAL REPORT.—The Secretary shall report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure not later than December 30 of each year on the progress being made to implement the railway-highway crossings program authorized by this section and the effectiveness of such improvements. Each report shall contain an assessment of the costs of the various treatments employed and subsequent accident experience at improved locations. The report shall include—

(1) the number of projects undertaken, their distribution by cost range, road system, nature of treatment, and subsequent accident experience at improved locations;

(2) an analysis and evaluation of the program activities in each State, including identification of any State found not to be in compliance with the schedule of improvements required by subsection (d); and

(3) recommendations for future implementation of the railway-highway crossings program under this section and section 130 of title 23, United States Code.

(h) USE OF FUNDS FOR MATCHING.—Funds authorized to be appropriated to carry out this section may be used to provide a local

government with funds to be used on a matching basis when State funds are available which may only be spent when the local government produces matching funds for the improvement of railway-highway crossings.

(i) INCENTIVE PAYMENTS FOR AT-GRADE CROSSING CLOSURES.—.

(1) IN GENERAL.—Notwithstanding any other provision of this section and subject to paragraphs (2) and (3), the Secretary may make incentive payments to a local government upon the permanent closure by such government of public at-grade high-speed rail corridor railway-highway crossings under its jurisdiction.

(2) INCENTIVE PAYMENTS BY RAILROADS.—The Secretary may not make an incentive payment under paragraph (1) to a local government with respect to the closure of a crossing unless the railroad owning the tracks on which the crossing is located makes an incentive payment to the government with respect to the closure.

(3) AMOUNT OF FEDERAL INCENTIVE PAYMENT.—The amount of the incentive payment payable to a local government under paragraph (1) with respect to a crossing may not exceed the lesser of—

(A) the amount of the incentive payment paid to the government with respect to the crossing by the railroad concerned under paragraph (2); or

(B) $ 7,500.

(j) COORDINATION WITH TITLE 23 PROGRAM.—In carrying out this section, the Secretary shall—

(1) implement this section in accordance with the classification of projects and railroad share of the cost as provided in section 646.210 of title 23, Code of Federal Regulations; and

(2) coordinate the administration of this section with the program established by section 130 of title 23, United States Code, in order to avoid duplication of effort and to ensure the effectiveness of both programs.

(k) FUNDING.—Not less than 10 percent of the amounts appropriated for each fiscal year to carry out section 26101A shall be obligated or expended to carry out this section.

SEC. 207. AUTHORIZATION OF APPROPRIATIONS.

Section 26104 is amended to read as follows:

"§ 26104. Authorization of appropriations

''(a) FISCAL YEARS 2003 THROUGH 2008.—There are authorized to be appropriated to the Secretary for each of fiscal years 2003 through 2008—

''(1) $25,000,000 for carrying out section 26101;

''(2) $1,500,000,000 for carrying out section 26101A; and

''(3) $25,000,000 for carrying out section 26102.

''(b) FUNDS TO REMAIN AVAILABLE.—Funds made available under this section shall remain available until expended.

''(c) SPECIAL RULE.—Except as specifically provided in section 26101, 26101A, or 26102, no amount authorized by subsection (a) may be used for obligation or expenditure on the Boston-to-Washington segment of the Northeast Corridor while that segment is receiving Federal funds for capital or operating expenses.''.

TITLE III—NATIONAL RAILROAD PASSENGER CORPORATION

SEC. 301. NATIONAL RAILROAD PASSENGER TRANSPORTATION SYSTEM DEFINED.

(a) IN GENERAL.—Section 24102 is amended—

(1) by striking paragraph (2);

(2) by redesignating paragraphs (3), (4), and (5) as paragraphs (2), (3), and (4), respectively; and

(3) by inserting after paragraph (4) as so redesignated the following:

''(5) 'national rail passenger transportation system' means—

''(A) the spine of the Northeast Corridor between Boston, Massachusetts and Washington, D.C.;

''(B) rail corridors that have been designated by the Secretary of Transportation as high-speed corridors, but only after they have been improved to permit operation of high-speed service;

''(C) long-distance routes of more than 750 miles between endpoints operated by Amtrak as of the date of enactment of the National Defense Rail Act; and

''(D) short-distance corridors or routes operated as of the date of enactment of the National Defense Rail Act, unless discontinued by Amtrak.''.

(b) AMTRAK ROUTES WITH STATE FUNDING.—

(1) IN GENERAL.—Chapter 247 is amended by inserting after section 27101 the following:

"§ 24702. Transportation requested by States, authorities, and other persons

''(a) CONTRACTS FOR TRANSPORTATION.—Amtrak and a State, a regional or local authority, or another person may enter into a contract for Amtrak to operate an intercity rail service or route not included in the national rail passenger transportation system upon such terms as the parties thereto may agree.

''(b) DISCONTINUANCE.—Upon termination of a contract entered into under this section, or the cessation of financial support under such a contract, Amtrak may discontinue such service or route, notwithstanding any other provision of law.''.

(2) CONFORMING AMENDMENT.—The chapter analysis for chapter 247 is amended by inserting after the item relating to section 24701 the following:

''24702. Transportation requested by States, authorities, and other persons''.

SEC. 302. EXTENSION OF AUTHORIZATION.

(a) IN GENERAL.—Section 24104(a) is amended—

(1) by striking ''and'' in paragraph (4);

(2) by striking ''2002,'' in paragraph (5) and inserting ''2002; and''; and

(3) by inserting after paragraph (5) the following:

''(6) such sums as are authorized by this title and by the National Defense Rail Act for fiscal years 2003 through 2007,''.

(b) REPEAL OF SELF-SUFFICIENCY REQUIREMENTS.

(1) TITLE 49 AMENDMENTS.—Chapter 241 is amended—

(A) by striking the last sentence of section 24101(d); and

(B) by striking the last sentence of section 24104(a).

(2) AMTRAK REFORM AND ACCOUNTABILITY ACT AMENDMENTS.—Title II of the Amtrak Reform and Accountability Act of 1997 (49 U.S.C. 24101 nt) is amended by striking sections 204 and 205.

(3) COMMON STOCK REDEMPTION DATE.—Section 415 of the Amtrak Reform and Accountability Act of 1997 (49 U.S.C. 24304 nt) is amended by striking subsection (b).

(c) LEASE ARRANGEMENTS.—Amtrak may obtain services from the Administrator of General Services, and the Administrator may provide services to Amtrak, under section 201(b) and 211(b) of the Federal Property and Administrative Service Act of 1949 (40 U.S.C. 481(b) and 491(b)) for fiscal year 2003 and each fiscal year thereafter.

(d) MISCELLANEOUS AMTRAK-RELATED AMENDMENTS.—

(1) FINANCIAL POWERS.—Section 415(d) of the Amtrak Reform and Accountability Act of 1997 by adding at the end the following:

''(3) This section does not affect the applicability of section 3729 of title 31, United States Code, to claims made against Amtrak.''.

(2) APPLICATION OF D.C. CORPORATION ACT.—Section 24301(e) is amended by striking ''title 5, this part, and, to the extent consistent with this part, the District of Columbia Corporation Act (D.C. Code 29-301 et seq.)'' and inserting ''title 5 and this part''.

(3) APPLICATION OF BUY AMERICAN ACT.—Section 24305(f) is amended to read as follows:

''(f) DOMESTIC BUYING PREFERENCES.—The Buy American Act (41 U.S.C. 10a) and section 301 of the Trade Agreements Act of 1979 (19 U.S.C. 2511) apply to Amtrak.''.

SEC. 303. ADDITIONAL AMTRAK AUTHORIZATIONS.

(a) EXCESS RRTA.—There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for fiscal year 2003, and each fiscal year thereafter, an amount equal to the amount Amtrak must pay under section 3221 of the Internal Revenue Code of 1986 in fiscal years that is more than the amount needed for benefits for individuals who retire from Amtrak and for their beneficiaries.

(b) PRINCIPAL AND INTEREST PAYMENTS.—

(1) PRINCIPAL ON DEBT SERVICE.—There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for retirement of principal on loans for capital equipment, or capital leases, the following amounts:

(A) For fiscal year 2003, $105,000,000.

(B) For fiscal year 2004, $93,000,000.

(C) For fiscal year 2005, $105,000,000.

(D) For fiscal year 2006, $108,000,000.

(E) For fiscal year 2007, $183,000,000.

(2) INTEREST ON DEBT.—There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for the payment of interest on loans for capital equipment, or capital leases, the following amounts:

(A) For fiscal year 2003, $160,000,000.

(B) For fiscal year 2004, $157,000,000.

(C) For fiscal year 2005, $147,000,000.

(D) For fiscal year 2006, $142,000,000.

(E) For fiscal year 2007, $134,000,000.

(c) ENVIRONMENTAL COMPLIANCE.—There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for fiscal year 2003, and each fiscal year thereafter, $30,000,000, of which one-third shall be obligated or expended on the Northeast Corridor and two-thirds shall be obligated or expended outside the Northeast Corridor, in order to comply with environmental regulations.

(d) COMPLIANCE WITH ADA REQUIREMENTS.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for each of fiscal years 2003 through 2007, $43,000,000 for access improvements in facilities and stations necessary to comply with the requirements of the Americans With Disabilities Act of 1990 (42 U.S.C. 12162), including an initial assessment of the full set of needs across the national rail passenger transportation system, of which—

(A) $10,000,000 shall be obligated or expended on the Northeast Corridor; and

(B) $33,000,000,000 shall be obligated or expended outside the Northeast Corridor, of which $15,000,000 shall be obligated or expended for long-distance trains.

(2) BEST EFFORTS REQUIREMENT.—If Amtrak fails to meet the period for compliance requirement imposed by section 242(e)(2)(A)(ii)(I) of the Americans With Disabilities Act of 1990 (42 U.S.C. 12162(e)(2)(A)(ii)(I))—

(A) it shall not be considered discrimination for purposes of section 202 of that Act (42 U.S.C. 12132) or section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) if Amtrak demonstrates to the satisfaction of the Secretary of Transportation that—

(i) Amtrak has made substantial progress toward meeting the requirements of section 242(e)(2)(A)(ii)(I) of the Americans With Disabilities Act of 1990 (42 U.S.C. 12162(e)(2)(A)(ii)(I)); and

(ii) Amtrak's failure to meet the period of compliance requirement of that section is attributable to the insufficiency of appropriated funds; and

(B) the period for compliance under section 242(e)(2)(A)(ii)(I) of the Americans With Disabilities Act of 1990 (42 U.S.C. 12162(e)(2)(A)(ii)(I)) shall be extended until—

(i) sufficient funds have been appropriated to the Secretary of Transportation for the use of Amtrak to enable Amtrak to comply fully with the requirements of that section; and

(ii) a reasonable period of time for the completion of necessary construction so funded has passed.

SEC. 304. NORTHEAST CORRIDOR AUTHORIZATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for fiscal year 2003, and each fiscal year thereafter, the following amounts:

(1) $370,000,000 for capital backlog on infrastructure on the Northeast Corridor to bring infrastructure up to state-of-good-repair, including renewal of the South End electric traction system, improvements on bridges and tunnels, and interlocking and signal system renewal.

(2) $60,000,000 for capital backlog on fleet to bring existing fleet to a state-of-good-repair, including equipment replacement and upgrades necessary to meet current service commitments.

(3) $40,000,000 for capital backlog on stations and facilities, including improvements to the facility and platform at the existing Penn Station, and bringing maintenance-of-way facilities up to state-of-good-repair.

(4) $350,000,000 for ongoing capital infrastructure—

(A) to replace assets on a life-cycle basis;

(B) to ensure that a state-of-good-repair is maintained in order to meet safety and reliability standards; and

(C) to meet current service commitments.

(5) $40,000,000 for ongoing capital fleet investment to sustain regularly scheduled maintenance, including a 120-day cycle of preventive maintenance, and heavy overhauls on a 4-year schedule, with interior enhancements as needed.

(6) $30,000,000 for ongoing capital improvements to stations and facilities to provide for regular upgrades to stations to meet current service needs, and regular improvements to maintenance-of-equipment and maintenance-of-way facilities.

(7) $20,000,000 for ongoing technology upgrades of reservation, distribution, financial, and operations systems, including hardware, software, infrastructure, and communications.

(b) LIFE SAFETY NEEDS.—There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for fiscal year 2003:

(1) $798,000,000 for the 6 New York tunnels built in 1910 to provide ventilation, electrical, and fire safety technology upgrades, emergency communication and lighting systems, and emergency access and egress for passengers.

(2) $57,000,000 for the Baltimore & Potomac tunnel built in 1872 to provide adequate drainage, ventilation, communication, lighting, and passenger egress upgrades.

(3) $40,000,000 for the Washington, D.C. Union Station tunnels built in 1904 under the Supreme Court and House and Senate Office Buildings to improve ventilation, communication, lighting, and passenger egress upgrades.

(c) INFRASTRUCTURE UPGRADES.—There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for fiscal year 2003, $3,000,000 for the preliminary design of options for a new tunnel on a different alignment to augment the capacity of the existing Baltimore tunnels.

(d) CORRIDOR GROWTH INVESTMENT.—There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for corridor growth investments in the Northeast Corridor—

(1) For fiscal year 2003, $200,000,000.

(2) For fiscal year 2004, $300,000,000.

(3) For fiscal year 2005, $400,000,000.

(4) For fiscal year 2006, $500,000,000.

(5) For fiscal year 2007, $600,000,000.

(e) FINANCIAL CONTRIBUTION FROM OTHER TUNNEL USERS.—The Secretary shall, taking into account the need for the timely completion of all life safety portions of the tunnel projects described in subsection (b)—

(1) consider the extent to which rail carriers other than Amtrak use the tunnels;

(2) consider the feasibility of seeking a financial contribution from those other rail carriers toward the costs of the projects; and carriers if feasible.

(f) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to this section shall remain available until expended.

(g) REINVESTMENT OF NEC OPERATING PROFIT.—Amtrak shall invest any revenue from operations in the Northeast Corridor in capital needs of the corridor until the backlog of capital improvements are completed under Amtrak's 20-year plan.

SEC. 305. LONG DISTANCE TRAINS.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for fiscal year 2003, and each fiscal year thereafter, $360,000,000 for operating costs associated with long distance trains.

(b) CAPITAL BACKLOG AND UPGRADES.—There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for fiscal year 2003, and each fiscal year thereafter, $70,000,000 to reduce the capital backlog and to bring its existing fleet to a state-of-good-repair, including equipment replacement and upgrades necessary to meet current service commitments.

(c) ONGOING CAPITAL INFRASTRUCTURE INVESTMENTS.—There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for fiscal year 2003, and each fiscal year thereafter, $80,000,000 for ongoing capital infrastructure—

(1) to replace assets on a life-cycle basis;

(2) to ensure that a state-of-good-repair is maintained in order to meet safety and reliability standards;

(3) to meet current service commitments; and

(4) to provide funds for investment in partner railroads to operate passenger service at currently committed levels.

(d) CAPITAL FLEET NEEDS.—There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for fiscal year 2003, and each fiscal year thereafter, $50,000,000 for ongoing capital fleet needs to sustain regularly scheduled maintenance, including a 120-day cycle of preventive maintenance, and heavy overhauls on a 4-year schedule, with interior enhancements as needed.

(e) CAPITAL STATIONS AND FACILITIES.—There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for fiscal year 2003, and each fiscal year thereafter, $10,000,000 for ongoing capital stations and facilities needs to provide regular upgrades to stations to meet current service needs, and regular improvements to maintenance-of-way equipment and maintenance-of-way facilities.

(f) TECHNOLOGY NEEDS.—There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for fiscal year 2003, and each fiscal year thereafter, $10,000,000 for ongoing technology needs to upgrade reservation, distribution, financial, and operations systems, including hardware, software, infrastructure, and communications.

SEC. 306. SHORT DISTANCE TRAINS; STATE-SUPPORTED ROUTES.

There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for fiscal year 2003, and each fiscal year thereafter, for obligation and expenditure on routes outside the Northeast Corridor—

(1) $20,000,000 for capital backlog on infrastructure to bring infrastructure up to a state-of-good-repair, including improvements on bridges and tunnels that are approaching the end of their useful life and interlocking and signal system renewal;

(2) $10,000,000 for capital backlog on its fleet to bring Amtrak's existing fleet as of the date of enactment of this Act to a state-of-good-repair, including equipment replacement and upgrades necessary to meet current service commitments;

(3) $170,000,000 for ongoing capital infrastructure to replace assets on a life-cycle basis to ensure a state-of-good-repair is maintained in order to meet safety and reliability standards needed to deliver current service commitments, including investment in partner railroads to operate passenger service at currently committed levels.

(4) $40,000,000 for ongoing capital fleet needs to sustain regularly scheduled maintenance, including a 120-day cycle preventive maintenance schedule, and heavy overhauls on a 4-year schedule, with interior enhancements as needed;

(5) $10,000,000 for ongoing capital stations and facilities needs to provide regular upgrades to stations to meet current service needs, and regular improvements to maintenance-of-way equipment and maintenance-of-way facilities; and

(6) $20,000,000 for ongoing technology needs to upgrade of reservation, distribution, financial, and operations systems, including hardware, software, infrastructure and communications.

SEC. 307. RE-ESTABLISHMENT OF NORTHEAST CORRIDOR SAFETY COMMITTEE.

(a) RE-ESTABLISHMENT OF NORTHEAST CORRIDOR SAFETY COMMITTEE.—The Secretary of Transportation shall re-establish the Northeast Corridor Safety Committee authorized by section 24905(b) of title 49, United States Code.

(b) TERMINATION DATE.—Section 24905(b)(4) is amended by striking ''January 1, 1999,'' and inserting ''January 1, 2008,''.

SEC. 308. ON-TIME PERFORMANCE.

Section 24308 is amended by adding at the end the following:

''(f) ON-TIME PERFORMANCE.—If the on-time performance of any intercity passenger train averages less than 80 percent for any consecutive 3-month period, Amtrak may petition the Surface Transportation Board to investigate whether, and to what extent, delays are due to causes that could reasonably be addressed by a rail carrier over the tracks of which the intercity passenger train operates, or by a regional authority providing commuter service, if any. In carrying out such an investigation, the Surface

Transportation Board shall obtain information from all parties involved and make recommendations regarding reasonable measures to improve the on-time performance of the train.''.

SEC. 309. AMTRAK BOARD OF DIRECTORS.

(a) IN GENERAL.—Section 24302 is amended to read as follows:

''§ 24302. Board of directors

''(a) COMPOSITION AND TERMS.—

''(1) The board of directors of Amtrak is composed of the following 9 directors, each of whom must be a citizen of the United States:

''(A) The President of Amtrak.

''(B) The Secretary of Transportation.

''(C) 7 individuals appointed by the President of the United States, by and with the advice and consent of the Senate, with an interest, experience, and qualifications in or directly related to rail transportation, including representatives of the passenger rail transportation, travel, hospitality, cruise line, and passenger air transportation businesses, and consumers of passenger rail transportation.

''(2) An individual appointed under paragraph (1)(C) of this subsection serves for 5 years or until the individual's successor is appointed and qualified. Not more than 4 individuals appointed under paragraph (1)(C) may be members of the same political party.

''(3) The board shall elect a chairman and a vice chairman from among its membership. The vice chairman shall serve as chairman in the absence of the chairman.

''(4) The Secretary may be represented at a meeting of the board only by the Deputy Secretary of Transportation, the Administrator of the Federal Railroad Administration, or the General Counsel of the Department of Transportation.

''(b) PAY AND EXPENSES.—Each director not employed by the United States Government is entitled to $300 a day when performing board duties and powers. Each director is entitled to reimbursement for necessary travel, reasonable secretarial and professional staff support, and subsistence expenses incurred in attending board meetings.

''(c) VACANCIES.—A vacancy on the board is filled in the same way as the original selection, except that an individual appointed by the President of the United States under subsection (a)(1)(C) of this section to fill a vacancy occurring before the end of the term for which the predecessor of that individual was appointed is appointed for the remainder of that term. A vacancy required to be filled by appointment under subsection (a)(1)(C) must be filled not later than 120 days after the vacancy occurs.

''(d) BYLAWS.—The board may adopt and amend bylaws governing the operation of Amtrak. The bylaws shall be consistent with this part and the articles of incorporation.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2003. The members of the Amtrak Reform Board may continue to serve until 3 directors appointed by the President under section 24302(a) of title 49, United States Code, as amended by subsection (a), have qualified for office.

SEC. 310. INDEPENDENT AUDIT OF AMTRAK OPERATIONS; REVIEW BY DOT IG.

(a) IN GENERAL.—Amtrak shall employ an independent financial consultant—

(1) to assess its financial accounting and reporting system;

(2) to design and assist Amtrak in implementing a modern financial accounting and reporting system, on the basis of the assessment, that will produce accurate and timely financial information in sufficient detail—

(A) to enable Amtrak to assign revenues and expenses appropriately to each of its lines of business activity; and

(B) to aggregate expenses and revenues related to infrastructure and distinguish them from expenses and revenues related to rail operations.

(b) VERIFICATION OF SYSTEM; REPORT.—The Inspector General of the Department of Transportation shall review the accounting system designed and implemented under subsection (a) to ensure that it accomplishes the purposes for which it is intended. The Inspector General shall report his findings and conclusions, together with any recommendations, to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure.

(c) REVIEW OF FINANCIAL STATUS AND FUNDING REQUIREMENTS BY DOT INSPECTOR GENERAL.—The Inspector General of the Department of Transportation shall, as part of the Department's annual assessment of Amtrak's financial status and capital funding requirements review the obligation and expenditure of funds under each such funding document, procedure, or arrangement to ensure that the expenditure and obligation of those funds are consistent with the purposes for which they are provided under this Act.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak $2,500,000 for fiscal year 2003 to carry out subsection (a), such sums to remain available until expended.

TITLE IV—MISCELLANEOUS

SEC. 401. REHABILITATION, IMPROVEMENT, AND SECURITY FINANCING.

(a) DEFINITIONS.—Section 102(7) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 802(7)) is amended to read as follows:

''(7) 'railroad' has the meaning given that term in section 20102 of title 49, United States Code; and''.

(b) GENERAL AUTHORITY.—Section 502 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822) is amended—

(1) by striking ''Secretary may provide direct loans and loan guarantees to State and local governments,'' in subsection (a) and inserting ''Secretary shall provide direct loans and loan guarantees to State and local governments, interstate compacts entered into under section 410 of the Amtrak Reform and Accountability Act of 1997 (49 U.S.C 24101 nt),'';

(2) by striking ''or'' in subsection (b)(1)(B);

(3) by redesignating subparagraph (C) of subsection (b)(1) as subparagraph (D); and

(4) by inserting after subparagraph (B) of subsection (b)(1) the following:

''(C) to acquire, improve, or rehabilitate rail safety and security equipment and facilities; or''.

(c) EXTENT OF AUTHORITY.—Section 502(d) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(d)) is amended—

(1) by striking ''$3,500,000,000'' and inserting ''$35,000,000,000'';

(2) by striking ''$1,000,000,000'' and inserting ''$7,000,000,000''; and

(3) by adding at the end the following new sentence: ''The Secretary shall not establish any limit on the proportion of the unused amount authorized under this subsection that may be used for 1 loan or loan guarantee.''.

(d) COHORTS OF LOANS.—Section 502(f) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(f)) is amended—

(1) in paragraph (2)—

(A) by striking ''and'' at the end of subparagraph (D);

(B) by redesignating subparagraph (E) as subparagraph (F); and

(C) by adding after subparagraph (D) the following new subparagraph:

''(E) the size and characteristics of the cohort of which the loan or loan guarantee is a member; and''; and

(2) by adding at the end of paragraph (4) the following: ''A cohort may include loans and loan guarantees. The Secretary shall not establish any limit on the proportion of a cohort that may be used for 1 loan or loan guarantee.''.

(e) CONDITIONS OF ASSISTANCE.—Section 502 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822) is amended—

(1) by striking ''offered;'' in subsection (f)(2)(A) and inserting ''offered, if any;''and

(2) by adding at the end of subsection (h) the following: ''The Secretary shall not require an applicant for a direct loan or loan guarantee under this section to provide collateral. The Secretary shall not require that an applicant for a direct loan or loan guarantee under this section have previously sought the financial assistance requested from another source. The Secretary shall require recipients of direct loans or loan guarantees under this section to apply the standards of section 22301(b) and (c) of title 49, United States Code, to their projects.''.

(f) TIME LIMIT FOR APPROVAL OR DISAPPROVAL.—Section 502 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822) is amended by adding at the end the following:

''(i) TIME LIMIT FOR APPROVAL OR DISAPPROVAL.—Not later than 180 days after receiving a complete application for a direct loan or loan guarantee under this section, the Secretary shall approve or disapprove the application.''.

(g) FEES AND CHARGES.—Section 503 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 823) is amended—

(1) by adding at the end of subsection (k) the following: ''Funds received by the Secretary under the preceding sentence shall be credited to the appropriation from which the expenses of making such appraisals, determinations, and findings were incurred.''; and

(2) by adding at the end the following new subsection:

''(l) FEES AND CHARGES.—Except as provided in this title, the Secretary may not assess any fees, including user fees, or charges in connection with a direct loan or loan guarantee provided under section 502.''.

(h) SUBSTANTIVE CRITERIA AND STANDARDS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Transportation shall publish in the Federal Register and post on the Department of Transportation website the substantive criteria and standards used by the Secretary to determine whether to approve or disapprove applications submitted under section 502 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822).

(i) OPERATORS AND SERVICE PROVIDERS DEEMED RAIL CARRIERS.—Section 502 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822), as amended by subsection (f), is amended by adding at the end the following:

''(j) OPERATORS AND CERTAIN SERVICE PROVIDERS DEEMED RAIL CARRIERS.—A person that conducts rail operations, or performs catering, cleaning, construction, maintenance, or other services for rail operations, funded or otherwise receiving assistance under this section is deemed to be a rail carrier for purposes of part A of subtitle IV of title 49, United States Code, when so operating or performing such services.''.

SEC. 402. RAIL PASSENGER COOPERATIVE RESEARCH PROGRAM.

(a) IN GENERAL.—Chapter 249 is amended by adding at the end the following:

"§ 24910. Passenger rail cooperative research program

''(a) IN GENERAL.—The Secretary shall establish and carry out a rail passenger cooperative research program. The program shall—

''(1) address, among other matters, intercity rail passenger services, including existing rail passenger technologies and speeds, incrementally enhanced rail systems and infrastructure, and new high-speed wheel-on-rail systems;

''(2) give consideration to research on commuter rail, regional rail, freight rail, and other modes of rail transportation that may affect rail passenger transportation due to the interconnectedness of the rail passenger network with other rail transportation services; and

''(3) give consideration to regional concerns regarding rail passenger transportation, including meeting research needs common to designated high-speed corridors, long-distance rail services, and regional intercity rail corridors, projects, and entities.

''(b) CONTENTS.—The program to be carried out under this section shall include research designed—

''(1) to develop more accurate models for evaluating the indirect effects of rail passenger service, including the effects on highway and airport and airway congestion, environmental quality, and energy consumption;

''(2) to develop a better understanding of modal choice as it affects rail passenger transportation, including development of better models to predict ridership;

''(3) to recommend priorities for technology demonstration and development;

''(4) to meet additional priorities as determined by the advisory board established under subsection (c), including any recommendations made by the National Research Council;

''(5) to explore improvements in management, financing, and institutional structures;

''(6) to address rail capacity constraints that affect passenger rail service through a wide variety of options, ranging from operating improvements to dedicated new infrastructure, taking into account the impact of such options on freight and commuter rail operations; and

''(7) to improve maintenance, operations, customer service, or other aspects of existing intercity rail passenger service existing in 2002.

''(c) ADVISORY BOARD.—

''(1) ESTABLISHMENT.—In consultation with the heads of appropriate Federal departments and agencies, the Secretary shall establish an advisory board to recommend research, technology, and technology transfer activities related to rail passenger transportation.

''(2) MEMBERSHIP.—The advisory board shall include—

''(A) representatives of State transportation agencies;

''(B) transportation and environmental economists, scientists, and engineers; and

''(C) representatives of Amtrak, the Alaska Railroad, transit operating agencies, intercity rail passenger agencies, railway labor organizations, and environmental organizations.

''(d) NATIONAL ACADEMY OF SCIENCES.— The Secretary may make grants to, and enter into cooperative agreements with, the National Academy of Sciences to carry out such activities relating to the research, technology, and technology transfer activities described in subsection (b) as the Secretary deems appropriate.''.

(b) CONFORMING AMENDMENT.—The chapter analysis for chapter 249 is amended by adding at the end the following:

''24910. Passenger rail cooperative research program''.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Transportation $5,000,000 for fiscal year 2003, and each fiscal year thereafter, to carry out section 24910(d) of title 49, United States Code.

SEC. 403. CONFORMING AMENDMENTS TO TITLE 49 REFLECTING ICC TERMINATION ACT.

(a) SECTION 307.—

(1) Section 307 is amended—

(A) by striking ''**Interstate Commerce Commission**'' in the section heading and inserting ''**Surface Transportation Board**'';

(B) by striking ''Interstate Commerce Commission'' in subsection (a) and inserting ''Surface Transportation Board''; and

(C) by striking ''Commission'' each place it appears and inserting ''Board''.

(2) The chapter analysis for chapter 3 is amended by striking the item relating to section 307 and inserting the following:

''307. Safety information and intervention in Surface Transportation Board proceedings''.

(b) SECTION 333.—Section 333 is amended—

(1) by striking ''Interstate Commerce Commission'' each place it appears and inserting ''Surface Transportation Board''; and

(2) by striking ''Commission'' in subsection (c) and inserting ''Board''.

(c) SECTION 351.—Section 351(c) is amended by striking ''Interstate Commerce Commission'' and inserting ''Surface Transportation Board''.

(d) SECTION 24307.—Section 24307(b)(3) is amended by striking ''Interstate Commerce Commission'' and inserting ''Surface Transportation Board''.

(e) SECTION 24308.—Section 24308 is amended—

(1) by striking ''Interstate Commerce Commission'' in subsection (a)(2)(A) and inserting ''Surface Transportation Board''; and

(2) by striking ''Commission'' each place it appears in subsection (a) and (b) and inserting ''Board''.

(f) SECTION 24311.—Section 24311 is amended—

(1) by striking ''Interstate Commerce Commission'' in subsection (c)(1) and inserting ''Surface Transportation Board''; and

(2) by striking ''Commission'' each place it appears in subsection (c) and inserting ''Board''.

(g) SECTION 24902.—Section 24902 is amended—

(1) by striking ''Interstate Commerce Commission'' in subsections (g)(2) and (g)(3) and inserting ''Surface Transportation Board''; and

(2) by striking ''Commission'' each place it appears in subsections (g)(2) and (g)(3) and inserting ''Board''.

(h) SECTION 24904.—Section 24904 is amended—

(1) by striking ''Interstate Commerce Commission'' in subsection (c)(2) and inserting ''Surface Transportation Board''; and

(2) by striking ''Commission'' each place it appears in subsection (c) and inserting ''Board''.

SEC.404. APPLICABILITY OF REVERSION TO ALASKA RAILROAD RIGHT-OF-WAY PROPERTY.

Section 601(b) of the Alaska Railroad Transfer Act of 1982 (45 U.S.C. 1209(b)) is amended—

(1) by inserting ''(1)'' after ''(b)'';

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively; and

(3) by adding at the end the following new paragraph:

''(2)(A) The State-owned railroad may convey all right, title, and interest of the State in any land within the right-of-way to a third party in exchange for other land that, in substitution for the land conveyed, is to be utilized as part of the right-of-way if the continuity of the right-of-way corridor for transportation, communications, and transmission purposes is provided by such use of the substituted land.

''(B) The provisions of this section that require reversion shall apply to the substituted land, as of the effective date of the exchange of that land in a transaction authorized by subparagraph (A), as fully as if the substituted land had been rail properties of the Alaska Railroad as of January 13, 1983.

''(C) Upon the conveyance of land in a transaction authorized by subparagraph (A), any reversionary interest in the land under this section shall terminate.''.

NATIONAL DEFENSE RAIL ACT

One-time FY 2003 authorization for Security Funds: $1.26 billion.

Total funds authorized annually for FY 2003 through FY 2007: $4.61 billion.

SECURITY PROVISIONS ($1.26 B IN FY 2003)

$360M for Amtrak security needs, evenly divided between the Northeast Corridor and Non-Northeast Corridor.

$5M for DOT to perform a security assessment of all rail, including freight needs.

$895M for life safety upgrades to tunnels in NY, Balt, DC.

$3M for preliminary design work for the Baltimore tunnels.

FEDERAL HIGH SPEED CORRIDOR DEVELOPMENT ($1.55 B ANNUALLY)

$25M to DOT for Research and Development Activities.

$25M to DOT for Planning.

$1.5B to DOT for Implementation/Construction.

Must be a designated corridor to receive funding. The Northeast Corridor is designated, but not eligible to receive funds under this program if receiving other federal funds.

NORTHEAST CORRIDOR (NEC) ($1.310 B ANNUALLY)

Requires any operating profit on the NEC to be reinvested in NEC infrastructure.

$720M for infrastructure.

$100M for fleet.

$70M for stations/facilities.

$20M for technology upgrades.

$400M for growth (annual average).

COOPERATIVE RESEARCH PROGRAM ($5 M ANNUALLY)

Establishes R & D program at National Academy of Sciences similar to highway and transit cooperative research programs.

NATIONAL RAILROAD PASSENGER CORPORATION (500 M ANNUALLY)

Requires profits from non-passenger activities to be invested in growth activities outside the NEC.

$160M (est.) for mandatory excess Railroad Retirement Payments.

$267M for debt payments (avg.).

$30M for environmental compliance.

$43M for ADA compliance.

$2.5M for onetime external assessment of Amtrak cost accounting.

LONG-DISTANCE TRAINS ($580 M ANNUALLY)

$360M for operating.

$120M for fleet.

$80M for infrastructure.

$10M for stations/facilities.

$10M for technology.

SHORT DISTANCE & STATE-SUPPORTED ROUTES ($270 M ANNUALLY)

$190M annually for infrastructure.

$50M annually for fleet.
$10M annually for stations.
$20M annually for technology.

RAIL PROJECT FINANCING ($350 M ANNUALLY)

Expansion of the DOT's Railroad Rehabilitation and Improvement Financing Program.

$35B authorization for DOT to provide loans and loan guarantees (annual estimated 10% credit risk premium).

Mr. BIDEN. Madam President, as my good friend Senator HOLLINGS has just stated, we are on the brink of a very important decision. Do we continue to underfund a national passenger rail system? Or do we finally stand behind the system, committing to it once and for all?

I agree with my good friend, the chairman of the Commerce Committee, and that's why I joined him in introducing this important bill. For 30 years, I have witnessed Congress dangling a carrot in front of Amtrak's eyes, funding it just enough for it to limp along. And I'll tell you, this has to stop. Now is the time to commit politically and financially to a strong, safe, and efficient passenger rail system. And now is the time to determine once and for all, what exactly it is that we want out of passenger rail service in the country. Should this be a truly national system? And should we devote the resources necessary to maintain and expand this networks?

Senator HOLLINGS and the rest of my colleagues know that I support funding the highway and aviation networks, our Nation has relied upon them for years, and they have served us well. But I look around today and I see crowded skies and congested roads. At the very same time, I see empty rails, with the potential to relieve this transportation burden and serve as a useful alternative for Americans.

As Senator HOLLINGS discussed just now, the events of September 11 further demonstrated, in stark and rigid terms, the necessity of transportation choices. For years I have argued that we need to sit down together and begin an honest and frank discussion in order to create a blueprint for the future of passenger rail.

And, let me tell you this, this bill that I am introducing with Senator HOLLINGS is a good, solid start. Instead of maintaining the status quo, the bill offers a vision and a set of priorities for the future of passenger rail in this country. It says: we need to make sure this system is safe, as September 11 demonstrated it must be. It says: we need to seriously invest in the future of this system, which is high-speed rail. And it says: the Federal Government will need to adequately fund a national passenger rail network, no matter how the system is structured.

And that is something that has always mystified me. When it comes to other forms of transportation, highways and airplanes, we have given them all they ask for, consistently providing full Federal backing. Since 1971, in fact, we have given $750 billion to highways and aviation. In the same period of time, since the birth of Amtrak, we have only given $25 billion to our national passenger rail system. That's only 3 percent of all transportation funding in that period. That is appalling.

If we want a national passenger rail system, and most Americans do, as all the polls indicate, then we are going to have to pay for it, and understand the long-term commitment it takes to get this kind of system up and running. Passenger rail in this country has never had a stable funding source instead, it has been subjected to the whims and follies of the political process, and it has lost this battle time and time again.

Every single industrialized country, France, Japan, Germany, subsidizes a national rail system. For years, we have been living in a fantasy - that somehow, we can have our cake and eat it too: that we could mandate Amtrak to be self-sufficient without giving it nearly enough money to do so. But Amtrak cannot run a national rail network, without adequate levels of Federal investment, and still be expected to be commercially self-sufficient. That is just not rational.

There are two steps, then, in ensuring the future of passenger rail. Short-term, we have got to make sure that we do not allow Amtrak to go bankrupt, or worse, mortgage off their future in a desperate attempt to stay afloat. That is why, alongside many of my colleagues, I have pushed for the full $1.2 billion appropriations amount that Amtrak has requested for next year. This bare-bones minimum will give them the ability to maintain the current state of passenger rail, nothing more, nothing less.

And in the long-term, we need a new vision for the future of national passenger rail so these one-time, bare-bones funding requests are no longer an issue. This bill represents just such a vision. It would invest seriously in the planning and implementation of high-speed rail corridors, which provides the most bang for the buck and which almost every State Governor, Democrat or Republican, has been clamoring for for years. It would provide money for debt payments, which Amtrak has incurred as a direct result of Federal underfunding. It would authorize capital investment funds, to begin to correct the $5.8 billion capital backlog Amtrak faces today. And it would fund operating costs for the long-distance trains that provide essential service to rural areas of the country.

Moreover, it would address the serious security concerns that plague our rail system today. I stood up here months ago, right after one of the worst events in our Nation's history. I stood up here in order to call attention to what I thought, and continue to think, is a dire situation. And that is this matter of rail security. The events of September 11 dramatically and starkly revealed how essential it is that the United States have a national, effective, and secure railroad passenger system. It also exposed how vulnerable that system is right now to terrorist attacks. I have traveled through the train tunnels that Amtrak uses, and let me tell you, these tunnels are just plain frightening, poor ventilation, poor lighting, inadequate evacuation routes.

This reauthorization bill would help the system deal with these tunnels and other gaps in our passenger rail security. A one-time investment of $1.4 billion would provide security fencing, closed circuit television, tunnel rehabilitation, increased security inspections, essential security-related improvements. The Department of Transportation itself has warned several times in the last few years about the necessity of quickly and fully funding Amtrak's security needs. $1.4 billion is a small price to pay to avoid a repeat of September 11.

Finally, this bill would bring a greater level of accountability to the whole structure. As Senator HOLLINGS indicated, the $1.55 billion in funds for high-speed corridor planning and implementation would be run through the Department of Transportation, so that the Federal Government can work together with state and local agencies in promoting the future of our rail system.

This bill, together with the $1.2 billion appropriations for next year, will bring us closer to the type of passenger rail system that our Nation deserves and needs. As my good friend Senator HOLLINGS alluded to, 50 years ago, our leaders had the vision and foresight to stand up and say, we need an interstate highway system, and we need to fund it appropriately. Let us today go forward with this blueprint in hand and create a similar network for passenger rail.

By Mrs. CARNAHAN:

S. 1993. A bill to authorize a military construction project for the construction of a Weapons of Mass Destruction Responder Training Facility at Fort Leonard Wood Missouri; to the Committee on Armed Services.

Mrs. CARNAHAN. Madam President, I rise today to introduce important legislation for homeland defense, the Weapons of Mass Destruction Responder Training Facility Act of 2002. America's war against international terrorism has increased the need to prepare against the threat of weapons of mass destruction, known as WMDs.

Currently the Army's frontline of defense against WMD threats, Fort Leonard Wood, does not have the ability to conduct full-scale, joint training year round. This preparation gap must be closed. Our national security depends on the ability to effectively respond to a WMD attack. That is why I have introduced legislation to create a permanent training facility at Fort Leonard Wood.

Fort Leonard Wood has no dedicated facility for training active duty and National Guard WMD responders. This prevents both joint training and the expansion of coordination among all WMD responders.

Last October, we in this body learned first hand the importance of a coordinated response to WMD attacks. When letters, filled with anthrax, were mailed to members of Congress, 50 of our colleagues in the Senate and their staffs were evicted from the Hart office building for over three months. Experts from several agencies and departments, who never prepared together to respond to a WMD attack, worked to overcome setbacks and difficulties to make sure the Hart building was safe again. I thank them for all their hard work. But we now know that to prepare for future threats, those responsible for responding to WMD attacks must train together.

Constructing of a permanent facility will enable joint training and cooperation of WMD Civil Support Teams; Department of Defense Emergency Responders; Chemical, Biological, Radiological and Nuclear Instillation Support Teams; and Active and Reserve Component Chemical Units. The need to conduct joint operations and training year round is important and immediate. It is vital to national security. This is why the Army has placed the highest priority on building a permanent facility at Fort Leonard Wood.

This legislation will compliment S. 1909, which was introduced by my friend and colleague from Missouri. Senator BOND's legislation calls for the establishment of a unified command for homeland defense, a post both the President and the Secretary of Defense support.

S. 1909 will allow the Department of Defense to more effectively manage homeland defense resources by centrally locating the unified command within the United States, away from a major population center at an Armed Forces facility already in use for WMD training.

Fort Leonard Wood meets all of these requirements and seems like an ideal candidate to fulfill this new and important national security role. But Fort Leonard Wood is not yet ready. While it has taken the lead in preparing WMD responders, there is yet another step to take. We must ensure that the country is prepared for future attacks by establishing a permanent training facility now.

By Mr. KERRY (for himself and Mr. BOND):

S. 1994. A bill to establish a priority preference among certain small business concerns for purposes of Federal contracts, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Mr. KERRY. Madam President, today I am introducing legislation to help our nation's 8(a) Business Development, BD, and HUBZone firms compete more effectively in the Federal marketplace.

This bipartisan legislation, cosponsored by Senator KIT BOND, stems from a 1997 commitment Senator BOND and I made to each other to seek equality between the Small Business Administration's, SBA, 8(a)BD program and the HUBZone program.

Much has been made lately of the SBA's proposed rule to establish ''parity'' or equality between these two important programs. Some in the contracting community have opposed the proposed rule because they have concerns about the decline in the number of contracts and contract dollar values being awarded to 8(a)BD firms. I share the concerns of the contracting community in this regard, but I do not blame the HUBZone program for this decline. Rather, I blame the current procurement environment.

In 1997, working with then-Chairman of the Senate Committee on Small Business, Senator BOND, I took the necessary steps to protect the 8(a)BD program. In my negotiations with Senator BOND, he agreed to change the legislation creating the HUBZone program from one of HUBZone priority to one of equality between the 8(a)BD and HUBZone programs. Further, we negotiated a 3 percent increase in the Federal Government's small business goal, raising it from 20 percent to 23 percent, in order to accommodate the HUBZone program, which when fully phased in for Fiscal Year 2003 will have a 3 percent governmentwide goal. This increase was put in place specifically to accommodate the HUBZone program and ensure that 8(a)BD firms did not lose Federal contracts to the HUBZone program.

The fact remains, however, despite these protections, that 8(a)BD firms are experiencing a decline in Federal procurement, which some place as high as 34 percent since 1997. The cause of this decline has its roots in the new procurement environment created by the reforms in the mid-1990s, such as passage of the Federal Acquisition Streamlining Act and the Federal Acquisition Reform Act, the regulatory changes to procurement programs in response to the Adarand Inc. v. Pena decision, and reductions in the acquisition workforce. Because negative trends hit minority-owned firms first and hardest, these small businesses have borne a disproportionate share of the percentage decline in Federal contract dollars being awarded to small businesses.

To help combat the negative effects of procurement reform, I have been taking a very close look at the SBA's programs to assist small businesses, especially small businesses owned by socially and economically disadvantaged individuals. The legislation being introduced today is the first step in halting and reversing the decline brought about by procurement reform.

This legislation specifically addresses two critical areas of the 8(a)BD and HUBZone programs. The first deals with the relationship between the two programs when a small business has received both an 8(a)BD and a HUBZone certification, the second deals with the sole-source threshold issue for these firms.

First, an important factor in my decision to support the HUBZone legislation with the negotiated changes to protect the 8(a)BD program was the concept known as ''super-priority'' or ''priority-preference.'' The priority-preference stems from Congressional intent that firms that are both 8(a)BD and HUBZone certified receive a preference over a firm that has a certification in only one program. In addition, the priority-preference was intended to allow these firms to combine the price evaluation preference available to them under each program, with the understanding that any offeror would still need to meet a ''responsiveness'' test in terms of their offer. Unfortunately, the new rule proposed by the SBA does not include the priority-preference, and the SBA has issued guidance that states that the priority-preference has no statutory provision to support its creation.

Although I strongly disagree with the SBA's decision to end the priority-preference, this legislation will rectify the situation by creating a statutory priority-preference for firms that have both an 8(a)BD and a HUBZone certification. Such a provision will help combine the benefits of each program and bring additional jobs and opportunities to underdeveloped areas. I view this provision as a win-win for the 8(a)BD and HUBZone contracting communities.

Second, this legislation makes an important update to both the 8(a)BD and HUBZone programs by raising the sole-source thresholds. One of the most important attributes of both of these programs is the authority for small businesses to receive contracts on a sole-source basis. This excellent benefit is limited, however, by a cap on the dollar amount for sole-source contracts. Currently, contracts for goods and services are limited to $3 million, while manufacturing contracts are limited to $5 million. This legislation updates those limits by $1 million for each category—an update that has been needed for some time and that Senator BOND and I nearly succeeded in including in the Small Business Reauthorization Act of 2000. By increasing the sole-source thresholds, the Federal government will immediately put more contract dollars into the hands of 8(a)BD and HUBZone firms.

As I mentioned earlier in my statement, this legislation is merely one step in the process to help reverse the negative trends procurement reform has had on our nation's small businesses.

It is my hope that we can move this legislation through the Senate quickly, and I would urge all of my colleagues to lend their support.

Mr. BOND. Mr. President, I appreciate the opportunity to come to the Floor once again on another bipartisan matter with the distinguished chairman of the Small Business Committee. We have such a constructive working relationship in the Federal procurement issue area, and I always welcome the opportunity to work with the Senator from Massachusetts, Mr. KERRY, to advance small business participation in Government contracting.

This bill we are introducing today will further clarify the relationship between the HUBZone and 8(a) contracting programs. This relationship has been a strongly debated topic lately, although we thought our Committee provided clear guidance on the matter in the 1997 HUBZone Act. In the matter before us, we are clarifying what happens when firms are eligible for both programs and become certified.

The original Small Business Administration regulations on the HUBZone program called for the highest contracting priority to be given to HUBZone 8(a) ''dual status'' firms. That is, if a firm has been certified in both programs, it moves to the head of the class in getting Government contracts. The HUBZone regulations said that, in a HUBZone set-aside, an 8(a) firm should win over non-8(a) firms. Unfortunately, a comparable change was not included in the 8(a) regulations, to give HUBZone firms a preference in 8(a) set-asides. In a letter to SBA's Acting General Counsel last year, I asked SBA to resolve this inconsistency.

Robert Gangwere, the Acting General Counsel, stated he did not think SBA had the statutory authority to grant a ''superpreference'' to HUBZone 8(a) dual status firms. Currently, SBA has a proposed rulemaking in progress that deletes the ''superpreference'' language.

This bill would restore that. In a HUBZone set-aside (a competition restricted only to firms that are HUBZone firms), an 8(a) bidder would have priority over non-8(a) HUBZone bidders. A comparable change would be made in the 8(a) set-aside, giving HUBZone firms priority. I think this is reasonable, in that it encourages firms to take advantage of both programs.

I do have one reservation with this bill. Both the HUBZone program and the Small Disadvantaged Business program, of which 8(a) is a part, offer a 10 percent price evaluation preference under certain circumstances in full-and-open competition. The old SBA rules called for HUBZone 8(a) combined firms to get a 20 percent price evaluation preference, combining both the HUBZone preference and the Small Disadvantaged Business preference. I think 20 percent is excessive.

One of the goals of the small business program is to try to help small firms stabilize and develop, so they can survive in a competitive marketplace. Government contracts are supposed to be a means toward that end. But if a firm requires a 20 percent preference to win a contract, it probably has not done what it needs to do to become efficient and ready for the competitive marketplace. I am concerned that a 20 percent preference will be an unreasonable subsidy for inefficient firms. If a small business bidder is not even able to get within 20 percent of the lowest bidder, it probably is not a viable enterprise, and subsidizing its existence is not the highest and best use of taxpayer monies.

With that reservation, I am happy to cosponsor this measure with the Senator from Massachusetts. I am confident we can come to some kind of accommodation on the price evaluation preference, and look forward to working with him to do so.

By Ms. SNOWE (for herself, Mr. FRIST, Mr. JEFFORDS, Mr. ENZI, Ms. COLLINS, Mr. HAGEL, Mr. DEWINE, and Mr. GREGG):

S. 1995. A bill to prohibit discrimination on the basis of genetic information with respect to health insurance and employment; to the Committee on Health, Education, Labor, and Pensions.

Ms. SNOWE. Madam President, I rise today to introduce the Genetic Information Non-Discrimination in Health Insurance and Employment Act of 2002. I am joined in introducing this bill by Senators FRIST, JEFFORDS, ENZI, COLLINS, HAGEL, DEWINE, and GREGG.

The legislation I am introducing today is the culmination of several months work, though it is, in fact, the second part of an effort that started several years ago. Specifically, in April 1996, I introduced the Genetic Information Nondiscrimination in Health Insurance Act, legislation that was designed to protect people's genetic information and results of genetic testing, or requests for genetic testing, from being used against them by their health insurers. Back then, time was on our side as the completion of the Genome was years off.

However, four years later, in June 2000, everything changed with the announcement that the first working draft of the Human Genome was completed. And since that time, science has continued to hurry forward, further opening the door to early detection and medical intervention through the discovery and identification of specific genes linked to diseases like breast cancer, Huntington's Disease, glaucoma, colon cancer and cystic fibrosis.

Unfortunately, like so many other scientific breakthroughs in history, the completion of the Genome not only brought about the prospect for medical advances, such as improved detection and intervention, but also potential harm and abuse, as the knowledge of individual genetic information could be used against the very same person it is invented to help.

Accordingly, the need for protections against genetic discrimination by both health insurers and employers is becoming more urgent everyday. If, because of concerns about the way the information could be used, people are unwilling to use the potential unlocked by the Genome project to take proactive steps to protect their health and that of their loved ones, then we will never reap the true benefits of this discovery.

While we cannot yet prevent diseases such as breast cancer, genetic testing makes it possible for carriers of these diseases to take extra precautions. In fact, early detection is the best weapon we have to combat many of these diseases we can now identify, and for breast cancer it is a critical component when one considers that almost 192,000 women were struck by the disease last year. Technological advances in screenings coupled with the ability to identify who carries the gene linked to breast cancer can help us in our efforts to reduce this number. The possibilities for this discovery are limited only by the willingness, or unwillingness, of people to use this knowledge.

In 1997, a woman from Maine brought the reality of this dilemma home for me when she wrote of her very real fear of the repercussions associated with genetic testing. Bonnie Lee Tucker has nine women in her immediate family who were diagnosed with breast cancer, and she herself is a survivor. She wrote to me about her fear of having the BRCA test for breast cancer, because she worries it will ruin her daughter's ability to obtain insurance in the future.

Bonnie Lee isn't the only one who has this fear. When the National Institutes of Health offered women genetic testing, nearly 32 percent of those who were offered a test for breast cancer risk declined to take it citing concerns about health insurance discrimination. What good is scientific progress if it cannot be applied to those who would most benefit?

Dr. Francis Collins, the Director of the National Human Genome Research Institute, has testified before Congress about the next step for those involved in the Genome project. He explained that the project's scientists were engaged in a major endeavor to ''uncover the connections between particular genes and particular diseases,'' to apply the knowledge they just unlocked. In order to do this, Dr. Collins said, ''we need a vigorous research enterprise with the involvement of large numbers of individuals, so that we can draw more precise connections between a particular spelling of a gene and a particular outcome.'' However, this effort cannot be successful if people are afraid of possible repercussions of their participation in genetic testing.

The bottom line is that, given the advances in science, there are two separate issues at hand. The first is to restrict discrimination by health insurers and the second to prevent employment discrimination, based upon genetic information.

With regard to health insurance, the issues are clear and familiar, and something the Senate has debated before, in the context of the consideration of larger privacy issues. As Congress debated what is now the Health Insurance Portability and Accountability Act of 1996, we also addressed the issues of privacy of medical information. And any legislation that seeks to fully address these issues must consider the interaction of the new protections with the newly promulgated privacy rule which was mandated by HIPAA, and our legislation does just that.

Now we must ensure that we protect genetic information, genetic tests, as well as information regarding a request for genetic testing, from being used by the insurer against the patient. Genetic information only detects the potential for a genetically linked disease or disorder, and potential does not equal a diagnosis of disease. However, it is critical that this information be available to doctors and other health care professionals when necessary to diagnose, or treat, an illness. It is the difference that we must recognize as we discuss legislation to protect patients from potential discriminatory practices by insurers.

Unlike our legislative history on debating health privacy matters, the issues surrounding protecting genetic information from workplace discrimination is new. And to that end, the legislation I introduce today creates these protections in the workplace. As demonstrated by the Burlington Northern case, the threat of employment discrimination is real and therefore it is essential that we take this information off the table, so to speak, before the use of this information becomes widespread. While Congress has not yet debated this specific type of employment discrimination, we have a great deal of employment case law and legislative history on which to build.

As we considered the need for this type of protection, we agreed that we must extend current law discrimination protections to genetic information. We reviewed current employment discrimination law and considered what sort of remedies people would have for instances of genetic discrimination and if these remedies would be different from those available to people under current law, for instance under the ADA or the EEOC.

The bill we introduce today creates new protections by paralleling current law. In addition it addresses changes in the law that have occurred since the original introduction of my bill and the other bills on this subject. The momentum to address this issue has finally reached a critical mass. Clearly this is an issue whose time has come.

It has been more than eighteen months since the completion of the working draft of the Human Genome. Like a book which is never opened, the wonders of the Human Genome are useless unless people are willing to take advantage of it.

It's my sincere hope that the bi-partisan legislation I introduce today is the beginning of the end of the debate in our effort to ensure that every one of us is just as protected from discrimination because of what is in our genes as we are from our heritages, our genders and our impairments.

Mr. FRIST. Madam President, I rise once again today to speak on the critical issue of genetic discrimination and to proudly join my colleagues, Senators SNOWE, JEFFORDS, COLLINS, ENZI, DEWINE, HAGEL, and GREGG in introducing the Genetic Information Nondiscrimination Act of 2002.

The threat of genetic discrimination, both in the workplace and with respect to health insurance coverage, is one of the most troublesome Congress faces. As our scientific knowledge has improved, the threat of discrimination has increased. As a physician, as a medical researcher, and ranking member of the Subcommittee on Public Health, I have a long and deep interest in this issue, and I believe we have a unique responsibility to ensure that medical and scientific progress does not result in individual harm.

For example, I am deeply troubled by reports of women declining genetic testing out of fear that they may lose their health insurance, even though a genetic test might reveal that a woman is not at high risk and therefore allow her to make more informed health care choices. When I first joined Senator SNOWE to introduce legislation banning genetic discrimination in health insurance in 1998, almost one-third of women offered a test for breast cancer risk at the National Institutes of Health declined, citing concerns about health insurance discrimination. If unchecked and unregulated, this fear of discrimination clearly has the potential to prevent individuals from participating in research studies or taking advantages of new genetic technologies to improve their medical care.

Scientific advances hold the promise of higher quality medical care, yet there is a pressing need for federal legislation to reassure the public that learning this information will not result in a loss of health insurance coverage or in the loss of a job. I am committed to a bipartisan legislative solution, and have worked extensively towards this goal with Senator SNOWE, JEFFORDS, and a number of the members of this Committee over the past several years. I believe that, together, we have made an important step in addressing this through the Genetic Information Nondiscrimination in Health Insurance Act, which has been passed by the Senate on three separate occasions.

Today, we are building on that work, and on the solid foundations established in law by the Civil Rights Act, Americans with Disabilities Act, and Health Insurance Portability and Accountability Act. The Genetic Information Nondiscrimination Act of 2002 builds upon our progress in the health insurance area and expands our previous legislation to address the threat of employment discrimination and health insurance based on genetic information. Moreover, the bill incorporates the most recent scientific understandings in the field of genetics research in establishing protections and defining relevant terms.

I believe that it is incumbent upon us to pass legislation this year that is comprehensive, consistent, reasonable and fair. I am troubled by some legislative approaches that would place these new protections outside of the established framework of our time-tested civil rights laws and that would establish separate protections against genetic discrimination than exist for other types of discrimination. The bill today meets that standard of providing strong protections that are consistent with the current state of scientific knowledge, as well as current law.

I commend my colleagues for their commitment to this issue. I also commend President Bush for his commitment to ensuring strong protections against genetic discrimination and for calling attention to this critical matter. Through this important legislation, we have the opportunity to dispel the threat of discrimination based on an individual's genetic heritage, and I look forward to working with my colleagues to enact this legislation this year.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 217—RELATIVE TO THE DEATH OF THE HONORABLE HOWARD W. CANNON, FORMERLY A SENATOR FROM THE STATE OF NEVADA

Mr. DASCHLE (for himself, Mr. LOTT, Mr. REID, and Mr. ENSIGN) submitted the following resolution; which was considered and agreed to:

S. RES. 217

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Howard W. Cannon, formerly a Senator from the State of Nevada.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the deceased Senator.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2980. Mr. DASCHLE (for himself, Mr. BINGAMAN, Mr. REID, Mr. MURKOWSKI, Mr. STEVENS, and Mr. BAYH) proposed an amendment to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes.

SA 2981. Mr. MILLER submitted an amendment intended to be proposed to amendment

SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra; which was ordered to lie on the table.

SA 2982. Mr. MURKOWSKI (for himself and Mr. STEVENS) proposed an amendment to amendment SA 2980 proposed by Mr. DASCHLE (for himself, Mr. BINGAMAN, Mr. REID, Mr. MURKOWSKI, Mr. STEVENS, and Mr. BAYH) to the amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) supra.

TEXT OF AMENDMENTS

SA 2980. Mr. DASCHLE (for himself, Mr. BINGAMAN, Mr. REID, Mr. MURKOWSKI, Mr. STEVENS and Mr. BAYH) proposed an amendment to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes; as follows:

Insert the following after Section 704(d):

''(e) PROHIBITION ON CERTAIN PIPELINE ROUTE.—No license, permit, lease, right-of-way, authorization or other approval required under Federal law for the construction of any pipeline to transport natural gas from lands within the Prudhoe Bay oil and gas lease area may be granted for any pipeline that follows a route that traverses—

''(1) the submerged lands (as defined by the Submerged Lands Act) beneath, or the adjacent shoreline of, the Beaufort Sea; and

''(2) enters Canada at any point north of 68 degrees North latitude.''

Insert the following after Section 706(c):

''(d) STATE COORDINATION.—The Federal Coordinator shall enter into a Joint Surveillance and Monitoring Agreement, approved by the President and the Governor of Alaska, with the State of Alaska similar to that in effect during construction of the Trans-Alaska Oil Pipeline to monitor the construction of the Alaska natural gas transportation project. The federal government shall have primary surveillance and monitoring responsibility where the Alaska natural gas transportation project crosses federal lands and private lands, and the state government shall have primary surveillance and monitoring responsibility where the Alaska natural gas transportation project crosses state lands.''

SA 2981. Mr. MILLER submitted an amendment intended to be proposed to amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 155, between lines 17 and 18, insert the following:

(c) AVERAGE FUEL ECONOMY STANDARDS FOR PICKUP TRUCKS.—

(1) IN GENERAL.—Section 32902(b) of title 49, United States Code (as amended by subsection (b)(3)) is further amended by adding at the end the following new paragraph:

''(6) PICKUP TRUCKS.—The average fuel economy standard for pickup trucks manufactured by a manufacturer in a model year after model year 2004 shall be 20.7 miles per gallon. No average fuel economy standard prescribed under another provision of this section shall apply to pickup trucks.''.

(2) DEFINITION OF PICKUP TRUCK.—Section 32901(a) of such title (as amended by subsection (b)) is further amended—

(A) in paragraph (17), by inserting '', other than a pickup truck,'' after ''automobile'' in the matter preceding subparagraph (A); and

(B) by adding at the end the following new paragraph;

''(18) 'pickup truck' has the meaning given that term in regulations prescribed by the Secretary for the administration of this chapter, as in effect on January 1, 2002, except that such term shall also include any additional vehicle that the Secretary defines as a pickup truck in regulations prescribed for the administration of this chapter after such date.''.

SA 2982. Mr. MURKOWSKI (for himself and Mr. STEVENS) proposed an amendment to amendment SA 2980 proposed by Mr. DASCHLE (for himself, Mr. BINGAMAN, Mr. REID, Mr. MURKOWSKI, Mr. STEVENS, and Mr. BAYH) to the amendment SA 2917 proposed by Mr. DASCHLE (for himself and Mr. BINGAMAN) to the bill (S. 517) to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes; as follows:

At the end of the amendment insert the following:

On page 142 after line 20 insert a new section as follows and renumber all following sections accordingly:

''SEC. 708. STATE JURISDICTION OVER IN-STATE DELIVERY OF NATURAL GAS.

''(a) Any facility receiving natural gas from the Alaska natural gas transportation project for delivery to consumers within the State of Alaska shall be deemed to be a local distribution facility within the meaning of section 1(b) of the Natural Gas Act, and therefore not subject to the jurisdiction of the Federal Energy Regulatory Commission.

''(b) Nothing in this Subtitle, except as provided in subsection 704(e), shall preclude or affect any future gas pipeline that may be constructed to deliver natural gas to Fairbanks, Anchorage, Matanuska-Susitna Valley, or the Kenai peninsula or Valdez or any other site in the State of Alaska for consumption within or distribution outside the State of Alaska.'

''On page 148 after line 2 insert:

''SEC. 714. ALASKAN PIPELINE CONSTRUCTION TRAINING PROGRAM.

''(a) Within six months after enactment of this Act the Secretary of Labor (hereinafter referred to as the 'Secretary') shall submit a report to the Committee on Energy and natural Resources of the United States Senate and the Committee on Resources of the United States House of Representatives setting forth a program to train Alaska residents in the skills and crafts required in the design, construction, and operation of an Alaska gas pipeline system that will enhance employment and contracting opportunities for Alaskan residents. The report shall also describe any laws, rules, regulations and policies which act as a deterrent to hiring Alaskan residents or contracting with Alaskan residents to perform work on Alaska gas pipelines, together with any recommendations for changes. For purposes of this section Alaskan residents shall be defined as those individuals eligible to vote within the State of Alaska on the date of enactment of this Act.

''(b) Within 1 year of the date the report is transmitted to Congress, the Secretary shall, directly or through grants or cooperative agreements, establish within the State of Alaska, at such locations as the Secretary deems appropriate, training center(s) for the express purpose of training Alaskan residents in the skills and crafts necessary in the design, construction and operation of gas pipelines in Alaska. The training center shall also train Alaskan residents in the skills required to write, offer, and monitor contracts in support of the design, construction, and operation of Alaska gas pipelines.

''(c) In implementing the report and program described in this section, the Secretary shall consult with the Alaskan Governor.

''(d) There are authorized to be appropriated to the Secretary such sums as may be necessary, but not to exceed $20,000,000 for the purposes of this section.'.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to conduct a nomination hearing during the session of the Senate on Wednesday, March 6, 2002, at 9:30 a.m. The purpose of this hearing will be to consider the following nominations: Thomas Dorr the nominee for Under Secretary of Rural Development; Nancy Bryson, the administration's nominee to serve as general counsel for USDA; and Grace Daniel and Fred Dailey who are nominated to serve on the Board of Federal Agricultural Mortgage Corporation.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, March 6, 2002, at 10 a.m., to conduct an oversight hearing on ''Accounting and Investor Protection Issues Raised by Enron and Other Public Companies; Oversight of the Accounting Profession, Audit Quality and Independence, and Formulation of Accounting Principles.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Committee on Environmental and Public Works be authorized to meet on Wednesday, March 6, 2002, at 9:30 a.m., to conduct a hearing to receive testimony on S. 975, the Community Character Act of 2001; and S. 1079, the Brownfield Site Redevelopment Assistance Act of 2001.

The hearing will be held in SD–406.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, March 6, 2002, at

9:30 a.m., to hold a hearing titled, ''Dirty Bombs''.

Agenda

Witnesses

Panel 1: Dr. Steven E. Koonin, Provost, California Institute of Technology, Pasadena, CA; Dr. Harry C. Vantine, Division Leader, Counterterrorism and Incident Response, Lawrence Livermore National Laboratory, Livermore, CA; Dr. Henry C. Kelly, President, Federation of American Scientists, Washington, DC; and Dr. Donald D. Cobb, Associate Laboratory Director for Threat Reduction, Los Alamos National Laboratory, Los Alamos, NM.

Panel 2: Dr. Richard A. Meserve, Chairman, Nuclear Regulatory Commission, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Wednesday, March 6, 2002, at 9:30 a.m., to hold a hearing entitled ''Who's Doing Work for the Government?: Monitoring, Accountability and Competition in the Federal and Service Contract Workforce.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, March 6, 2002, at 2:30 p.m., to hold a closed hearing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ANTITRUST, COMPETITION AND BUSINESS AND CONSUMER RIGHTS

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Antitrust, Competition and Business and Consumer Rights be authorized to meet to conduct a hearing on Wednesday, March 6, 2002, at 10:30 a.m., in Dirksen 226.

Witness List: Jeremiah W. ''Jay'' Nixon, Attorney General, State of Missouri, Jefferson City, Missouri; Charles W. Ergen, Chairman and CEO, Echostar Communications, Littleton, Colorado; Edward O. Fritts, President and CEO, National Association of Broadcasters, Washington, DC; Eddy W. Hartenstein, President and CEO, DIRECTV, Inc., El Segundo, California; Gene Kimmelman, Co-Director, Consumers Union, Washington, DC; and Robert Pitofsky, former Chairman of the Federal Trade Commission, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON COMMUNICATION

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Subcommittee on Communications of the Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, March 6, 2002, at 2:30 p.m., on the Nation's wireline and wireless communications infrastructure in light of September 11.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, March 6, 2002, at 2:30 p.m., in open session to receive testimony on the nonproliferation programs of the Department of Energy and the Cooperative Threat Reduction Program of the Department of Defense in review of the Defense authorization request for fiscal year 2003.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PUBLIC HEALTH

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions, Subcommittee on Public Health, be authorized to meet for a hearing on ''Health Tracking: Improving Surveillance of Chronic Conditions and Potential Links to Environmental Exposures,'' during the session of the Senate on Wednesday, March 6, 2002, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, March 6, 2002, at 10 a.m., in open session to receive testimony on Department of Defense financial management.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON TRANSPORTATION

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Subcommittee on Housing and Transportation of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, March 6, 2002, at 2:30 p.m., to conduct an oversight hearing on ''Reauthorization of the HUD McKinney-Vento Homeless Assistance Act Programs.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. THOMAS. Madam President, I ask unanimous consent that Nancy Perkins, of Senator GREGG's office, have the privilege of the floor throughout the consideration of the energy bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. Madam President, first, I ask unanimous consent that Dennis Leaf, a congressional fellow with my office, be given floor privileges for the consideration of the energy bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLINGS. Madam President, I ask unanimous consent that David Matsuda, a fellow from the Department of Transportation, be granted floor privileges during the discussion of the S. 517.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Madam President, I ask unanimous consent that the following members of my staff be allowed the privilege of the floor during the remainder of the consideration of the energy debate: Dave Russell, George Lowe, Andy Givens, Mark Davis, Melany Alvord, Matt Paxton, and Justin Stiefel.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to executive session to consider Executive Calendar No. 621, the nomination be confirmed, the motion to reconsider be laid on the table, the President be immediately notified of the Senate's action, any statements be printed in the RECORD, and the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination was considered and confirmed as follows:

DEPARTMENT OF ENERGY

Margaret S.Y. Chu, of New Mexico, to be Director of the Office of Civilian Radioactive Waste Management, Department of Energy.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, in consultation with the Republican leader, pursuant to Public Law 68–541, as amended by Public Law 102–246, reappoints Bernard Rapoport of Texas as a member of the Library of Congress Trust Fund Board for a term of five years, upon the expiration of his current term on March 10, 2002.

PERMITTING THE USE OF THE ROTUNDA OF THE CAPITOL

Mr. REID. Madam President, I ask unanimous consent the Senate now proceed to H. Con. Res. 305 which was

just received from the House and is now at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 305) permitting the use of the Rotunda of the Capitol for a ceremony to present a gold medal on behalf of Congress to former President Ronald Reagan and his wife Nancy Reagan.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. I ask unanimous consent the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, that any statements relating thereto be printed in the RECORD, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 305) was agreed to.

RELATIVE TO THE DEATH OF THE HONORABLE HOWARD W. CANNON

Mr. REID. I ask unanimous consent the Senate proceed to consideration of S. Res. 217, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 217) relative to the death of the Honorable Howard W. Cannon, formerly a Senator from the State of Nevada.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent resolution be agreed to and the motion to reconsider be laid on the table without any intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 217) was agreed to.

(The resolution is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR TOMORROW, MARCH 7, 2002

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10 a.m., Thursday, March 7; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of S. 517, the energy bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Madam President, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the provisions of S. Res. 217, as a mark of respect to the memory of the deceased Honorable Howard W. Cannon, a Senator from the State of Nevada.

There being no objection, the Senate, at 6:42 p.m., adjourned until Thursday, March 7, 2002, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate March 6, 2002:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

JEFFREY D. WALLIN, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2006, VICE RON CHEW.

DEPARTMENT OF JUSTICE

PETER A. LAWRENCE, OF NEW YORK, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF NEW YORK FOR THE TERM OF FOUR YEARS, VICE JOHN PATRICK MCCAFFREY, TERM EXPIRED.

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 (lower half)

CAPT. WILLIAM D. MASTERS JR., 0000

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 (lower half)

CAPT. CRAIG O. MCDONALD, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVAL RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. DAVID O. ANDERSON, 0000
CAPT. DAVID J. CRONK, 0000
CAPT. DIRK J. DEBBINK, 0000
CAPT. FRANK F. RENNIE IV, 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

DERRICK K. ANDERSON, 0000
CARL M. ANDREWS, 0000
MARION T. HARNED, 0000
JOE F. JOHNSTON, 0000
WAYNE R. KNUTSON JR., 0000
FROILAN A. SALUTA, 0000
JOSEPH R. WALLROTH, 0000

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

LORAINE H. ANDERSON, 0000
WILLIAM S. ASTLEY, 0000
MARY K. BALLENGEE, 0000
BRIAN K. DECKERT, 0000
JACKSON R. DOBBINS, 0000
ROY T. FRANKLIN, 0000
WILLIAM B. HUFF, 0000
BONNIE C. JOHNSON, 0000
MICHAEL E. JOHNSON, 0000
GEORGE NICOLAS JR., 0000
STEPHEN G. REINHART, 0000
MARK J. WELTER, 0000
MICHAEL E. YOUNG, 0000

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

MARY S. ARMOUR, 0000
DELORES G. FORREST, 0000
ROBERTA L. GOTT, 0000
DAWN M. HARL, 0000
DIANNE R. INUNGARAY, 0000
BARBARA J. JOHNSTON, 0000
DONNA M. LAKE, 0000
IRENE D. LARSON, 0000
GAIL MCCAIN, 0000
LORI L. MONTGOMERY, 0000
BRIAN D. MORR, 0000
STEPHEN E. PRIZER, 0000
SANDRA R. SCHMIDTBERRINGER, 0000
SHARON B. WRIGHT, 0000

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

KEVIN D. BARON, 0000
LAURA E. BATTLE, 0000
AMY M. BECHTOLD, 0000
TERRIE M. GENT, 0000
THOMAS J. HASTY III, 0000
STEVEN A. HATFIELD, 0000
THOMAS C. JASTER, 0000
EUGENE J. KIRSCHBAUM, 0000
STEWART L. NOEL, 0000
MARY V. PERRY, 0000
RONALD M. REED, 0000
JEFFREY L. ROBB, 0000
DANIEL E. ROGERS, 0000
PAMELA D. STEVENSON, 0000
PAUL E. VAN MALDEGHEM, 0000
BRIAN J. WELSH, 0000

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

JORGE ACEVEDO, 0000
EDWARD N. ADDISON, 0000
LINDA S. ALDRICH, 0000
JOHN M. AMRINE, 0000
RICHARD L. ANDERSON II, 0000
SHERI W. ANDINO, 0000
STEPHEN J. APPLE, 0000
JOSE R. ARAGON, 0000
THOMAS ARKO, 0000
STEVEN E. ARMSTRONG, 0000
BRADLEY D. ARNOLD, 0000
MICHAEL W. ARNOLD, 0000
JARED A. ASTIN, 0000
LAWRENCE G. AVERY JR., 0000
PETER R. AXUP, 0000
RICHARD R. AYRES, 0000
ROBERT P. BAINE III, 0000
HOWARD B. BAKER, 0000
MICHAEL K. BAKER, 0000
SHELBY G. BALL, 0000
RAMONA G. BARNES, 0000
EDMUND L. BARNETTE JR., 0000
REBECCA L. BEAMAN, 0000
GROVER P. BEASLEY III, 0000
STEVEN J. BEATTY, 0000
ALLAN R. BECK, 0000
JEFFREY K. BEENE, 0000
ROBERT J. BELETIC, 0000
MICHAEL A. BENJAMIN, 0000
STEVEN W. BERNARD, 0000
SCOTT A. BETHEL, 0000
STEVEN K. BIBLE, 0000
GREGORY M. BILLMAN, 0000
DANIEL J. BISANTI, 0000
JEAN E. BITNER, 0000
EILEEN A. BJORKMAN, 0000
STEVEN M. BLACK, 0000
DAVID A. BLEHM, 0000
JOHN V. BOGGESS, 0000
KEVIN G. BOGGS, 0000
KIM A. BOWLING, 0000
MARK E. BRACICH, 0000
JEFFREY A. BRAND, 0000
THOMAS M. BREEN, 0000
DAVID C. BREWER, 0000
JAMES G. BREWSTER JR., 0000
DEIDRE E. BRIGGS, 0000
VENETIA E. BROWN, 0000
JAMES S. BROWNE, 0000
NORMAN J. BROZENICK JR., 0000
THOMAS J. BRUNS, 0000
DANIEL M. BRYAN, 0000
MICHAEL K. BUCK, 0000
JOHN N. BUCKALEW, 0000
HAROLD E. BULLOCK, 0000
STEPHEN L. BURGESS, 0000
DARRYL W. BURKE, 0000
RICHARD L. BURLINGAME, 0000
BRUCE A. BUSH, 0000
MICHAEL S. BUTLER, 0000
DIANE M. BYRNE, 0000
ANTHONY C. CAIN, 0000
JOSEPH T. CALLAHAN III, 0000
JAMES J. CAMPBELL JR., 0000
JESSIE W. CANADAY, 0000
DAVID K. CANNON, 0000
SAMUEL G. CARBAUGH, 0000
DOUGLAS W. CARROLL, 0000
JOHN R. CARTER JR., 0000
THERESA C. CARTER, 0000
MICHAEL D. CARTNEY, 0000
ROBERT M. CATLIN, 0000
JEFFREY L. CATON, 0000
SCOTT D. CHAMBERS, 0000
CHRISTOPHER R. CHAMBLISS, 0000
WILLIAM J. CHANGOSE, 0000
JOHN J. CHERNIGA, 0000
CARY C. CHUN, 0000
GREGG A. CLARK, 0000
RAY M. CLARK, 0000
WILLIAM J. CLECKNER, 0000
DEAN R. CLEMONS, 0000
TERESA H. CLINE, 0000
HELEN M. COCKRELL, 0000
JEFFREY S. COHEN, 0000
JEFFREY M. COLEMAN, 0000
BRIAN J. COLLINS, 0000
GAIL B. COLVIN, 0000
TED D. CONNALLY, 0000
DOUGLAS K. COOKE, 0000
JOHN B. COOPER, 0000
JOSEPH P. CORSO, 0000
WILLIAM M. CORSON, 0000

DAVID A. CORWIN, 0000
PETER A. COSTELLO III, 0000
GARY C. COX, 0000
SAMUEL D. COX, 0000
JAMES G. CRAMP, 0000
JOHN F. CROGHAN, 0000
RONALD R. CROSBY, 0000
JOSEPH C. CROWNOVER III, 0000
CARLOS R. CRUZGONZALEZ, 0000
GEORGE L. CUNNINGHAM, 0000
PAUL A. CURLETT, 0000
EUGENE DACUS, 0000
TERESA D. DANIELL, 0000
GEORGE B. DANIELS, 0000
JOHN A. DANIELS, 0000
KEVIN S. C. DARNELL, 0000
CLIFFORD E. DAY, 0000
STEPHEN R. DECOU, 0000
DANIEL L. DEFOREST, 0000
BRADLEY S. DENISON, 0000
STEVEN J. DEPALMER, 0000
ROBERT C. DEWALD, 0000
JOHN J. DIAMOND JR., 0000
IAN R. DICKINSON, 0000
HOWARD A. DIETRICH III, 0000
VINCENT P. DIFRONZO, 0000
JOHN R. DIGGINS III, 0000
FRANK C. DIGIOVANNI, 0000
JOHN M. DOBBINS, 0000
MARTIN P. DOEBEL, 0000
CHRIS P. DORAN, 0000
ROBERT M. DOUGLAS, 0000
JACQUELINE J. DOVALE, 0000
JOHN A. DOWLESS JR., 0000
KENNETH L. DRESSEL, 0000
ROBERT D. DUBEK, 0000
PAUL A. DUNBAR, 0000
JAMES A. DUNN, 0000
BRADLEY D. DUTY, 0000
WILLIAM T. ELIASON, 0000
DAVID F. ELLIS, 0000
MICHAEL D. ELROD, 0000
JOHN L. EMICH JR., 0000
ROBERT L. ENGLISH, 0000
MATTHEW N. ERICHSEN, 0000
DOUGLAS ERLENBUSCH, 0000
KAREN A. ESAIAS, 0000
SUSAN L. ESPINAL, 0000
CARLTON D. EVERHART II, 0000
KENNETH G. EVERSOLE JR., 0000
MICHAEL FALINO, 0000
TIMOTHY J. FEELEY, 0000
SANDRA E. FINAN, 0000
LISA C. FIRMIN, 0000
MICHAEL A. FLECK, 0000
ARNOLD FLORES, 0000
DONALD A. FLOWERS, 0000
JON M. FONTENOT, 0000
ANDREW FOWKES, 0000
RICHARD M. FRAKER, 0000
NANCY E. FRYE, 0000
RICHARD L. FULLERTON, 0000
KEVIN R. GAMACHE, 0000
ROGER A. GANT, 0000
JAMES N. GAPINSKI, 0000
MICHAEL H. GECZY, 0000
STEPHEN J. GENSHEIMER, 0000
KEITH E. GENTILE, 0000
DAVID K. GERBER, 0000
BARBARA J. GILCHRIST, 0000
RODERICK E. GILLIS, 0000
DAVID B. GLADE II, 0000
DAVID S. GLOWACKI, 0000
WILLIAM F. GOAD, 0000
JAMES A. GODSEY, 0000
SCOTT E. GOEHRING, 0000
T. T. GOETZ, 0000
SUSAN J. GOLDING, 0000
FERNANDO GONZALEZ, 0000
ROBERT S. GORDON, 0000
FRANK GORMAN, 0000
KATHLEEN M. GRABOWSKI, 0000
DEBRA D. GRAY, 0000
SAMUEL A. R. GREAVES, 0000
BRIAN H. GREENSHIELDS, 0000
DOUGLAS W. GREGORY, 0000
JOHN R. GRIGGS, 0000
GINA M. GROSSO, 0000
LAWRENCE K. GRUBBS, 0000
FREDERICK I. GUENDEL JR., 0000
STEPHEN J. HAHN, 0000
TIMOTHY L. HALE, 0000
WILLIAM C. HALL JR., 0000
ROBERT L. HAMILTON JR., 0000
RUSSELL J. HANDY, 0000
SCOTT M. HANSON, 0000
TRACY A. HARDWICK, 0000
GARRETT HARENCAK, 0000
PAUL R. HARMON, 0000
KEVIN E. HARMS, 0000
MICHAEL Q. HARPER, 0000
JEFFREY P. HARRELL, 0000
JOHN P. HARRIS, 0000
RICHARD HARRIS, 0000
ROBERT D. HARVEY, 0000
STEVEN D. HATTER, 0000
JOHN S. HAVEN II, 0000
WILLIAM I. HAVRON, 0000
DALE L. HAYDEN, 0000
MICHAEL F. HAYDEN, 0000
GEORGE W. HAYS, 0000
LEONARD G. HEAVNER, 0000
DAVID B. HEININGER, 0000
BRUCE B. HEINLEIN, 0000
MITCHELL L. HEITMANN, 0000
HOWARD J. HEMEON III, 0000
HAROLD E. HEMMINGS JR., 0000
SHELIA E. HENDERSON, 0000
WARREN L. HENDERSON, 0000
ROBERT H. HENDRICKS, 0000
STEVEN W. HERRING, 0000
DEREK S. HESS, 0000
HERMAN HICKS, 0000
OTIS L. HICKS JR., 0000
KIM A. HIGH, 0000
PEGGY B. HILLEBRANDT, 0000
JEFFREY A. HODGDON, 0000
DAWN C. HODGE, 0000
MICHAEL W. HODGE, 0000
RUSSELL D. HODGKINS JR., 0000
JOSEPH H. HOFFMAN III, 0000
WILLIAM C. HOFFMAN, 0000
DEWEY A. HOLMES, 0000
JAMES R. HOREJSI, 0000
MARK A. HOWELL, 0000
DERRICK A. HOXIE III, 0000
LARRY W. HUDSON, 0000
ROBERT D. HUDSON, 0000
DIANE R. HULL, 0000
ALAN L. HUNT JR., 0000
DENNIS L. HUNT, 0000
CARL HUNTER, 0000
JAMES L. HYATT III, 0000
MICHAEL W. ISHERWOOD, 0000
GREGORY G. IUSI, 0000
FREDERICK R. JACKSON, 0000
LINDA C. JACKSON, 0000
KEVIN J. JACOBSEN, 0000
SCOTT W. JANSSON, 0000
JOYCE R. JENKINSHARDEN, 0000
KENNETH A. JETER, 0000
GLEN G. JOERGER, 0000
CHARLES W. JOHNSON, 0000
JAMES G. JOHNSON, 0000
ROBERT E. JOHNSON, 0000
SCOTT W. JOHNSON, 0000
STEVEN H. JOHNSON, 0000
DENNIS M. JONES, 0000
HARVEY L. JONES, 0000
DONALD L. JORDAN, 0000
RONALD G. JOSEPH, 0000
NANCY A. KACZOR, 0000
MELISSA R. KALLETT, 0000
MICHAEL C. KANE, 0000
KEVIN P. KAROL, 0000
KEITH A. KECK, 0000
RANDY A. KEE, 0000
LLOYD H. KEETON JR., 0000
JIM H. KEFFER, 0000
DENNIS E. KEITH, 0000
MICHAEL A. KELTZ, 0000
GARY L. KEMP, 0000
JEFFREY B. KENDALL, 0000
JEFFREY A. KENNEDY, 0000
GREG A. KERN, 0000
GARY W. KIRK, 0000
THOMAS D. KLINCAR, 0000
PENNY F. KOERNER, 0000
KENNETH M. KONICKI, 0000
GEORGE D. KRAMLINGER, 0000
STEVEN L. KWAST, 0000
MUN H. KWON, 0000
KEVIN M. KYGER, 0000
DENNIS H. LANGE, 0000
ROY G. LANIER III, 0000
DAVID R. LARIVEE, 0000
MARK S. LARSON, 0000
STEPHAN J. LAUSHINE, 0000
DAVID G. LAWSON, 0000
ANTHONY J. LAZARSKI, 0000
TIMOTHY S. LEAPTROTT, 0000
MATTHEW R. LEAVITT, 0000
IRVIN B. LEE, 0000
M. DAVID LEE, 0000
DANNY L. LEONARD, 0000
ANTHONY V. LEVY, 0000
DAVID J. LEWIS, 0000
SAMUEL LOFTON III, 0000
MARSHALL K. LOUNSBERRY III, 0000
BRUCE W. LOVELY, 0000
PHYLLIS A. LOVING, 0000
ROBERT M. LYLES, 0000
HOLLACE D. LYON, 0000
DAVID W. MADDEN, 0000
ANDREW M. MANLEY, 0000
ANDREW M. MAROTTA, 0000
REX A. MARSHALL, 0000
SCOTT W. MARSHALL, 0000
LAURA M. MARTIN, 0000
DEBRA A. MARTINEZ, 0000
RUSSELL L. MAY, 0000
DAVID B. MAYER, 0000
JEFFREY R. MAYO, 0000
BEN MCCOLLUM II, 0000
NEAL B. MCELHANNON, 0000
JOHN T. MCELHENNY, 0000
STEVEN E. MCKAY, 0000
MICHAEL A. MCKENNA, 0000
WILLIAM D. MCKINNEY, 0000
JOHN C. MCKOY, 0000
JAMES K. MCLAUGHLIN, 0000
ANNIE M. MCLEOD, 0000
WILLIAM J. MCMANUS, 0000
JIMMY E. MCMILLIAN, 0000
RICHARD B. MCNABB, 0000
MICHAEL T. MCNEELY, 0000
RON MCNEILL, 0000
KURT F. MCPHERSON, 0000
MARK A. MEHALIC, 0000
MICHAEL W. MELENDREZ, 0000
THERESA A. MEYER, 0000
LINDA S. MICHAEL, 0000
JANET R. MIDDLETON, 0000
JOHN C. MILLANDER, 0000
CHARLES F. MILLER, 0000
DENNIS M. MILLER, 0000
JOHN R. MILLER JR., 0000
DAVID G. MINSTER, 0000
ALVINA K. MITCHELL, 0000
DENNIS R. MITCHELL, 0000
HENRY MITNAUL, 0000
ELIZABETH A. MOORE, 0000
KENNETH J. MORAN, 0000
JUAN MORENO III, 0000
MICHAEL J. MORGAN, 0000
RENE L. MOSLEY, 0000
ANDREW M. MUELLER, 0000
SAMUEL S. MUMAW, 0000
KURT F. NEUBAUER, 0000
FRANCIS G. NEUBECK JR., 0000
DAVID J. NICHOLLS, 0000
KEVIN B. NOONAN, 0000
MARK C. NOYES, 0000
PHILIP M. ODOM, 0000
DAVID D. ODONNELL, 0000
BARRY N. OLSON, 0000
CRAIG A. ONEAL, 0000
ROBERT A. ONEILL, 0000
RICHARD O. OSMUN, 0000
MICHAEL W. OTTERBLAD, 0000
GREGORY S. OWEN, 0000
PAUL J. PABICH, 0000
MARC L. PAGLIARO, 0000
ANTHONY A. PANEK, 0000
ANDREW W. PAPP, 0000
MARY H. PARKER, 0000
EDWIN T. PARKS, 0000
RANDALL N. PASCHALL, 0000
JAMES W. PATTERSON JR., 0000
JEFFREY A. PAULK, 0000
JAMES R. PAVLISIN, 0000
GLENN R. PAYNE, 0000
ROBERT E. PECORARO, 0000
RICHARD J. PETRASSI, 0000
DAVID B. PISTILLI, 0000
ERIC A. POHLAND, 0000
GARY W. POND, 0000
GERILYN A. POSNER, 0000
JOHN C. POWELL, 0000
CRAIG J. PRICE, 0000
MICHAEL J. PRUSZ, 0000
BENJAMIN F. PULSIFER, 0000
CARL J. PUNTURERI, 0000
LESLIE B. QUEEN, 0000
NEIL E. RADER, 0000
BOBBIE L. RANDALL, 0000
JEFFEREY W. RAY, 0000
CHRIS A. REASNER, 0000
HELMUT H. REDA, 0000
LARRY L. REXFORD, 0000
NANCY E. RICE, 0000
MICHAEL O. RIDDLE, 0000
PATRICIA F. RIDGWAY, 0000
DAVID P. RIPLEY, 0000
RAYMOND A. ROBIDOUX JR., 0000
JANE A. ROBINSON, 0000
KENNETH F. RODRIGUEZ, 0000
BRYAN D. ROGERS, 0000
ROSS E. ROLEY, 0000
MARCIA ROSSI, 0000
RAYMOND J. ROTTMAN, 0000
R.J. ROUSE, 0000
JOHN K. RUDOLPH, 0000
WILLIAM J. RUMPEL, 0000
KEVIN E. RUMSEY, 0000
JEFFREY J. RUST, 0000
TIMOTHY J. SAKULICH, 0000
PETER G. SANDS, 0000
WILLIAM A. SCHAAKE, 0000
WILLIAM E. SCHAAL JR., 0000
CINDY L. SCHAEFER, 0000
YVONNE E. SCHILZ, 0000
CRAIG H. SCHLATTMANN, 0000
THOMAS J. SCHLUCKEBIER, 0000
BRUCE E. SCHMIDT, 0000
STEVEN C. SCHRADER, 0000
DENISE I. SCHULTZ, 0000
MICHAEL R. SCOTT, 0000
ERIC M. SEPP, 0000
JOHN G. SETTER JR., 0000
JOHNNIE SEWARD JR., 0000
JOHN N. T. SHANAHAN, 0000
DEBRA A. SHATTUCK, 0000
HOWARD R. SHELWOOD, 0000
CHRISTIAN L. SHIPPEY, 0000
DALE T. SHIRASAGO, 0000
ROBERT C. SHOFNER, 0000
JAMES T. SILVA, 0000
MARK SIME, 0000
ROBERT K. SIMM JR., 0000
DAVID A. SIMMS, 0000
BRIAN A. SIMPSON, 0000
WILLIAM R. SIMS JR., 0000
MICHAEL J. SINISI, 0000
CAROLYN V. SMALL, 0000
DEAN A. SMITH, 0000
JEFFRY F. SMITH, 0000
KEITH E. SMITH, 0000
PATRICK T. SMITH, 0000
REX K. SNIDER JR., 0000
VINCENT R. SNYDER, 0000
JOYCE F. SOHOTRA, 0000
TERRY L. SPITZMILLER, 0000
MARK A. STANK, 0000
JULIE K. STANLEY, 0000
JOHN A. STARKEY, 0000
ROBERT J. STEELE, 0000
TYRONE R. STEPHENS, 0000
ROBERT G. STIEGEL, 0000
PETER V. STIGLICH, 0000
DAN J. STIVER, 0000

JOSEPH M. STOKER, 0000
MICHAEL S. STOUGH, 0000
STEVEN C. SUDDARTH, 0000
MARK P. SULLIVAN, 0000
EDWIN C. SWEDBERG, 0000
STEPHEN M. TANOUS, 0000
MARK B. TAPPER, 0000
DENISE S. TAYLOR, 0000
HARRY J. TETI, 0000
PAUL L. THEE, 0000
THOMAS B. THOMPSON, 0000
NAT THONGCHUA, 0000
WILLIAM J. THORNTON, 0000
DAVID L. THURSTON, 0000
BRUCE C. TOWNSEND, 0000
BRIAN D. TRI, 0000
DOUGLAS K. TUCKER, 0000
GUY D. TURNER, 0000
RANDY K. TURNER, 0000
TERESA G. TURNER, 0000
TRACY E. TYNAN, 0000
JOSEPH F. UDEMI, 0000
DAVID K. UNDERWOOD, 0000
VINCENT C. VALDESPINO, 0000
JONATHAN D. VANGUILDER, 0000
PEDRO VASQUEZ JR., 0000
MICHAEL G. VAUGHN, 0000
MICHAEL G. VIDAL, 0000
STEPHEN G. VISCO, 0000
JOSEPH H. VIVORI, 0000
GEORGE C. VOGT, 0000
DAVID M. VOTIPKA, 0000
DANIEL R. WALKER, 0000
SAMUEL J. WALKER, 0000
THOMAS C. WALKER, 0000
KATHY D. WARD, 0000
VICTOR L. WARZINSKI, 0000
MARK R. WASSERMAN, 0000
JAMES M. WAURISHUK JR., 0000
MARK P. WEADON, 0000
GARY C. WEBB, 0000
ANTHONY M. WEIGAND, 0000
CHARLES A. WEISS, 0000
JAMES J. WENDLING, 0000
WAYNE H. WENTZ, 0000
ROBERT E. WHEELER, 0000
SCOTT L. WHEELER, 0000
YULIN G. WHITEHEAD, 0000
GREGORY S. WIEBE, 0000
DENNIS R. WIER, 0000
LEE T. WIGHT, 0000
JOHN S. WILCOX, 0000
ROBERT C. WILLIAMS, 0000
ROBERT T. WIMPLE JR., 0000
KATHLEEN M. WINTERS, 0000
CLETUS F. WITTER, 0000
CHARLES W. WOLFE JR., 0000
BEVERLY C. WRIGHT, 0000
MARK D. WRIGHT, 0000
THOMAS L. YODER, 0000
DAVID E. YOUKER, 0000
TIMOTHY M. ZADALIS, 0000
RODERICK C. ZASTROW, 0000
MICHAEL P. ZEPF, 0000
STEPHEN B. ZIEHMN, 0000
KEITH W. ZUEGEL, 0000

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

MATT ADKINS JR., 0000
MARK L. ALLEN, 0000
DOUGLAS E. ANDERSON, 0000
RANDY B. BORG, 0000
ALAN R. CONSTANTIAN, 0000
KERRY M. DEXTER, 0000
DAVID L. DOTY, 0000
WILLIAM J. GAYNOR, 0000
ROBERT U. HAMILTON, 0000
MICHAEL P. HOLWAY, 0000
ROBERT C. LENAHAN, 0000
THOMAS G. MCCAULEY, 0000
JAMES F. MEYERS II, 0000
MICHAEL W. MILLER, 0000
RONALD H. PEARSON, 0000
SCOTT F. WARDELL, 0000
VIRGINIA L. WERESZYNSKI, 0000
CHARLES K. WOLAK, 0000
STEPHEN M. WOLFE, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(*)) UNDER TITLE 10, U.S.C., SECTIONS 624, 531, AND 3064:

To be major

DAVID E * BENTZEL, 0000
WILLIAM H * BOSWORTH, 0000
BORIS * BRGLEZ, 0000
JERRY R * COWART, 0000
KELLEY L * EVANS, 0000
MARGERY M * HANFELT, 0000
SCOTT E * HANNA, 0000
LOUIS M * HUZELLA, 0000
KENNETH O * JACOBSEN, 0000
CINDY A * LANDGREN, 0000
WAYNE S * LIPOVITCH, 0000
GLORIA A * MARSELAS, 0000
DANA E * MCDANIEL, 0000
KATHLEEN A * RYAN, 0000
GREG * SATURDAY, 0000
ANN M * SCHIAVETTA, 0000
DEIDRE E * STOFFREGEN, 0000
MALLORY K * TATE, 0000
GESSEL Y * VAN, 0000
DANIEL C * WAKEFIELD, 0000
SHANNON M * WALLACE, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(*)) UNDER TITLE 10, U.S.C., SECTIONS 624, 531, AND 3064:

To be major

ABAD * AHMED, 0000
JAMES D * ARNOLD, 0000
GARY W * ASPERA, 0000
ANTHONY C * BARE, 0000
JONATHAN H * BOSWELL, 0000
STANLEY T * BREUER, 0000
ELAINE P * BUNCH, 0000
BETHANY L * CHAPPELL, 0000
ERICA R * CLARKSON, 0000
ANNE M * COAKLEY, 0000
CHARLES V * COLEMAN, 0000
KARL A * COOPER, 0000
PHILLIP D * COSBY, 0000
PHILIP R * COX, 0000
DAVID S * DELGADO, 0000
DAVID E * DESROSIER, 0000
HENRY D * ELLINGTON III, 0000
MICHAEL E * FLAHERTY, 0000
LARRY O * FRANCE, 0000
RAUL * GIERBOLINIMARTINEZ, 0000
MANUEL * GONZALEZ, 0000
HENRY K * HATHAWAY, 0000
DONALD E * HICKS, 0000
CARLTON J * KIZZIE, 0000
JOSE G * MANGROBANG, 0000
STEPHEN P * MANLEY, 0000
ANDE C * MASS, 0000
DOUGLAS L * MCDOWELL, 0000
KELLI M * METZGER, 0000
DEBRA R * MOHNS, 0000
CHRISTINE M * MORAN, 0000
SHARON M * NEWTON, 0000
WILLIAM * NIEDING, 0000
JANET A * PAPAZIS, 0000
PATRICK C * PETRAY, 0000
ALLYSON E * PRITCHARD, 0000
DAVID R * REINSCH, 0000
JESUS R * RODRIGUEZ, 0000
SANDRA E * RODRIGUEZ, 0000
MICHAEL J * SCHIEFELBEIN, 0000
THOMAS * SCHYMANSKI, 0000
KATHY E * SCOTT, 0000
TYLER L * SEICK, 0000
HARVEY P * SMITH JR., 0000
TRACY A * SMITH, 0000
BARBARA J * SYLER, 0000
KIM N * THOMSEN, 0000
RICHARD E * WALTON, 0000
LARRY J * WOOLDRIDGE, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(*)) UNDER TITLE 10, U.S.C., SECTIONS 624, 531, AND 3064:

To be major

KIMBERLEE A AIELLO, 0000
PAUL B ANDERSON, 0000
WILLIAM P ARGO, 0000
ADRIENNE B * ARI, 0000
SUSAN D ARNETT, 0000
GREG R * ATKINSON, 0000
TRACY L BABCOCK, 0000
ERIC E BAILEY, 0000
THOMAS R * BAKER, 0000
MICHAEL K * BARDOLF, 0000
BRIAN R BAUER, 0000
MICHELLE L * BELL, 0000
CARLENE A BLANDING, 0000
MARK J BONICA, 0000
MICHAEL D * BRENNAN, 0000
MICHAEL F BRESLIN, 0000
DEIDRA E * BRIGGSANTHONY, 0000
AMY C BRINSON, 0000
BRADLEY L * BROOKS, 0000
KEVIN D BROOM, 0000
EDWARD A * BRUSHER, 0000
JUDITH L BUCHANAN, 0000
JAMES K * BUTLER, 0000
JAMES G * CAHILL, 0000
EVA K * CALERO, 0000
DAVID J CARPENTER JR., 0000
JAMES D * CARRELL, 0000
JORGE D * CARRILLO, 0000
ANDREW D * CENTINEO, 0000
CHRISTOPHER M * CHRISTON, 0000
RHONDA B * CLARK, 0000
JOANNE M * CLINE, 0000
KEVIN E COOPER, 0000
ANDREW J * CORROW, 0000
LYNN T * CROCKETT, 0000
JULIA A DALLMAN, 0000
THOMAS D * DAVENPORT, 0000
REGINA L * DAVEY, 0000
MARVIN * DAVIS, 0000
VIVIAN K * DENNISON, 0000
DENIS G * DESCARREAUX, 0000
STEVE A * DESCHAMPS, 0000
KEVIN M * DUFFY, 0000
PETER N EBERHARDT, 0000
WILLIAM T * ECHOLS, 0000
ERIC S EDWARDS, 0000
DUSTIN K ELDER, 0000
DWAYNE A * ELDER, 0000
JAMES R * ERVIN, 0000
SANDRA * ESCOLAS, 0000
ERIC W * FALLON, 0000
CASEY D * GARMAN, 0000
ERIK J * GLOVER, 0000
CHRISTOPHER J * GRAHEK, 0000
ALFRED A * HAMILTON, 0000
DAVID P * HAMMER, 0000
JOSEPH E * HARKINS, 0000
KEVIN G * HART, 0000
JON K * HAYS, 0000
DANIEL J HEIN, 0000
PHILIP A * HOLCOMBE, 0000
JOHN D HOWE, 0000
GREGORY R HUDSON, 0000
SHEREEN R * HUGHES, 0000
NAOMI M * INGLES, 0000
MARY V * INGRAM, 0000
PRISCILLA J JACKERT, 0000
INGRID * JURICH, 0000
PETER KALAMARAS JR., 0000
WILLIAM J KAYS, 0000
VESTON M KELLY, 0000
VIBOL C * KHEIV, 0000
HEATHER A KNESS, 0000
NINA L * KNUCKLES, 0000
WILLIAM A * LATZKA, 0000
RAYMOND D * LAUREL, 0000
JOHN S * LEE, 0000
KERRY A LEFRANCIS, 0000
GARY C * LETCH, 0000
LEONARD S LIEDEL, 0000
RICHARD S * LINDSAY III, 0000
WILLIAM R LOVE, 0000
PATRICK F * LUKES, 0000
LISA M MACLAREN, 0000
MICHAEL G * MACLAREN II, 0000
STEVEN D * MAHLEN, 0000
JOSE D MANGLICMOT, 0000
PAUL B MANN, 0000
DANIEL E * MCCARTHY, 0000
DAVINA N MCDOWNEY, 0000
DANIEL C * MCGILL, 0000
JOHN A * MCMURRAY, 0000
JOHN J MELTON, 0000
CLAY R MILLER, 0000
JOHN M * MILLER, 0000
GERARDO J * MORALEZ, 0000
DANIEL J * MORONEY, 0000
DONALD R * NEFF, 0000
TIMOTHY D * NELLE, 0000
MICHAEL J NERI JR., 0000
JOSE I NUNEZ, 0000
STEPHEN L OATES, 0000
LISA L * OBRIEN, 0000
TIMOTHY G * OHAVER, 0000
MEE S * PAEK, 0000
DENNIS S * PALALAY, 0000
GABRIELLA M PASEK, 0000
KYLE A * PATTERSON, 0000
NANETTE S * PATTON, 0000
JAMES G PERKINS, 0000
DEBORAH E PEYTON, 0000
KEVIN K * PITZER, 0000
STEPHEN P * PLANCHET, 0000
FRANCISCO J * PORTALS, 0000
MICHAEL H * PRICE, 0000
PATRICIA A * RANDALL, 0000
JAMES * RICHARD III, 0000
KARLOTTA A * RICHARDS, 0000
MICHAEL C RICHARDSON, 0000
ANDREW J * RISIO, 0000
DARREN R * RITZER, 0000
ERIK G * RUDE, 0000
JOHN G * SANCHEZ, 0000
TROY D SCHILLING, 0000
PHILIP E SHERIDAN, 0000
DAVID J * SKANCHY, 0000
MELANIE A * SLOAN, 0000
DWIGHT V * SMITH, 0000
STEPHEN P SPELLMAN, 0000
MARK D SWOFFORD, 0000
JONATHAN R * SYLVIE, 0000
AARON M * TERMAIN, 0000
THOMAS C TIMMES, 0000
JAMES Q * TRUONG, 0000
JOSEPH A TUDELA, 0000
GERARD A * VAVRINA, 0000
MYRANDA L VEREEN, 0000
ANDREW J * VITT, 0000
BLAIN S * WALKER, 0000
CHRISTINE M * WATSON, 0000
JOSEPH L * WILLIAMS, 0000
JEFFREY S * YARVIS, 0000
SHANNON M ZEIGLER, 0000
CHUNLIN * ZHANG, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER 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

JAMES R. KISH, 0000

In the Marine Corps

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

RAYMOND J. FAUGEAUX, 0000
JOHN J. HARVEY, 0000
MARKUS PFAHLER, 0000

ANTHONY F. WEDDINGTON, 0000
MARIANNE P. WINZELER, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTIONS 5582 AND 531:

To be lieutenant commander

JENNIFER R FLATHER, 0000
JANET G GOLDSTEIN, 0000
KATHY E GORDON, 0000
SAMANTHA J GREEN, 0000
ROBERT S HARRINGTON, 0000
BRYANT W KNOX, 0000
MARIE E OLIVER, 0000
TERESA A SCHWING, 0000
DEBORAH A STARK, 0000
CLIFFORD M WILBORN, 0000
STEPHEN J WILLIAMS, 0000

CONFIRMATION

Executive nomination confirmed by the Senate March 6, 2002:

DEPARTMENT OF ENERGY

MARGARET S.Y. CHU, OF NEW MEXICO, TO BE DIRECTOR OF THE OFFICE OF CIVILIAN RADIOACTIVE WASTE MANAGEMENT, DEPARTMENT OF ENERGY.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

WITHDRAWAL

Executive message transmitted by the President to the Senate on March 06, 2002, withdrawing from further Senate consideration the following nomination:

FREDERICK R. HEEBE, OF LOUISIANA, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF LOUISIANA FOR THE TERM OF FOUR YEARS, WHICH WAS SENT TO THE SENATE ON NOVEMBER 1, 2001.

EXTENSIONS OF REMARKS

BIPARTISAN CAMPAIGN REFORM ACT OF 2001

SPEECH OF

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2002

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2356) to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform:

Mr. NEY. Mr. Chairman, The following information I wish to submit for the RECORD on this matter of Campaign Finance Reform.

NEY-WYNN IS THE EFFECTIVE SOFT MONEY BAN

Perhaps the best way to explain the difference between the ''soft money bans'' is to elaborate on comments by the President of Common Cause, Scott Harshbarger, panning Ney-Wynn. As you may know, Common Cause strongly supports Shays-Meehan, and was apparently heavily involved in drafting much of its language. He incorrectly asserted that Ney-Wynn is just like Senator Hagel's bill, and that Ney-Wynn continues to let in unregulated and unlimited soft money. Both are false—Ney-Wynn does ban (as opposed to cap) soft money for Federal election activity.

First, with respect to Senator Hagel's approach, I have reviewed both bills, and am of the view that any comparison to Ney-Wynn is an oversimplification. Senator Hagel's bill merely put a limit on the amount of non-federal funds the party committees could accept. It put no restriction whatsoever on how the money could be spent, and would not have dramatically altered how party committees currently operate. Party committees would have still been free to run so-called ''soft money issue ads'' and engage in other similar activities. It would not have forced the party committees to use federal money for federal election activity.

On the other hand, the Ney-Wynn bill would radically alter how party committees on both sides of the aisle operate. Unlike Hagel, it bans soft money for federal election activity. It bans us from doing so-called ''soft money issue ads.'' In short, Ney-Wynn actually accomplishes what the reformers want—an end to party committee soft money being used in Federal elections via the back door.

With respect to soft money, Ney-Wynn bans the party committees from using it for any Federal election activity. As for the limited amount that party committees will be allowed to accept, all the Ney-Wynn bill does is treat party committees the same as corporate and union PACs, allowing us to use limited soft money contributions for fundraising and administration. And that's all—it can't be transferred, used for issue ads or the like. In fact, Senator McCain himself voted to let this use of soft money continue.

Moreover, Ney-Wynn is consistent with the recent decision in Colorado Republican II, where the Court said that ''[a party committee] is in the same position as some individuals and PACs.'' It also avoids the issue presented in Jacobus v. Alaska and a recent opinion letter from the Attorney General of New Hampshire (finding total contribution bans are unconstitutional). So as to ensure that the Ney-Wynn ban is truly a ban, even voter registration and get out the vote conducted within 120 days of a federal election must be paid for entirely with federal hard dollars. But critically, this limitation still allows the party committees the ability to do voter registration and other outreach.

Several state laws already ban soft money in this way, most notably Texas and New York, and to a certain extent, Florida and California. States that have taken the Shays-Meehan approach tend to be left-of-center, and eventually try some form of public financing. The current Shays-Meehan actually mandates that public financing be studied.

As someone who has intimate knowledge of the financial and political operations of party committees, I believe Ney-Wynn is a radical change. It will force the parties to use hard dollars for our activities, but still allow us the resources to assist our candidates in getting their messages heard. The party committees will remain able to drown out special interest ads, albeit with hard dollars. In sum, Ney-Wynn achieves what ought to be everyone's common goal: allowing the candidate's voice to be the central voice in American politics.

Shays-Meehan will have the opposite effect—it simply attempts to emasculate the political parties, and leave candidates to fend for themselves. It does not make any effort to ensure that parties continue to register voters and involve people in the process. Once the Shays-Meehan experiment inevitably makes matters worse, reformers will then insist that public financing of all Federal elections is the only option left.

As for soft money, Shays-Meehan does not constitute a soft money ban with respect to federal election activity. Contrary to what has been repeated time and time again, ''soft money'' is neither unlimited nor unregulated. Over 30 states have passed limits or outright bans on corporate and union money, including contributions to state political parties—laws that Shays-Meehan actually preempt. In fact, when the full impact of the two bills is analyzed, particularly in light of the application (or preemption) of state law and the $30 million soft money loophole, Ney-Wynn constitutes the more effective soft money ban. It has the added advantage of requiring disclosure of third-party issue ads that is consistent with judicial precedent.

Please contact me with any questions or concerns.

[Institute of Governmental Studies and Citizens Research Foundation Policy Brief, July 6, 2001]

ASSESSING THE IMPACT OF A BAN ON SOFT MONEY: PARTY SOFT MONEY SPENDING IN THE 2000 ELECTIONS

(By Ray La Raja and Elizabeth Jarvis-Shean)

This policy brief examines how national, state and local parties of the Republicans and Democrats spent soft money in the 2000 Elections. Our findings demonstrate that the state parties, which receive about 83% of their soft money from national party transfers, are the primary venue for soft money spending. About 44% of state party soft money spending went toward media activities, while 15% was invested in mobilization and grassroots activities. Parties target their media and mobilization spending in competitive states. The Democrats rely more on soft money for campaign activity than Republicans. Spending on all campaign activities—media, mobilization and grassroots—has been increasing over the past several election cycles. If soft money is banned—or simply curtailed within 120 days of a general election—it is likely that both media and party building activity will be reduced significantly unless the parties can make up for the shorfall with hard money.

The purpose of this report is to furnish basic data about soft money spending in the 2000 elections as a way to understand the potential impact of campaign finance reform legislation being debated in the 107th Congress. In particular, we consider the effect of a ban on soft money, a provision that remains the centerpiece of a bill sponsored by Senators McCain and Feingold, and passed by the Senate on April 2, 2001. The House of Representatives will soon consider a similar version of the bill. Much of the debate over reform considers the effect of eliminating soft money on party activities. Will the parties be weakened? To what degree are parties using soft money for issue ads? In this report we assess how parties spent their soft money in past elections as a way to understand the likely consequences of banning or restricting soft money.

Soft money includes funds that parties raise that lack the contribution limits set by the Federal Election Campaign Act of 1971 and its amendments. Under federal law, soft money may be used for party building but not direct candidate support. Advocates for banning soft money argue that its elimination is essential for preserving the integrity of the electoral system. Their underlying premise is that soft money corrupts the political process by allowing wealthy donors to trade political money for favorable treatment in policymaking in Congress and the Executive branch. Some argue that even if candidates are not corrupted, voters perceive that the exchange is corrupt or that parties abuse campaign finance laws by using funds illegally to help their candidates. Such perceptions alienate voters from the political process and undermine the legitimacy of the nation's political institutions.

Others argue, in contrast, that a ban on soft money will damage American democracy. Citing several court decisions, they claim that constraints on political activity run counter to the 1st Amendment. Another line of argument contends that eliminating soft money will weaken an essential political institution in American democracy—the political parties. Removing this resource will weaken parties relative to other political actors such as interest groups, and reduce the party's efforts to get voters to the polls. Rather than reinvigorate political participation, the McCain-Feingold reforms might actually reduce citizen activity.

The arguments on either side deserve rigorous empirical scrutiny. It appears, however, that Congress is poised to enact legislation without considering some basic information about soft money. Drawing on financial data about parties released by the Federal Election Commission, we try to shed

some light on the uses of soft money. We are hardly prepared to provide an in-depth analysis to address the claims of either side in this upcoming reform debate in the House. Instead, our goal is to provide an empirical foundation to help policymakers consider carefully the ramifications of their decisions.

The questions we ask are simple, but to our knowledge they have not been addressed adequately. How did parties spend soft money in the 2000 elections? To what extent did they use soft money to finance ''issue ads?'' How much soft money went toward traditional voter mobilization efforts and other party building activity? Did parties spend differently from prior elections?

Using data providing by the Federal Election Commission we explore these questions about soft money spending. We categorized more than 500,000 entries of itemized expenditures by national, state and local parties in the 2000 elections. Our framework for examining soft money is to consider what would happen if the McCain-Feingold bill was made into law. The key provisions of the bill, as they pertain to party soft money, are the following:

National parties

May raise or spend only hard money (i.e., limited contributions, no labor or corporate contributions).

May not make contributions to non-profits.

State parties

Must use hard money to fund any ''federal election activities'' (defined as Get-Out-the-Vote, or voter registration in the 120 days preceding an election) during a federal election year.

May fund ''federal election activities'' with soft money capped at $10,000 from the same source if state laws permit.

Candidates

Banned from raising soft money for ''federal election activities.''

Non-profits

National parties banned from making or soliciting contributions to nonprofits; candidates banned from raising soft money for non-profits for ''federal election activities.''

FINDINGS I

How did parties spend soft money in the 2000 Elections?

Parties at the federal, state and local level spent almost half a billion dollars in soft money in the 2000 elections. These funds were spent primarily by the state parties because federal and state regulations are more permissive of soft money spending at this level. The 100 major state parties—Democratic and Republican—spent approximately $340 million in soft money. The national parties, in contrast, spent only $136 million. The national parties, however, raised a good portion of soft money and then transferred it to the state parties. According the Federal Election Commission, the national committees raised approximately $496 million in soft money and transferred $280 million (56%) to the state parties.

Local parties (158 of them) spent only $4 million. It should be noted that federal, state and local parties spend additional soft money in non-federal elections. But because these funds are not related in any way to a federal election they do not have to be reported to the Federal Election Commission. Therefore, the soft money data we collected pertains only to campaign spending related to federal elections. We should also point out that we are reporting only soft money figures here. By law, parties are required to match soft money with hard money for each activity, using complex accounting guidelines provided by the Federal Election Commission. If we included the hard money figures in several of the subsequent tables, the spending in these categories would be 40% to 50% higher.

For national parties, most soft money (about 43%) is invested in overhead and basic administrative costs of maintaining the party headquarters in Washington. Unsurprisingly, the next largest expenditure is for fundralsing (approximately 39%), It appears that little more than 13% of national party spending goes directly into campaigns for media and mobilization activities. Based on our analysis of party spending reports, we believe the bulk of media spending includes the cost of producing and airing television and radio ads. Mobilization spending, in contrast, includes the ''ground'' activity: registering and identifying voters, Get-Out-the-Vote (GOTV) phonebanks and precinct canvassing, and costs of direct mail. Although the national parties spend a small portion of their soft money on these activities, their investments are significant in absolute terms, investing $10.3 million on media-related activities and $7.4 million on mobilization activities.

State parties use soft money more than other party committees. In the 2000 Elections, they spent 2.5 times as much soft money as national parties. Through transfers, however national parties supply approximately 83% of the soft money that state parties spend for federal related activities. At the state level, 44% of soft money for federal related activities ($149.3 million) is invested in media, a significant increase from the 1996 election in absolute terms, as well as a rise in the portion of the party budget devoted to media. Clearly, state parties are major sponsors of issue ads. Another 12 percent of the budget ($41.8 million) goes toward ground mobilization activities, much of it targeted in competitive states. Only 4% of state party budgets reflect grassroots campaign activity that includes distribution of bumper stickers and pins, the staging of rallies and related volunteer work ($11.3 million). State parties rely heavily on soft money for office upkeep and general administrative expenses ($99.5 million or 29% of budget).

Finally, local parties use very limited amounts of soft money in federal elections. Among the 158 local major parties that submitted campaign finance reports to the Federal Election Commission, their total soft money spending amounted to just $4 million. More than half of this was for party administration and overhead. Only 2% was used for media, 10% was for mobilization work and 5% for grassroots activities. Local parties are obviously more concerned with local elections so it is unsurprising that they spend so little soft money in federal election activity. Furthermore, much of their work does not involve the costly technical aspects of modem campaigning such as broadcast media. On the other hand, it seems reasonable to expect that more soft money would make its way to the local level since the intent of amendments to the Federal Election Campaign Act was to encourage grassroots party building.

How does soft money spending in the 2000 elections compare to earlier elections?

One question that arises in the current debate is whether parties have transformed themselves into campaign media organizations through financing issue ads with soft money. The data provide evidence that state parties have become important venues for producing and airing issue ads, something they did not do prior to the 1996 elections. On the other hand, state parties continue to use soft money for party building activities as they have in the past.

In the 2000 elections, state parties invested significantly more soft money directly in campaigns than in prior elections. For example, they spent $149.1 million on mediarelated activity, more than double their expenditures in 1996. The portion of total party soft money devoted just to media increased from 37% in 1996 to 44% in 2000. Spending on mobilizing voters through the ''ground campaign'' (telephones, canvassing, direct mail) increased from $16 million in 1996 to almost $42 million in 2000, a boost of 160 percent. The share of the soft money budget devoted to this activity increased from 9 to 12 percent between 1996 and 2000.

In 1998, media and mobilization spending was more evenly distributed than during a presidential election cycle. During the 1998 elections, 17% of soft money went toward media and 12% toward ground mobilization. These figures suggest that the media strategies of presidential campaigns drive much of soft money spending. Nonpresidential contests do not always rely as heavily on a media campaign strategy as presidential contests, even though soft money has played an increasingly important role in financing issue ads for congressional campaigns.

State parties continue to rely a great deal on soft money to maintain the party headquarters, paying for staff salaries, benefits, office equipment and other basic necessities. In the 2000 elections, parties spent almost $100 million on administration, a 38% increase from 1996. Administrative costs reflected 29% of all state party soft money spending in 2000, which was a much smaller portion that in the 1996 elections.

What can we surmise from these data? To the dismay of those seeking definitive evidence to confirm their point of view, the data appear to support both reformers who favor a ban on soft money and those who highlight the virtues of soft money. Advocates of a ban are accurate in observing that the parties abuse their access to soft money by using it for thinly disguised issue ads that actually help the campaigns of particular federal candidates. The parties can hardly claim that their recent media spending is part of a conventional party building strategy when state parties spent virtually no money on issue ads prior to the 1996 elections. On the other hand, those who say a ban on soft money would weaken parties have grounds for concern. It would be wrong to claim that party soft money has not been invested in building the party. Soft money spending on mobilization and grassroots increased substantially with each election for which we have data. It is also clear that soft money pays for a significant share of maintaining the party headquarters.

What effect will the ''120-Day Rule'' have on party activity?

The McCain-Feingold bill allows parties to spend soft money up until 120 days before the general election, so long as contributions are capped at $ 10,000 per source. We assume that the motive of this provision is to enable the parties to engage in partybuilding in the early build-up to an election, without letting them use soft money directly in federal campaigns just before the election. With this in mind, we observe how much soft money was spent before and after this 120-day marker. We find that only one-quarter of soft money is spent prior to this 120 day marker. Parties invest the vast majority of soft money within the final four months of the election.

Which activities will be affected the most by the 120-day rule? If the intent of the provision is to root out much of party spending on media activities it might achieve this result. Only 7% of media spending came before the 120-day mark. Of course, under this new rule, parties could simply frontload issue ads

(if they learn how to craft ads that do not violate other provisions of the new law). But undoubtedly, the impact of media advertising is strongest closer to the election and party strategists will likely seek ways to get around this new provision. Our hunch is that they will spend soft money on issue ads prior to the 120-day marker, and then invest heavily in ''independent'' issue ads that require hard money. Recent court decisions protect the party's ability to spend without limits when they operate independently from the candidates.

In the effort to eliminate soft money issue ads, it appears that party-building activities will also be affected. Only 9 percent of spending on voter registration and GOTV activities takes place before the 120-day point. Similarly, only 11% of grassroots and traditional party ''hoopla'' take place before this point. Unsurprisingly, the parties spend significant soft money before the four-month window on maintaining headquarters and raising funds in anticipation of the intense campaign activity to follow. A soft money ban within 120 days of an election will not only reduce party spending on media, but also curtail party building activities Congress intended to encourage through revisions to the Federal Election Campaign Act during the 1970s.

Are there partisan differences in soft money spending?

A common concern among policymakers is the relative effect of a ban on either party. Who might be hurt more by banning soft money, Republicans or Democrats? Surely, party members will not want to change campaign finance laws in ways that put their party at a disadvantage. It appears that the Democrats rely more heavily on soft money for direct campaign activity than Republicans. Democrats, for instance, outspent Republicans $87 million to $62 million on media with their soft money. Similarly, Democrats invested more than Republicans in mobilization with soft money, but the difference is not as great as for media. Republicans use more soft money for party overhead than Democrats, and use it slightly more for fundraising.

The explanation for the Democratic strategy is that the Republicans raise far more hard money than Democrats. It appears, then, that Democrats try to make up for the difference with soft money, using it in ways that might benefit their federal candidates as much as possible. While both parties use soft money to benefit federal candidates directly rather than for generic party building, the Democrats have a far stronger incentive to employ this strategy than Republicans. We can only speculate whether the large figure for ''unidentified'' expenditures ($18.7 million) suggests that the Democrats are reluctant to reveal the way they use soft money to influence federal campaigns.

Given these findings we expect the Democrats to suffer the most from a soft money ban in the short term, since they use it to make up for their relative deficiency of hard money. Over the long-term the Democrats might be able to reach parity with Republicans hard money fundraising, although traditionally the Democrats have been less successful soliciting small contributions than Republicans.

Table 5 (not shown) is further evidence that soft money is important to both parties in federal elections. It demonstrates that the parties concentrate their money in competitive states. The 10 party organizations that spent the most on media were in states with a highly competitive presidential or Senate campaign, or both. These included 6 Democratic and 4 Republican organizations. The average media expenditure among all 100 state parties was 63 cents per voter. Those in the top 10 spent in the range of $1.91 to $9.73 per voter.

Table 6 (not shown) provides the same analysis for party expenditures on mobilization. The average mobilization expenditure among all 100 state parties was 19 cents per voter. Those in the top 10 spent in the range of 40 cents to $1.3 9 per voter. Interestingly, Democratic organizations comprised the first 8 of 10 organizations in this top category, demonstrating a preference for this mobilization strategy in tightly contested races. For Democratic organizations, the average expenditure on mobilization was 24 cents per voter, while it was only 14 cents per voter for Republican committees.

SUMMARY POINTS

National parties use soft money mostly for party overhead & operations, as well as fundraising. They also transfer 55 percent of their soft money to state organizations, which perform much of the campaign work.

State parties rely on soft money to perform a variety of campaign activities: Approximately 44% was spent on media ($149.4 million); 29% on party overhead and operations ($99.5 million); and 15% on direct mobilization and grassroots ($53.1 million).

The ''120-day rule'' that prohibits soft money spending within 120 days of a general election could eliminate as much as 3/4 of soft money spending: 89% of spending on issue ads falls within 120 days of the general election; and 91% of spending on GOTV and registration falls within 120 days of the election.

Democrats will likely be hurt by a ban on soft money more than Republicans in the short term: Democrats spend more soft money on media and mobilization than Republicans. Democratic organizations, on average, spent 85 cents on media per voter and 24 cents on mobilization per voter. Republicans, in contrast, spent 42 cents and 14 cents on media and mobilization per voter, respectively.

The parties concentrate their soft money resources in the closest races: States with competitive presidential contests spent the most on media and mobilization per voter.

The corrupting influence of unlimited soft money contributions and expenditures, whether real or perceived, is cause for concern and perhaps legislative action. Such action should target underlying problems, while attempting to minimize harmful unintended consequences. The McCain-Feingold bill, with its 120-day amendment and $ 10,000 contribution limit, will eliminate most soft money spending, including spending 12 on thinly disguised candidate ads parading as ''issue ads.'' But it is likely that voter mobilization efforts will be reduced as well. The dramatic increase in soft money media expenditures is driven by the belief that this expensive campaign activity delivers results at the polls. In an effort to prevent corrupt contributions and purge issue ads, the McCain-Feingold bill will constrain the party in other ways. State parties, particularly in states where the parties rely on major donors, will find it more difficult to pay administrative costs, even as they augment efforts to raise money from smaller donors. It is also conceivable that media expenditures will maintain current levels and be paid for with hard money as ''independent'' party expenditures. Given finite resources, broadly based party-building, including voter registration and mobilization, may suffer the most. Certainly there are no guarantees, but it is a plausible outcome that should be kept in mind as the House begins debate on campaign finance reform.

[Columbia Law Review, April 2000—Symposium: Law and Political Parties]

*598 SOFT MONEY, HARD MONEY, STRONG PARTIES

(Stephen Ansolabehere and James M. Snyder, Jr.)

Political parties are central to current efforts to reform campaign finance in the United States. Party money constitutes approximately half of all campaign funds raised at the national level. Limiting party money is, thus, integral to campaign finance reform. This Article examines what might be gained and lost if regulations on party money are imposed. Proponents of stronger (and better financed) parties conjecture that strong parties increase the ability of voters to hold their representative's accountable. We find that such benefits are, in practice, minimal. Instead, we argue that the main benefits of party money, especially soft money, derive from the parties' campaign activities. Soft money finances state party organizations' voter registration and mobilization efforts, which have substantial effects on turnout. Reducing party money will, thus, reduce participation. The benefits of limitations on party soft money must therefore be weighed against likely reductions in voting that would result.

INTRODUCTION

American campaign finance law is often described as more loophole than law. Congress and the courts, sometimes working at cross-purposes, continually attempt to clarify and perfect existing regulations, but as campaign practices evolve, candidates, parties, individuals, and groups devise clever, new ways to bend the rules. Today, efforts to reform campaign finance focus on the transfer of national party, funds to state and local organizations. Political parties raise large sums from individuals, corporations, and other associations. They then channel these funds to state and local party organizations, which in turn conduct campaign activities that indirectly and sometimes directly affect federal elections. This was an intended consequence, a genie that Congress meant to let out of the bottle. Our concern is with the effects of putting the genie back in.

In 1979, Congress amended the Federal Election Campaign Act (''FECA''),[FN1] excluding state and local party building activities from the federal contribution limits.[FN2] The Federal Elections Commission (''FEC'') further clarified the law in a series of rulings, which in essence allow individuals and organizations to give unlimited amounts of money to the national parties' ''non-federal'' accounts.[FN3] Funds in such accounts are intended *599 for ''party activities'' at the state and local levels, and may not be contributed to or spent in coordination with federal candidates. Behind this exemption, since termed ''soft money,'' lies a simple objective: Strengthen the political parties.

The soft money loophole arose in response to two forces: the sorry state of national parties in the 1970s and the long-held belief among political scientists that stronger national parties would improve the ability of voters to hold government accountable. National parties in the U.S. have never had well-financed organizations.[FN4] and in the 1970s, their situation appeared especially dire. The national party organizations reputedly needed a greater presence in the new world of campaign finance created by FECA, which put candidates at the center of national political campaigns.[EN5] FECA imposed new restrictions on the amounts that national parties could give to candidates and on the ways that the parties could raise

money. These restrictions hit the Democratic National Committee (''DNC'') particularly hard, as the committee labored under debt from the 1968 and 1972 campaigns.

Soft money also answered a century of political science speculation and theorizing. Political scientists have long argued that the absence of strong national party organizations in the U.S. limits the ability of voters to hold government accountable for public policies. [FN6] In order to hold the government accountable, voters need to face clear, programmatic choices. Party money is one means to this end.

Parties are able to impose discipline on their members, acting as a counterweight to the many special interests that may chip away at the public good behind legislation. [FN7] Expanding party money might also weaken the influence of interest *600 groups by lessening the unique campaign finance advantages of incumbents, which derive substantially from interest group contributions. [FN8] This argument received its most famous expression in a report of the American Political Science Association published in 1950 and entitled ''Toward a More Responsible Two-Party System.'' [FN9]

The committee that crafted the report recommended three concrete changes in the practice of politics that would improve accountability: more programmatic parties, greater democracy within the parties (such as primary elections), and deregulation of the parties' campaign fundraising activities. [FN10] On all three counts, American politics have moved in the direction of the committee's proposals and its vision of responsible party government. The parties within Congress exhibit much more party line voting today than they did in the 1970s, providing voters a much clearer choice. [FN11] Primary elections and other party reforms in the 1960s and 1970s created more democracy within the parties. [FN12] The consequence of those changes in our national politics is the subject of intense scholarly scrutiny. [FN13] Our concern is with the third factor in the contemporary experiment with stronger parties, the money.

Today, the American political parties are prolific fundraisers. In 1998, for example, Democratic and Republican national party organizations raised $445 million for their federal (hard money) accounts, and $224 million for their non-federal (soft money) accounts. [FN14]

Party money has not been heartily embraced by the public, politicians or political scientists. Twice, Congress has nearly closed the soft money loophole. [FN15] Campaign reform bills proposed by Representatives Shays and Meehan and by Senators McCain and Feingold passed the House of Representatives in each of the last two Congresses, and have failed in the Senate only because a minority of senators sustained filibusters. *601 [FN16] Scholarly and popular commentary has similarly turned against party finance, and against soft money in particular. The objections are not that the parties have become too strong. Rather, it is alleged that party finance practices have inadvertently increased the political leverage of interest groups [FN17] and have ruined the ability of government agencies to regulate the system of political finance. [FN18]

Specific objections to soft money emphasize the evasion of existing limits. Following Buckley v. Valeo, [FN19] contribution limits on individuals and groups became the centerpiece of campaign finance regulations in the United States. [FN20] In each election, individuals may give no more than $1,000 to a candidate, up to $20,000 to national party organizations, and a total of no more than $25,000 to all federal candidates. Organizations may give no more than $5,000 to a candidate and $15,000 to national party organizations in each election. The 1979 amendments to FECA provide an avenue through which groups and individuals can avoid these limits, giving unlimited amounts to the parties' non-federal accounts. [FN21] In addition, organizations, especially corporations, can avoid having to set up a separate and segregated fund, commonly called a political action committee (''PAC''), through which the organizations raise money for federal elections. Finally, soft money is widely seen as an evasion of presidential spending limits, as presidential candidates can raise money for the ''non-federal'' accounts of the DNC and RNC and those funds can be spent in battleground states.

Critics of contemporary campaign finance raise a more generic concern about party money. Interest groups might capture or corrupt the parties, just as they allegedly compromise congressional decisionmaking. Soft money is raised without contribution limits; many of the donations exceed $100,000 and come from corporations, associations, and individuals with strong interests in legislative and executive decisions facing the government. Large donations from a specific interest or industry, it is feared, might convince the party caucuses within Congress or the president to protect that interest. Our aim is to put the essential claims about party money to empirical scrutiny. First, how apt is the traditional view of parties? Does party money produce greater degrees of electoral accountability and legislative discipline? Second, how accurate are contemporary critics of parties? Is party money, especially soft money, swamping the system? Has FECA's system of contribution limits broken down? Finally, what would be the *602 practical political consequences of further constraining party money raised for state and local parties and elections? We analyze these questions through the lenses of campaign finance reforms that would end soft money.

Part I of this paper details how parties raise money and how they handle it, especially in contrast to how candidates raise money. Here we assess how much money would be affected by proposals to close the soft money loophole, and whether the rise of soft money signals the failure of the contribution limits established by FECA. Part 11 assesses two key claims about party money and party discipline in national politics: that party contributions and expenditures foster electoral competition and that party money creates greater party discipline within the legislature. In this Part we argue that the parties do produce more electoral competition, but that a ban on soft money would have little impact on national party politics. Part III of this paper explores how party money is used at the state level, especially for grass roots activities. Here we project that a complete ban on soft money would significantly curtail grassroots activities of state party organizations and would significantly reduce participation, a consequence that has as yet received little attention in national discussions about campaign finance reform.

I. Party Money Amounts and Accounts

Party money is extremely important: It accounts for nearly half of all campaign money raised at the national level. [FN22] But, as we document, the importance of party money has not changed much over the last twenty years.

To measure the importance of national party fund raising we contrast the resources of parties to those of candidates, rather than to interest groups. There are four reasons for this contrast. First, recent political science scholarship emphasizes that candidates have eclipsed parties as an organizing force in voting behavior and elections. [FN23] The rise of personal voting and the incumbency advantage over the last forty years suggests that many voters focus on the individual politician more and rely on party less. [FN24] Individuals and groups may choose to channel their resources either to parties or individual candidates. The decline of parties is often traced to increases in the campaign resources of individual candidates, especially incumbents, and declines in electoral resources and activities *603 of party organizations. [FN25] Do parties command substantially fewer resources than candidates do? Surprisingly, in our world of candidate-centered campaigns, parties and candidates attract approximately the same amount of money. [FN26]

Second, party committees are essentially campaign operations and are, therefore, most appropriately compared to candidates, rather than to political action committees. Parties seek to win a majority of seats in the legislatures or control of the executive office, and they do so through direct campaigning and by assisting their local campaign organizations. FEC reports reveal that parties are not primarily operations for donating money to candidates. Less than one percent of party money is contributed to federal candidates, and only about ten percent is spent on their behalf. [FN27] FEC audits of party committees reveal that the national Republican and Democratic organizations spend their funds on overhead, fundraising, and their own campaigns to win control over government, including grassroots organizing and television advertising, as well as on recruiting and training candidates and campaign organizers. An audit of the RNC's 1984 accounts revealed that approximately thirty percent of that money was spent on direct campaign activities, such as advertising and field operations; an additional third went to fundraising. [FN28] An audit of the Dukakis campaign in California, and of the California State Democratic party, in 1988 showed that half of the funds went for field operations, such as get-out-the-vote drives, canvassing, and direct mail; twenty percent went for media. [FN29] These figures are remarkably similar to the activities of federal candidates, whose reports to the FEC reveal that thirty percent of congressional campaign money goes for media advertising and about twenty percent goes for grassroots cwnpaign activity. [FN30]

Third, candidates are the relevant benchmarks against which to compare party finance because the government is ultimately organized both by individual politicians and by parties of politicians. The U.S. House and Senate, for example, are organized into committees, which are often tailored to members' and constituents' interests, as well as party hierarchies. If contributors can influence public policy or change the composition *604 of the government with their campaign donations, then they may be able to achieve their ends either through donations to politicians or to party committees. Finally, parties and candidates draw on the same pools of donors—individuals and organizations, especially corporations. But, different restrictions apply to candidate and party fund raising. Donations to federal candidates and party committees fall under the contribution limits imposed by FECA, and individuals and groups face lower contribution limits when they give to candidates than when they give to parties. Also, non-federal party accounts are not subject to federal contribution limits. [FN31]

Table 1 contrasts the receipts of federal candidates and of national party committees over nine election cycles in the 1980s and 1990s. The first and second columns of the

table display the amounts raised by congressional (House and Senate) and presidential candidates, respectively. The Presidential funds include public funds provided in the primary and general elections. The third and fourth columns display the parties' federal (hard money) and non-federal (soft money) receipts. [FN32] Official FEC reports on soft money are not available for the early 1980s, and the amounts are presumed to be small. For 1984 and 1988, we include some estimates provided by the Citizens' Research Foundation and other sources.

Table 1. Candidate and Party Funds

Some double counting exists in the table because party committees and candidates may contribute money to each other. Surprisingly little money flows between parties' and candidates' treasuries. Parties contributed only about $5 million directly to candidates in 1998, accounting for less than one percent of candidates' funds. [FN33] In addition, parties' coordinated and independent expenditures totaled $67 million in 1998. In total, parties only spent about ten percent of their funds on federal election campaigns at the national level, and almost all of these expenditures are advertising and other coordinated and independent expenditures made by the parties, rather than direct contributions to candidates. Even less money goes from candidates to parties. Federal candidates contribute only a trace of their money to national party committees. [FN34] Parties and candidates, then, represent distinct campaign fund raising venues in national politics; one does not feed the other. More money flows among the party committees. Twelve percent of soft money in 1994 and ten percent of the soft money in 1998 came from *605 other accounts of the national parties. This indicates that the FEC reports suggest that there is more soft money than there actually is. Funds transferred from one non-federal account to another are simply double counted. Funds from federal to non-federal accounts should properly be considered federal money, as they were originally raised from individuals and corporations according to federal contribution limits. Actual soft dollars totaled $89.8 million in 1994 and $196.8 million in 1998. [FN35]

The contrast between party and candidate national fundraising helps put the parties in clearer relief. First, the data in Table 1 reveal that under FECA candidates and parties play roughly equal roles in campaign *606 fund raising. Federal and non-federal money, amounted to approximately forty percent of all money raised at the national level in the 1990s. [FN36] The fraction of all money going to candidates in Table 1 is fairly stable, averaging 60 percent, but never more than 65 percent or less than 55 percent. The equality of candidate and party money is somewhat surprising given the emphasis within political science on the rise of ''candidate-centered'' campaigns. The importance of parties, though, should not be seen as evidence that FECA has gradually broken down. The parties appear to be a constant in American campaign finance, and this is accommodated by FECA.

Second, the parties have changed how they handle their funds somewhat, relying increasingly on non-federal accounts. Much of the recent growth in the parties' treasuries has come through non-federal funds. The hard money accounts of parties have grown much more slowly than the hard money accounts of candidates. From the early 1980s to the late 1990s. House and Senate money (in off-year elections) grew 85 percent. Over that same time period, the federal accounts of the parties grew by only 45 percent. [FN37] Parties have kept pace with candidate fund raising through soft money.

Reports on the amounts of soft money before 1992 are highly incomplete. The Citizens Research Foundation estimated the amount of soft money in 1984 as $22 million, which amounts to about 5 percent of the party money raised that year. [FN38] The figures in Table 1 reveal that by the end of the 1990s soft money had risen to $200 million.

Third, soft money, though it has grown, is still a relatively small fraction of party money and of all money. By the end of the 1990s, non-federal accounts handled slightly less than a third of all party money. Even with this growth, non-federal accounts still handle much less money than federal accounts, and contributions to and expenditures from federal accounts must still comply with contribution limits set by FECA. Table 1 reveals that by the end of the 1990s, soft money accounted for just 15 percent of all money.

Soft money, as it is commonly discussed, has a more negative connotation than simply the amounts of money flowing into non-federal accounts. Soft money has become synonymous with money laundering. Parties, interest groups, and candidates reputedly avoid the limits on group and individual contributions to federal candidates and parties by funneling money raised in national accounts to state and local organizations. The state and local organizations serve merely as fronts for the federal candidates' and parties' campaigns. How much money exceeds the limits?

Total non-federal party money provides an upper bound estimate of the amount of money that is given in order to evade contribution limits *607 on individuals, corporations, and other associations. The figures in Table 1 suggest that the amount evading the contribution limits is small relative to the amounts subject to the limits. Even with the soft money loophole, two-thirds of all contributions to parties go to federal accounts and are subject to contribution limits. Party money constituted about 45 percent of national campaign finance in 1998; non-federal accounts handled only 15 percent of all money raised in 1998 at the national level.

Not all donors to non-federal accounts exceeded the limit that they would have been subject to had they contributed to a federal committee. In 1998, approximately 18,000 different donors gave to the national parties' soft money accounts. Only eleven percent gave more than $20,000 to soft money accounts, which is the limit on contributions to party committees. This relatively small number of donors gave 78 percent of the soft money—that is, $153 million of $196 million. This is a very large amount of money ''skirting'' the limits, and it is a cause for concern. However, it represents only 12 percent of all money raised by candidates and parties at the national level. [FN39]

Closing the soft money loophole will not force all of the money in parties' non-federal accounts out of politics. A sizable amount of non-federal money ($42.6 million out of $196 million) is raised within contribution limits, and we suspect that federal committees would likely attract these funds if non-federal accounts did not exist. [FN40] In addition, if soft money is banned, donors to these accounts might redirect their contributions to other accounts—to hard money accounts, to candidate accounts, or to state and local organizations directly.

II. Party Money in National Elections

Current campaign finance reform efforts, such as the McCain-Feingold bill, aim to eliminate soft money entirely. If those efforts succeed, what will be the consequences for national and state politics? We turn first to the national level. The concern for national politics, as political scientists have described it, is whether restrictions on party resources would lessen the ability of voters to hold the government collectively accountable. [FN41] Party finances may improve accountability in two ways. First, party contributions and expenditures in national elections might increase electoral competition. In particular, party money is often thought to be a counter-weight to the inequity between individual candidates' resources, most notably the discrepancies between incumbents' and challengers' financial advantages. Second, party money might produce more discipline in Congress, as leaders might be able to use contributions as inducements to keep the party's congressional delegation in *608 line on key votes. Greater discipline within Congress on votes central to the parties' programs would allow the parties to stake out clear policy or ideological positions. As a result, voters would be better able to distinguish the choices they face in the election and to reorient the government if they did not like the direction of the governing party. [FN42]

A further concern is how the parties conduct their own campaigns. If a sizable share of the money goes to voter registration and mobilization, then party money might foster accountability by encouraging people to vote and make their preferences heard. Here, we address the first two concerns; we leave the third issue to the next section, as that is more readily addressed at the state and local level.

A. Does Party Money Increase Electoral Competition?

Many students and observers of Congress complain bitterly about the lack of competition in congressional elections. They cite such facts as the high incumbent reelection rate (averaging over 95 percent since 1980): [FN43] the ''vanishing marginals''; [FN44] the incumbency advantage in voteshare, around 8 percent: [FN45] and the huge advantage incumbents have in fundraising. [FN46] Weakening the fundraising capabilities of parties would probably reduce competition. [FN47] Party money flows to more competitive races. [FN48] Also, as we show here, party money flows much more freely to non-incumbents than PAC money does. [FN49] The panels on the left-hand side of Figure I show the natural log of party money (including coordinated expenditures), plotted against the Democratic vote-share, for each House race between 1978 and 1998 that was contested by both major parties. The top left panel shows the relationship between Democratic party money *609 and electoral closeness: the bottom left panel shows the relationship between Republican party money and electoral closeness. A unit change in the logarithmic scale can roughly be interpreted as a one percent change in the variable. The graphs, then, represent how a percentage point change in the Democratic vote share corresponds to a percentage chance in the amount of party and PAC money received. The symbols are ''I'' for races incumbents. ''C'' for races with challengers, and ''0'' for open seat races.

Parties clearly, target closer races. The curves on the left have a distinct inverted-U shape, with a peak at almost exactly .5. showing that Democratic and Republican party committees target close races. Also, the curves are relatively symmetric at about .5, suggesting that the party committees concentrate equally on vulnerable incumbents and credible challengers, and tend to ignore safe incumbents and struggling challengers.

Figure 1: Party versus PAC Contributions as a Function of Democrat's Share of the Vote Won, US House Elections, 1978 to 1998.

The panels on the right-hand side show analogous plots for PAC contributions. Although PACs also tend to target close races, there is one striking difference between PACs and parties. While party contributions drop off sharply in noncompetitive races involving incumbents, PAC contributions do not. PACs give nearly as much to safe incumbents as they give to incumbents who are in trouble. Incumbency of course, is nearly synonymous with victory, as approximately 95 percent of incumbents who *610 seek reelection win. [FN50] The asymmetry suggests that PACs are drawn to candidates who are more likely to win. Elsewhere, we have shown that this behavior is consistent with the argument that interest groups give money as an investment in politics, with some expectation of a return for their donation. [FN51] Also, though this is more difficult to discern from the graph, PACs give significantly more to incumbents than to non-incumbents, holding the vote margin constant.

Specifically, PACs give more money to incumbents than they do to open seat candidates who win by the same vote margin or who compete in districts with similar partisan levels. [FN52] What is more, PACs give more to incumbents who lose by I to 5 percent than they do to challengers who win by I to 5 percent.[FN53] This is not true for the parties. Party contributions act as something of a counterbalance to PAC contributions. A back-of-the-envelope calculation gives some sense of what might happen if party money dries up. Consider all races between 1988 and 1998. On average, Democratic challengers received 14 percent of their total campaign funds (including coordinated and independent expenditures) from party committees, and Republican challengers received almost 11 percent of their funds from parties. The corresponding figures for incumbents were 2.0 percent and 1.7 percent, respectively. In a previous paper, we estimated that the elasticity of challenger vote-share with respect to challenger spending .05 to .08 range. [FN54] Using an intermediate value of .07, a 10 percent reduction in challenger spending implies that the average challenger's vote percent will fall by about 2.5 percentage points.

The effect of this counterweight of parties in specific races for Congress is slight, primarily because parties spend so little money on individual races. We are unsure what the effects on electoral competition and turnover might be if the parties were to spend. say, five times more than they currently do on national elections. This is the world envisioned by proponents of stronger parties. such as Dan Lowenstein, who recommends heavy public subsidy of parties to counteract the incumbency advantage. [FN55] The obstacle to forecasting what this world would be like is that it is unclear what circumstances would lead the parties to shift their *611 resources more heavily into congressional campaigns and away from state and local activities.

The bottom line, though, is that significant reductions in party receipts would not change competition in the national elections appreciably. Complete elimination of party contributions and coordinated and independent expenditures would lower challengers' vote shares by 2.5 percent, but the typical challenger today only receives 35 percent of the vote.

B. Does Party Money Buy ''Loyalty'' to the Parties?

One way to buy loyalty is to help elect and reelect those who are known to be loyal. There is some evidence that at least for Democrats, party committees give more money to House members who vote in line with their party's leaders. [FN56] The evidence is rather weak, however, and other studies find no effects. [FN57]

Showing that party money actually affects voting records is even trickier, because it is extremely difficult to control for the ''baseline'' level of party support (how much a member would support the party even if he or she did not receive party money). Leyden and Borrelli claim to show an effect, but it is doubtful that have correctly controlled for the baseline. [FN58]

We find mixed evidence for the first claim. We ran a series of Tobit regressions predicting party money as a function of electoral circumstances and party loyalty in roll call voting, measured as proximity to the parties' medians. [FN59] Using the estimated relationship we can measure the *612 expected amount of party money received by loyal and maverick incumbents. Contrast a Democrat who is at the party's median with one at the 25th percentile of his party (in the conservative or moderate direction). The average Democratic incumbent over the period 1978 to 1998 received about $10,000 from the Democratic party's committees. [FN60] The more moderate Democrat received only about $6,000 from party committees. In other words, the effect of being at the 25th percentile of the Democratic party, rather than at its median, cost the more moderate member about $4,000 in party campaign funds. For Republicans, the corresponding difference between the party's median member and a member at the 25th percentile (again in the moderate direction) is just $206—essentially no effect. [FN61]

These slight effects suggest that further restrictions on federal party contributions and spending money would have relatively little effect on discipline within the party. Nevertheless, these effects measure how we predict loyalty rates to change with modest changes in party contributions. It is unclear what the consequences for party discipline might be if the party committees' presence in candidates' campaigns expanded significantly. What seems more certain is that expanding the parties' campaign activities and expenditures would aid challengers somewhat. Parties contribute and spend money in federal races in ways that foster competition. The sums, however, do not appear large enough to make an appreciable difference in the final election outcomes. If anything, the behavior of the parties in national elections suggests that, if our objective is to increase electoral competition and, thus, electoral accountability, then parties command too little of the money spent in American national elections.

One caveat to this implication is in order. Party money is not politically balanced or neutral: Republican committees regularly raise and spend more money than Democratic committees. This pattern is especially strong in hard money accounts; in 1998. Republican committees raised $285 million and Democratic committees raised $160 million in hard money. Over the last decade (1988 to 1998), Republican national campaign committees raised 65 percent of the party money in federal accounts. [FN62] Soft money is more balanced: Over the last decade, Republican *613 committees have accounted for 55 percent of soft money. [FN63] Thus, complete deregulation of party money would likely benefit Republican committees and candidates, and elimination of the soft money loophole may benefit the Democrats.

III. Party Money in State and Local Elections

Closing the soft money loophole would affect state and local party organizations and the voters they reach much more acutely than it would affect national politics. The effects would be two-fold. First, as we show here, eliminating soft money would seriously reduce the party treasuries in many states. Second, eliminating soft money will significantly reduce the campaign activities that state and local party organizations conduct. Soft money appears to subsidize a wide range of activities, including get-out-the-vote drives, broadcast advertising, and day-to-day operations of the organizations. Of particular concern, cutting federal transfers to the state party organizations will likely reduce grassroots campaign activities and produce lower voter turnout as a result.

To provide a thorough accounting of state parties' financial activities, we chose to profile three states—Idaho, North Carolina, and Ohio—across three election cycles, 1991–92, 1993–94, and 1995–96. [FN64] These states appear representative of the rest of the country. Ohio is the seventh most populous state in the U.S., and it has highly competitive elections. [FN65] North Carolina is a midsized state (two-thirds the population of Ohio); it too is highly competitive. [FN66] Idaho is a small state, and leans strongly toward the Republicans, though Democrats have won statewide and federal offices over the last two decades. [FN67]

These states share some important characteristics. All three states have very complete public reporting of the receipts and expenditures of the parties. [FN68] In all three states, the parties' central or executive committees handle almost all of the parties' campaign money. Idaho's party committees raised a total of $3 million in 1996, $2.4 million of which *614 went to the state committees—the Idaho Democratic Party and the Idaho Republican Party. The remainder was distributed evenly across numerous county party, committees. [FN69] The House and Senate caucus committees controlled relatively little. North Carolina also has extremely active county committees; they tend to be recipients of state party money. [FN70] In Ohio, party money is concentrated in the state committees, though the legislative caucuses have played a relatively more important role in the past. [FN71] In terms of party money, these states span much of the observed variation in transfers from nonfederal accounts. Combining the 1996 and 1998 elections, Ohio, with 11 million people, received $10.6 million in soft money, North Carolina, with 7.5 million people, received $7.6 million in soft money, and Idaho, with 1.2 million people, received $2.4 million in soft money. [FN72]

Figure 2: Repub. and Democ. Soft Money in States, 1996–1998

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Figure 2 graphs the combined 1996 and 1998 soft money contributions to state parties of Democratic and Republican national committees. [*615 FN73] The graph shows that Democratic and Republican money increase together. In the figure, California, with 32.7 million people, receives by far the most money ($33 million). Ohio ranks with New York and Illinois as the next largest recipients of soft money over the last two election cycles. North Carolina is in a cluster of states that includes Texas, Pennsylvania, Washington, and Kentucky. Idaho is in a cluster of smaller states including Arkansas,

Connecticut, and Massachusetts, which received about $2 million total over the two election cycles. The densest cluster of states in the graph is in the lower left corner. One-third of the states received less than $1 million from national parties non-federal accounts over the two elections.

The importance of soft money to state parties is readily measured as the fraction of state party committees' total receipts that come from non-federal national party accounts. How dependent are the states on non-federal accounts for their resources? Using the reports of the state election finance agencies in Idaho, North Carolina, and Ohio, we calculated the total amount of money raised by the party committees in these states, excluding transfers between state party committees. In Idaho, the Republican and Democratic state and local party committees raised a combined total of $1.4 million in 1992, of which $550,000 was soft, and a total of $3.0 million in 1996, of which $1 million was soft. In North Carolina, the state and local party committees raised a total of $10 million in 1992, of which $4.9 million was soft, and a total of $18 million, $5.7 million of which came from soft money accounts. In Ohio, the state and local party committees amassed total receipts of $24.7 million in 1992, of which $8.1 million was soft, and $19.6 million in 1996, of which $7.6 million was soft.

These figures show that state parties depend heavily on soft money transferred from the national party committees. In all of these cases, more than one-third of the state organizations' total funds came from national ''non-federal'' accounts. Cutting soft money would significantly reduce state parties' financial resources.

How would reduction of these funds affect state parties' activities? It is often charged that non-federal money merely takes the form of advertising for federal candidates cloaked as state and local party building. This perception appears to be wrong for three reasons.

First, national party committees (such as the DNC-State Account) contribute or transfer money directly to the state party committees rather than spend money in the states, which the national committees might do if they were advertising for federal candidates. Nor is the money that they do spend clearly earmarked. Instead, almost all of the soft money that flows into these states is transferred to the general treasuries of state committees, *616 which are controlled by state party organizations. The ultimate decision about how the money is to be spent, it seems, rests with the state committees, rather than with federal committees or federal candidates.

Second, to the extent that we observe direct national expenditures in the states or earmarked money, these funds are dedicated to overhead, such as office expenditures. Ohio is the clearest example. In 1992, the RNC and DNC spent almost ten million dollars in the state; eighty percent of these funds were dedicated to ''office'' expenditures. [FN75]

Third, the state party organizations spend considerable sums on field or grassroots campaigning, such as direct mail, precinct walks, and voter registration. Documenting the amounts spent on various activities takes considerable effort. Working with the public reports of the parties filed with the state elections commissions in Idaho, North Carolina, and Ohio, we classified each itemized expenditure by the parties in the 1991–92 and 1995–96 election cycles. [FN76] All told there were over 41,000 separate data entries to classify. We divided the expenditures into a fairly detailed category scheme that paralleled the format developed by Dwight Morris and his collaborators. [FN77] We then aggregated these into several broader categories: ''grassroots or direct campaigning,'' ''media campaigning,'' ''overhead,'' ''consulting,'' ''contributions,'' ''transfers,'' and ''fundraising.''

The state parties spend fairly constant proportions on each of these categories. For our purposes grassroots and media campaigning are of greatest interest. In North Carolina, in both 1992 and 1996, we estimate that the state parties spent approximately 20 percent of their funds on media advertising and 25 percent on grassroots or direct campaigning. In Idaho, we estimate that the parties spent approximately, 15 percent of their funds on grassroots campaigning in 1992 and 1996. They spent just 4 percent on media in 1992 and 9 percent on media in 1996. In Ohio, we estimate that the parties spent 7 percent on media in 1992 and 5 percent on media in 1996. They, spent 32 percent on grassroots campaigning in 1992 and 27 percent on grassroots campaigning in 1996. In each of these states, the parties spent between 30 and 40 percent of their funds on reaching voters directly, the larger category of voter contact being direct voter contact, such as direct mail and canvassing, not broadcast advertising. [FN78]

How will the elimination of party soft money affect the campaign activities that parties conduct? Between 1992 and 1996 we observe for each state changes in the total receipts of the party treasuries as well as changes in their grassroots, or direct campaign, expenditures. The ratio *617 of the change in grassroots expenditures to the change in total receipts measures how the parties translate marginal changes in their receipts into changes in their activities. From 1992 to 1996, Idaho parties' receipts rose $1.5 million. Their expenditures on direct voter contact rose $250,000. For every additional dollar raised, the Idaho parties spent an additional 16 cents on voter contact. From 1992 to 1996, North Carolina parties' receipts rose $8.4 million. Their expenditures on direct voter contact rose $2.15 million. For every additional dollar raised, the North Carolina parties spent an additional 25 cents on voter contact. From 1992 to 1996, Ohio parties' receipts fell $7 million. Their expenditures on direct voter contact shrank, $1.3 million. For every dollar lost, the Ohio parties reduced expenditures on voter contact 18 cents. [FN79] These figures suggest that every dollar lost by the parties from a reduction in federal transfers would cut expenditures on state parties' direct campaign activities by 20 cents. [FN80] Soft money transfers to these states totaled $13 million in 1996. [FN81] Elimination of these funds, we estimate, would cut the state parties direct campaign expenditures by $2.6 million dollars.

How much would turnout decline? In 1996, 7.5 million people voted in Idaho, North Carolina, and Ohio combined. [FN82] To calculate how many fewer people would have turned out without the soft money subsidy of state grassroots activities, we need to know the cost of getting an additional voter to the polls through these activities. From a series of ingenious field experiments. Alan Gerber and Donald Green have estimated the marginal cost of getting an additional person to the polls through canvassing and related means of voter contact. [FN83] They estimate that mobilizing an additional voter costs between $15 and $20. [FN84] These figures suggest that between 170,000 and 130,000 fewer people would have voted in these states in 1996 without the grassroots activities underwritten by the national parties' soft money. In other words, cutting soft money would have lowered turnout in these states by slightly more than two percentage points. [FN85]

*618 CONCLUSION

Party money poses a dilemma, both for those who advocate stronger and more responsible parties and for those who advocate elimination of soft money to reform campaign finance. Broadly speaking, political parties are thought to be instruments of greater political accountability and mass democracy.

Voters can more readily hold stronger, unified national parties responsible for their actions and redirect government if need be. At least since the 1950s, political scientists have argued that we should strengthen the parties organizationally, and that unregulated party campaign money is one of the main mechanisms through which the United States can achieve stronger parties. [FN86] The devil, though, is in the fund-raising. The parties may have to act irresponsibly toward the public in order to raise funds from wealthy individuals, corporations, and other private concerns.

We have considered the concrete tradeoffs presented by proposals to eliminate soft money. In terms of reducing corruption or undue influence, such proposals, at best, can eliminate money that exceeds existing limits. We estimate that soft money contributions that evade existing contribution limits amounted to approximately $150 million in the 1998 elections. We are unsure what that money buys.

We know of no research that provides reliable estimates of the amount of influence purchased with each additional dollar. If we assume that the influence gained from a dollar contributed within limits is the same as the influence gained from a dollar given outside the limits, then limiting contributions to non-federal party accounts would weaken interest group influence over national politics in the United States somewhat, but this money should not be presumed to have much leverage. Soft money currently accounts for only 12 percent of total national campaign fund raising.

Individual legislators do not depend on these funds at all—if anything these funds are a nuisance, as the expenditures likely go to support their opponents. Thus, if the effects are corrupting, they are not corrupting of individual legislators. Soft money might, however, unduly influence the parties. Even still, the national parties raise two-thirds of their money in hard money donations.

Against these possible consequences must be weighed the possible effects of soft money on the ''responsibility'' of the parties. We have focused on three of the central arguments about what responsibility means: party discipline in policy-making, national electoral competition, and party building activities, especially grassroots mobilizing.

We believe that the effects of eliminating soft money on the ability of the parties to present voters with clear, programmatic choices would be slight. Contrary to the responsible party argument, party money evidently, does not correspond with significantly more party discipline. *619 Among Democrats party, loyalty within Congress and party contributions are correlated; among Republicans, they are not. And the sums are so small that it seems unlikely that the parties have created greater discipline through their campaign finance committees.

Party money, if it continues to grow, might have substantial consequences for national elections. In particular, party money has the potential to counterbalance interest group contributions in congressional elections. PACs account for most of the incumbency advantage in campaign finance. [FN87] Parties, by contrast, give to close races, as suggested in Figure 2, and spend their money

efficiently so as to have the largest effect on electoral outcomes. More party money in congressional elections, at least relative to interest group money, would probably produce much higher electoral competition. However, the parties currently give little to congressional candidates and spend little on individual races.

The most troubling effect of closing the soft money loophole is that it would significantly lessen the electoral presence of state and local party organizations. Debates in Washington on bills designed to eliminate soft money, and many political science and popular journals have discussed the many ramifications of eliminating soft money. Little mention, however, has been made of the consequences for the state parties and the voters that they reach. Closing the loophole will starve many grassroots activities of state and local parties. Eliminating all current soft money expenditures, we estimate, would lead to a 2 percent decline in voter turnout—without soft money, approximately 2 million fewer Americans would have gone to the polls in 1996.

ENDNOTES

[FN1]. 2 U.S.C. §§ 431–55 (1994).

[FN2]. See Elizabeth Drew, Politics and Money: The New Road to Corruption 15 (1983); Frank J. Sorauf, Inside Campaign Finance 149 (1992).

[FN3]. There are numerous FEC advisory opinions that clarify what does and does not constitute a non-federal expenditure or contribution. Three are of particular note: Allocation of Costs for Voter Registration. [1976–1990 Transfer Binder] Fed. Election Camp. Fin. Guide (CCH) P 5340 (FEC Advisor Opinion 1978–10); Corporate Support for Party Convention, [1976–1990 Transfer Binder] Fed. Election Camp. Fin. Guide (CCH) P 5348 (FEC Advisory Opinion 1978–46); Get-Out-the-Vote Drive for State Candidates, [1976–1990 Transfer Binder] Fed. Election Camp. Fin. Guide (CCH) P 5353 (FEC Advisory Opinion 1978–50). See also Richard Briffault, The Political Parties and Campaign Finance Reform, 100 Colum. L. Rev. 620, 629 (2000) (discussing the FEC's role in clarifying non-federal party activities).

[FN4]. See American Pol. Sci. Ass'n, Toward a More Responsible Two-Party System, 44 Am. Pol. Sci. Rev. 45 (Supp. 1950).

[FN5]. See Sorauf, supra note 2, at 28–42.

[FN6]. The intellectual history on this is long and storied. See, e.g., Austin Ranney, The Doctrine of Responsible Party, Government: Its Origins and Present State (1962) (providing an excellent history of the American writers advocating strong parties at the close of the 19th century and beginning of the 20th century, including Woodrow Wilson, A. Lawrence Lowell, Henry Jones Ford, and Frank Goodnow). Ranney also offers an assessment of the widely held belief among political scientists in the middle of the 20th century that stronger political parties in the United States are desirable, and discusses the conditions under which such ''responsible'' parties can be achieved. See id. at 155–63.

[FN7]. E.E. Schattschneider provides the classic description of the struggle between parties and interest groups: The real choice is between a strong party system on the one hand and a system of politics in which congressmen are subjected to minority pressures. The assumption made here is that party government is better than government by irresponsible organized minorities and special interests. The parties are superior because they must consider the problems of government broadly, they submit their fate to an election, and are responsible to the public. E.E. Schattschneider, Party Government 193 (1942). See also Morris P. Fiorina, The Decline of Collective Responsibility in American Politics, 109 Daedalus 25, 27–28 (1980) [hereinafter Fiorina, Decline] (providing a more contemporary formulation of Schattschneider's argument); Anthony King, Running Scared 181–87 (1997) (discussing various ways to strengthen American Political Parties).

[FN8]. See Daniel Hays Lowenstein, On Campaign Finance Reform: The Root of All Evil is Deeply Rooted, 18 Hofstra L. Rev. 301, 348–51 (1989).

[FN9]. American Pol. Sci. Ass'n, supra note 4.

[FN10]. See id. at 9–11.

[FN11]. See Norman Ornstein et al., Vital Statistics on Congress, 1997–1998, at 11–13 (1999).

[FN12]. See Nelson W. Polsby, Consequences of Party Reform 9–16 (1983); Austin Ranney, Curing the Mischiefs of Faction 82 (1975).

[FN13]. See, e.g., Morris P. Fiorina, Whatever Happened to the Median Voter? (May 11, 1999) (unpublished manuscript, on file with the Columbia Law Review) (providing an excellent summary of how different factors have contributed to increased party discipline in the United States).

[FN14]. See Table 1, infra.

[FN15]. See Carroll J. Doherty, Campaign Finance Crusaders Regroup After Latest Defeat, CQ Weekly Rep., Oct. 23, 1999, at 2507–09.

[FN16]. See id. at 2507.

[FN17]. See Drew, supra note 2, at 15.

[FN18]. See Michael J. Malbin & Thomas L. Gais, The Day After Reform: Sobering Campaign Finance Lessons from the American States 9–13 (1998).

[FN19]. 424 U.S. 1 (1976).

[FN20]. See Sorauf, supra note 2, at 9–11.

[FN21]. See Drew, supra note 2, at 15; Frank J. Sorauf, Money in American Elections 317–22 (1988).

[FN22]. See Table 1, infra.

[FN23]. See Martin P. Wattenberg, The Decline of American Political Parties 1952–1988, at 58, 90–91 (1990).

[FN24]. See Bruce Cain et al., The Personal Vote: Constituency Service and Electoral Independence 9–12 (1989) (providing a thorough assessment of this trend). For a statistical measure of the rise of the personal vote, see Stephen Ansolabehere et al., Old Voters, New Voters, and the Personal Vote: Using Redistricting to Measure the Incumbency Advantage, 44 Am. J. of Pol. Sci. 17 (2000).

[FN25]. On the decline of party contact, see Steven Rosenstone & Mark Hansen, Mobilization, Participation, and Democracy in America 162–63 (1993).

[FN26]. See Table 1, infra.

[FN27]. See FEC, Reports on Financial Activity, various years; Frank J. Sorauf, Money in American Elections 128–31 & tbls. 5–1 & 5–2 (1988).

[FN28]. See Herbert E. Alexander & Brian A. Haggerty, Financing the 1984 Election 102–05 (1987).

[FN29]. See Herbert E. Alexander & Monica Bauer. Financing the 1988 Election 77–79 (1991).

[FN301]. These figures are from two comprehensive studies of all expenditures by all U.S. House and Senate candidates in the 1990 and 1992 elections. See Sara Fritz & Dwight Morris, Handbook of Campaign Spending: Money in the 1990 Congressional Races 5–6 (1991); Dwight Morris & Murielle E. Gamache, Handbook of Campaign Spending: Money in the 1992 Congressional Races 6–7 (1994).

[FN31]. See Drew, supra note 2. at 1–5: Allocation of Costs for Voter Registration. [1976–1990 Transfer Binder] Fed. Election Camp. Fin. Guide (CCH) P 5340 (FEC Advisory Opinion 1978–10).

[FN32]. These figures combine the accounts of the DNC, the RNC, the Democratic Senatorial Campaign Committee (''DSCC''). the National Republican Senate Committee (''NRSC''), the Democratic Congressional Campaign Committee (''DCCC''), and National Republican Congressional Committee (''NRCC'').

[FN33]. See FEC, Reports on Financial Activity, 1997–1998.

[FN34]. See id.

[FN35]. See FEC. Downloadable Databases Containing Financial Information About Candidates, Parties and Other Committees (visited Jan. 17, 2000) <http://www.fec.gov/finance/newftp1.htm> (on file with the Columbia Law Review), FEC, Reports on Financial Activity, 1993–1994, 1995–1996, and 1997–1998.

[FN36]. Calculated by the authors based on Table 1, supra.

[FN37]. Calculated from the second column of Table 1, supra.

[FN38]. See Table 1. supra: Alexander & Bauer, supra note 29, at 37.

[FN39]. See FEC. Report on Financial Activity, 1997–1998.

[FN40]. See id.

[FN41]. See. e.g, Fiorina. Decline, supra note 7, at 3O–33; Lowenstein, supra note 8, at 341–51.

[FN42]. See. e.g, Morris Florina. Retrospective Voting in American National Elections 202–03 (1981) (arguing in the conclusion that without programmatic parties, retrospective voting is not possible).

[FN43]. See Ornstein et al., supra note 11, at 61–62.

[FN44]. David Mayhew. Congressional Elections: The Case of the Vanishing Marginals, 6 Polity 295, 295(1974).

[FN45]. See Ansolabehere et al., supra note 24, at 30; Steven D. Levitt & Catherine D. Wolfram, Decomposing the Sources of Incumbency Advantage in the U.S. House, 22 Legis. Stud. Q. 45, 46 (1997).

[FN46]. See Gary C. Jacobson, Money in Congressional Elections 105–23 (1980); Stephen Ansolabehere & James M. Snyder, Jr., Money and Office, in Continuity and Change in Congressional Elections (David Brady et al. eds., forthcoming 2000).

[FN47]. Of course, it is not clear why increasing competitiveness, per se, is a good thing—rather, it depends on why there is little competition. If it is due to entry barriers of some sort, then it is probably bad. If it is due to the effectiveness of incumbents in giving constituents what they want, then it may not be.

[FN48] This pattern is noted by Gary C. Jacobson, Party Organizations and the Distribution of Campaign Resources, 100 Pol. Sci. Q. 603, 604 (1985–86), and by Paul S. Herrnson, National Party Decision Making, Strategies, and Resource Distribution in Congressional Election, 42 W. Pol. Q. 301, 307–09 (1989).

[FN49]. See Figure 1, infra.

[FN50]. See Ornstein et al., supra note 11, at 61–62.

[FN51]. See Stephen Ansolabehere & James M. Snyder, Jr., Money and Institutional Power. 77 Tex. L. Rev. 1673. 1682–98 (1999); James M. Snyder. Jr., The Market for Campaign Contributions: Evidence for the U.S. Senate 1980–1986, 5 Econ. & Pol. 219, 219 (1994).

[FN52]. See Ansolabehere & Snyder, supra note 46.

[FN53]. See FEC, Report on Financial Activity, various years.

[FN54]. See Stephen Ansolabehere & James M. Snyder, Jr., Money, Elections, and Candidate Quality (1997) (unpublished manuscript) (on file with Columbia Law Review). Alan Gerber, Estimating the Effect of Campaign Spending on Senate Election Outcomes Using Instrumental Variables, 92 Am. Pol. Sci. R. 401 (1998), produces very similar estimates for the U.S. Senate.

[FN55]. See Lowenstein, supra note 8, at 363–64.

[FN56]. See Kevin M. Leyden & Steven A. Borrelli, Party Contributions and Party Unity: Can Loyalty Be Bought? 43 W. Pol. Q. 343, 351–52 (1990) (concluding on the basis of Tobit results that ''the Democratic Party, 'rewards' its most loyal members with greater financial aid'').

[FN57]. See, e.g., David M. Cantor & Paul Herrnson, Party Campaign Activity and Party Unity in the U.S. House of Representatives, 22 Legis. Stud. Q. 393, 402 (1997) (concluding from the results of regression analyses that ''past party unity has no significant effect on the distribution of party assistance in campaign fundraising. . . .'').

[FN58]. See Kevin M. Leyden & Steven A. Borrelli, An Investment in Goodwill: Party Contributions and Party Unity Among U.S. House Members in the 1980s, 22 Am. Pol. Q. 421, 421–52 (1994) (reporting an association between party contributions to candidates and the likelihood that the legislator voted similarly to the party leadership). The problem of baselines is that the research does not simultaneously establish how the politician would have voted in the absence of contributions. If, for example, a legislator represented a district similar to the district of a party leader, then that legislator might cast roll call votes in line with the leader not because of party contributions but because such votes represent his or her constituents.

[FN59]. Tobit regression predicts a dependent variable, in this case contributions to and expenditures on behalf of individual candidates that came from political party committees, as a linear combination of many independent variables predicting a single dependent variable. Tobit regressions correct for ''censoring'' effects due to many 0's in the dependent variable. See generally William H. Greene, Econometric Analysis 962–65 (3d ed. 1997). The regressions include year dummies, district partisanship. opponent total expenditures. and roll call voting scores.

[FN60]. Party money in this analysis consists of contributions and coordinated expenditures combined. The average is for incumbents who received at least some party money contributions. The average for incumbents and non-incumbents combined was $14,000.

[FN61]. In the regressions pooling all years, for Democrats, the coefficient for proximity of roll call voting to the party median is positive and highly significant, with a t-statistic over 6. Looking at each year separately, the effect of proximity to the median for Democrats is significant in all years. For Republicans, the effects in the pooled data and in each year are always insignificant, and in some years have the ''wrong'' sign.

[FN62]. FEC, Press Release, FEC Reports on Political Party Activity for 1997–1998, at 2, Tables 1–2 (Apr. 9, 1999) http://www.fec.gov/press/ptyye98.htm (on file with the Columbia Law Review).

[FN63]. See id.; FEC, Press Release, FEC Reports on Political Party Activity for 1995-1996, at Tables 3–4 (Mar. 19, 1997) http://www.fec.gov/1997news.html (on file with the Columbia Law Review).

[FN64]. See Idaho Secretary of State, Election Division: Campaign Finance (visited Jan. 17, 2000) <http://www.idsos.state.id.us/elect/finance.htm> (on file with the Columbia Law Review) [hereinafter Idaho Election Div. Website]; North Carolina State Board of Elections, Campaign Finance Reports Download (visited Jan. 17, 2000) <http://www.sboe.state.nc.us/cro/finance.htm> (on file with

the Columbia Law Review) [hereinafter N.C. Bd. of Elections Website]. In Ohio, data are distributed by the Secretary of State, 30 East Broad Street, 14th Floor, Columbus, Ohio 43266–0418. A database was provided by the Secretary of State's office.

[FN65]. See Michael Barone & Grant Ujifusa, The Almanac of American Politics, 2000 1240–48 (1999) (statistics on page 1248).

[FN66]. See id. at 1184–93 (statistics on page 1193).

[FN67]. See id. at 506–12 (statistics on page 512).

[FN68]. See FEC, Campaign Finance Law 98, Chart 1 (1999).

[FN69]. See Idaho Election Div. Website, supra note 64 (for hardcopy versions of these data, see State of Idaho, Contributions and Expenditures of Candidates for Statewide, Legislative, and Judicial Office and Political Committees (Jan. 1, 1997–Dec. 31, 1998)).

[FN70]. See North Carolina State Board of Elections, Analysis of Contributions and Expenditures, 1998 (Jan. 15, 1999).

[FN71]. See Ohio Secretary of State, Ohio 1998, Campaign Finance Facts 65–69.

[FN72]. See Barone & Ujifusa, supra note 65 at 512, 1184, 1248 (reporting population figures). Transfers to state committees compiled by authors from FEC, Press Release, FEC Reports on Political Party Activity 1997–1998, supra note 61, at Tables 9 and 10.

[FN73]. These figures come from FEC, Press Release, FEC Reports on Political Party Activity 1997–1998, supra note 61, at Tables 9 and 10.

[FN74]. Calculated by the authors from reports of the state election commissions. See supra notes 56–56.

[FN75]. See Ohio Secretary of State, supra note 71. We were able to classify 94 percent of the 41,000 expenditure items listed in the database into categories of office and overhead, fundraising, grassroots activities, media, contributions, and payroll.

[FN76]. See id.

[FN77]. See Fritz & Morris, supra note 30, at 15–29; Morris & Gamache, supra note 30, at Chapter 2.

[FN78] These estimates are based on data sets provided by the relevant state offices.

[FN79]. These figures are calculated from the datasets provided by the relevant state offices. See supra note 50.

[FN80]. The 20 cents figure is an average of the reduction in expenditures in the three states combined.

[FN81]. FEC, Press Release, Reports on Political Party Activity for 1997–1998, supra note 61, at 2.

[FN82]. FEC, Federal Elections 96: Election Results for the US President, the US Senate, and the US House of Representatives, at tbl. 1 (1997).

[FN83]. See Alan Gerber, A Tale of Two Literatures (Mar. 1999) (unpublished manuscript, on file with Dept. of Political Science, Yale University); Alan Gerber & Donald Green, The Effect of a Nonpartisan Get-Out-the-Vote Drive: An Experimental Study (Aug. 1999) (unpublished manuscript, on file with Dept. of Political Science, Yale University) [hereinafter Nonpartisan GOTV]; Alan Gerber & Donald Green, Does Canvassing Increase Voter Turnout? A Field Experiment, 96 Proc. Nat'l Acad. Sci. 10939 (1999).

[FN84]. See Gerber & Green, Nonpartisan GOTV, supra note 83, at 220.

[FN85]. We are indebted to Alan Gerber for assisting with these calculations.

[FN86]. See, e.g., Lowenstein, supra note 8, at 351–55; Fiorina, Decline, supra note 7, at 26–27.

[FN87]. See Ansolabehere & Snyder, supra note 46.

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SOFT MONEY SPENDING BY STATE PARTIES: WHERE DOES IT REALLY GO?

(By Ray La Raja and Karen Pogoda)

SUMMARY

In this study we analyze campaign expenditures by state political parties from the 1992 through 1998 elections, which includes disbursements of soft and hard money. We find evidence to support a more complex reality about how soft money is used by parties than is typically conveyed in the news media. While party spending on issue ads increased dramatically in 1996 and 1998, so did party-building activities, such as voter mobilization and grassroots, which were encouraged by amendments to the Federal Election Campaign Act in 1979. We also find that Democratic state parties spend more soft money than Republican parties on media-related activities, such as issue ads, probably to compensate for their lack of hard relative to the Republicans. We conclude with a recommendation that reformers consider some of the positive effects on American elections of party control of campaign resources as they attempt to curb the potential for corruption by restricting or eliminating soft money contributions to parties.

INTRODUCTION

Scarcely a week passes during an election year without news reports of a corporation or wealthy individual making a large soft money contribution to one of the major parties. Election web sites sponsored by nonpartisan organizations and government agencies routinely provide access to data on campaign contributions to candidates and parties. This widespread focus on contributions to and from political committees stems from a genuine concern to expose corruption rooted in the exchange of money. Even without sufficient evidence of corruption, reform advocates continue a single-minded quest to restrict the size of political contributions, without looking at the other side of the equation. What do candidates and their parties do with campaign contributions? Are they spent in ways that encourage or dampen competition? Does party soft money spending generate any public benefits in elections, beyond its intended support for candidates?

A narrow focus on the sources of contributions prevents us from speaking to such questions. In this paper, we try to redress what we see as a one-sided approach to the study of campaign finance, particularly with respect to the soft money issue. We set out to answer a simple question: how do political parties spend soft money? By most journalistic accounts, the conclusion is that parties use soft money to pay for ''issue ads'' that support the presidential or congressional candidates. Our study demonstrates this partial truth, but also provides evidence to support a more complex reality. In fact, the parties continue to spend a great deal of soft money on traditional party-building functions that mobilize voters through individual contacts.

Why should we care about making such distinctions about party spending? When Congress amended the Federal Election Campaign Act (FECA) in 1979, it made provisions for parties to spend unlimited amounts on so-called party building functions. The earlier version of the FECA in 1974 inhibited state and local parties from participating in the presidential campaign through grassroots activities because of rules limiting contributions to the candidates. The 1979 amendment, which exempted generic party activity from contribution limits for the presidential campaign, was a deliberate effort to increase the party role in American elections. In this study we find that this policy, worked. State parties, in fact, increased mobilization and grassroots activities in the 1990s, largely as a result of the 1979 exemption and the increased use of soft money.

It is unlikely, however, that when Congress made changes to the FECA, members understood the role that soft money would play in paying for issue advocacy, the generic media advertising sponsored by parties that often crosses the line into direct candidate support. Reform advocates argue, with merit, that issue advocacy reduces the distinction between hard and soft money spending. By producing campaign ads that bolster a particular candidate in all but name, parties found a way to get around limits on candidate support. So long as the party avoids the electioneering phrase, ''vote for,'' or something similar, they can pay for these ads with soft money. If parties can use soft money to help their federal candidates, then party contribution limits under FECA are rendered almost meaningless.

We find conclusively that national parties exploited an opportunity to help their nominees for federal offices by channeling funds to state parties for the express purpose of purchasing issue ads. Party-sponsored issue ads increased dramatically in the 1996 and 1998 elections, just when national parties were transferring significant sums of soft money to state parties. We also demonstrate that most media-related spending occurred in states with competitive races for the 1996 presidential and 1998 Senate campaigns.

But our analysis also reveals that party issue ads are only one part of the story. While expenditures on media-related activities surged in 1996, so did spending on grassroots and voter mobilization efforts—the kind of party campaign activity Congress wanted to encourage when it revised the FECA in 1979.

We believe our findings complicate the reform debate considerably. On the one hand, we observe parties violating the spirit, if not the letter, of the law when they pay for issue ads with soft money that help federal candidates. And yet, we also notice that soft money has been used to bolster party activities that citizens, elected officials and political scientists view as positive for democracy. The increased use of soft money is associated with greater spending on political rallies, bumper stickers and yard signs, as well as voter identification and get-out-the-vote programs.

Another healthy sign, especially from the perspective of political scientists, is that state party organizations appear to be growing stronger, if somewhat more reliant on national organizations. Our findings demonstrate that infusions of soft money have augmented activities at party headquarters, as evidenced by increased spending on staff salaries, rent, computers, telephones and other organizational maintenance necessities. For several generations, scholars have worried about the demise of party organizations that formerly played a key role in nominating candidates and pulling together coalitions. Weak parties leave the field open to single-issue interest groups and candidate-centered campaigns that tend to fragment the electorate and subsequently increase the difficulty of governing. To the extent that party organizations are increasingly active in campaigns, we take this as a positive sign of party revitalization. Beyond our preliminary analysis, future research should investigate in greater detail the degree to which party activity reflects ''pass throughs'' of money for specific candidates or support for a collective and unifying form of campaigning, closer to the model of responsible parties outlined by the American Political Science Association.

We make no assertions about whether soft money strengthens the party system and improves the electoral process. Our findings are merely suggestive. In part, we publish the results of this working paper to give pause to supporters of a ban on soft money from the campaign finance system. By moving too quickly to eliminate party resources, the public may forego potential benefits of stronger parties. Worse, the money that now flows through parties may simply be rechanneled through other, less visible organizations. Experience shows this is not simply plausible but probable. The prospects for effective reform are enhanced through a genuine understanding of the outputs, as well as the inputs, of campaign money.

SOME BACKGROUND

What is soft money?

Soft money is a term developed in the 1980s to differentiate contributions to the party

that may be used to support federal candidates directly from those that cannot. Under federal law, the purpose of soft money is for party building and not for direct candidate support. In 1974, when Congress passed amendments to the Federal Election Campaign Act (FECA), it imposed a limit on contributions to the party, and the amount of direct support that parties could provide their candidates, either through cash or in-kind contributions. Individuals could donate no more than $20,000 to parties, and PACs were limited to $15,000. In the late 1970s, leaders of state party organizations lobbied Congress and the Federal Elections Commission (FEC) to permit them to extend the use of soft money to generic party activities that included distribution of lawn signs, bumper stickers and activities aimed broadly at mobilizing the vote. They argued that federal laws limiting party support of presidential candidates constrained them from performing generic party campaign activities that broadly benefited both federal and state candidates. Congress responded with amendments in 1979 permitting state and local parties to spend unlimited funds on ''party-building'' activities, such as grassroots campaign materials and voter contact activities. It is important to note that Congress did not authorize state committees to use unregulated funds to pay for these activities. State parties were required to use funds raised under the rules of the FECA.

In fact, the so-called soft money loophole did not open until the FEC was faced with the dilemma of providing accounting guidelines to state parties where state laws permitted unrestricted contributions from unions and corporations. In response to a query by the Republican State Committee of Kansas about how to allocate federal and nonfederal expenses incurred by party building activities, the FEC declared that the Kansas Republicans could use their nonfederal fund to pay a reasonable estimate of the nonfederal share of cost. This ruling effectively meant that the party could use a nonfederal fund—which had no constraints on corporate or union contributions under Kansas law—to fund activities that benefited, in part, federal candidates. A 1988 U.S. District court order, pursued by reform activists at Common Cause, required the FEC to provide detailed allocation requirements to prevent the parties from abusing their new ability to use soft money in federal elections. Yet even with the promulgation of specific allocation requirements, the national and state parties continued to seek the advantages of permissive state campaign finance laws to raise and spend nonfederal funds to support their federal candidates through party-building activities.

Since raising unregulated soft money is easier than federal (hard) money, which has contribution limits, the national parties pushed to expand the definition of party-building so they could spend soft money on more campaign activities. Perhaps the most brazen challenge to the 1974 reforms was when the Republican National Committee argued successfully in 1995 that television advertisements focusing on party themes, even when candidates are mentioned, should be considered party building and therefore payable with soft money. Once the FEC assented, the major parties crafted television ads, paid for largely with soft money, to help specific federal candidates. During the 1996 presidential election, close observers of the campaigns estimated that $100 million was spent on issue ads by the parties.

Although the FEC attempted to curtail the use of issue ads and other party activities that crossed the line from party building to candidate support, they were blocked by a Supreme Court ruling, *Buckley* v. *Valeo*. In this case, the justices tried to distinguish between constitutionally-protected free speech and electioneering messages. The ruling demonstrated that the courts would narrowly define ''electioneering'' to include messages that clearly exhorted citizens to vote for or against specific candidates. Under a narrow definition, parties could safely use soft money for issue ads that helped candidates so long as they avoided electioneering language that constituted ''express advocacy'' for a candidate. Such language includes use of the words, ''vote for,'' ''oppose,'' ''support,'' and the like.

One consequence of Buckley was a deliberate party strategy to funnel money to state parties where complex rules permitted them greater use of soft money. In a presidential election year, national committees must allocate hard money to at least 65 percent of administrative costs. The state parties, in contrast, might pay for the same activity with as little as 25 percent hard money, depending on a formula that considers the ratio of state and federal candidates in the election. Much has been written about party efforts to conceal campaign advertising behind the shroud of state party building, but there has been little systematic analysis to demonstrate the extent of this activity. We collected financial data on the 100 state parties over four elections to examine how parties use soft money.

METHODS

Our analysis is based on expenditure data provided by the Federal Elections Commission (FEC). Since the 1992 election cycle, parties at all levels have been required to maintain two separate accounts, federal and non-federal. The non-federal account is not reported to the FEC because these funds are applied exclusively to nonfederal activities, such as party support for state legislative candidates. The federal account, however, must include itemized expenditures that potentially benefit a federal candidate, even if the spending also helps state and local candidates as well. The FEC calls this ''Joint'' spending. Party treasurers are required to allocate hard and soft money for joint spending to reflect the federal-nonfederal split of benefits to candidates. To limit the discretion of treasurers—who have an incentive to claim that benefits accrue mostly to state and local candidates so as to avoid using hard money—the FEC promulgated rules determining the proper mix of hard and soft funds for a given kind of joint activity. For example, administrative costs are allocated according to the ratio of federal candidates to total candidates (state and federal) in the state. We use the federal account data, with its matching hard and soft allocations, to determine how parties spend soft money.

We believe the federal account provides us with the greater part of party expenditures. The non-federal account, according to some estimates, accounts for at least an additional 25 percent in soft money that state parties spend exclusively to benefit state and local candidates. State parties are compelled by federal law to use federal accounts whenever they perform some kind of generic party activity that might jointly benefit party candidates up and down the ticket. This requirement ensures that every expense, from routine office costs to voter identification programs, shows up in the federal account. The federal account also includes itemized expenditures on media that parties call ''issue advocacy.'' It is precisely because parties claim that issue advocacy reflects party rather than candidate specific themes that they must report this activity as generic (or joint) in the federal account.

Our study looks at the federal reports submitted to the FEC by the 100 state parties, for election cycles 1992 through 1998. Fortunately, staff at the FEC entered, by hand, each expenditure item in database files from the hard-copy reports submitted by state parties. Using these files, we developed a coding scheme to categorize more than 300,000 itemized expenditure entries in each election cycle. The categories are the following:

Overhead: office related expenses such as rent, salaries, computers, travel, and utilities.

Media: communication expenditures for television, radio and newspaper and production and purchase costs.

Mobilization: costs of contacting individual voters through direct mail, telephone banks, canvassing and voter identification files.

Grassroots: activities that encourage citizen participation in campaigns. Expenditures for rallies, fairs, volunteer precinct walks, banners, slate cards, bumper stickers, and local party support.

Multi-candidate contributions: non-generic in-kind contributions from the party to several candidates, e.g., newspaper ads, that jointly benefit specific federal and state candidates. These are distinct from the direct contributions to candidate committees.

Fundraising: costs associated with joint fundraising for federal, state and local campaigns.

Unidentified: expenditures that could not be determined from FEC reports.

In the following sections, we provide summaries for total soft money expenditures in each of the above categories. We are able to compare the data over four election cycles, 1992 through 1998.

FINDINGS

Are the state parties spending more soft money?

There is little doubt that state parties are more active than ever in election campaigns. Combined soft and hard money spending in the state party federal accounts almost doubled between 1992 and 1996. Undoubtedly, some of this spending is the product of mere ''pass throughs,'' the transfers from the national to state parties to purchase issue ads and other services in support of federal candidates. But as we demonstrate later, state parties have also increased spending on campaign activities that serve party building functions.

Much of this growth in spending has been spurred by additional use of soft money. In the 1996 presidential election the 100 state parties spent $178 million, almost triple the amount of soft money, spent in 1992. Similarly, between the 1994 and 1998 midterm elections the parties doubled their use of soft money, spending a record $187 million. Hard money expenditures have also risen but not at the same rate. Since FEC rules require soft-hard matching for each campaign activity, it is not surprising that hard money spending increases with soft money spending. It appears, however, that soft money pays for a larger portion of activities with each passing election cycle. In 1998, for the first time since 1992 when state parties were required to report soft money spending, they spent more soft than hard money in their federal accounts.

The apparent shift from hard to soft money is not difficult to explain. Soft money is easier to obtain since there are no limits on contributions to parties, except when state laws regulate party fundralsing. A party that wants to preserve its hard money for candidate contributions and coordinated expenditures in federal elections will purchase goods and services with soft money whenever possible. Over the four most recent election cycles, the state parties have learned how to match soft and hard money

expenditures to maximize the use of the former. One indication that parties behave this way is that direct state party support for federal candidates, mostly in the form of coordinated expenditures increased from $5 million in 1996 to $18 million in 1998. We suspect state parties substituted soft for hard money when paying for many kinds of campaign activities, thereby freeing up additional hard money for direct candidate support.

An important question to ask is whether soft money reported in the federal accounts of state parties is actually controlled by the national parties, whose primary interest is to elect candidates for federal office. To the extent that national party supports the state parties through transfers, we can make the inference that they have some control over state party expenditures. Table 1 (not supplied) gives a sense of how much state parties rely financially on the national parties. The national parties support a larger percentage of state party budgets in 1996 and 1998 than they did earlier, suggesting that they have more influence in state party affairs than in earlier elections. Prior to 1996, national party transfers did not account for more than 14% of the federal accounts of state committees. In the 1996 and 1998 elections, this portion grew to 42% and 31% respectively. Table 1 also illustrates that state parties rely more heavily on national parties for soft money than hard money. National parties provide just under a quarter of the hard money that state parties end up spending, but 65% of the soft money they spent in 1996 and 37% in 1998. It appears that soft money has become a primary means of intraparty support. State parties continue to raise the majority of funds on their own—indeed, they raise more money independently than ever before—but they receive significant support from the national parties. In addition to party transfers, some journalistic accounts report that state parties benefit from soft money contributors who are encouraged to donate to state parties by officials of the national party.

Since national parties provide as much as one-third of state party funds, we suspect that portions of soft money from the national parties are targeted to achieve national party goals, which may differ from the priorities of state organizations. These data demonstrate unequivocally that the direction of resource flows between parties has reversed since the 1960s, when national parties had to solicit contributions from state affiliates. Heard (1960) predicted such a change would create opportunities for party integration and growth, even as it augmented tensions among levels of party.

To summarize, soft money spending by state parties has risen each year since 1992, and outpaced hard money spending in 1998. FEC matching requirements will ensure that soft money spending does not entirely eclipse hard money spending, but it appears parties exploit allocation rules to spend soft rather than hard money. We should note, however, that state parties raise and spend increasing sums of hard money, funds that meet all the requirements of the FECA. Hard money spending doubled between the 1992 and 1996 elections and the state parties are responsible for raising three-fourths of this money themselves. The prospect of securing soft money from the national parties may spur state parties to engage more effectively in raising hard money, precisely because of the federal matching requirements. We also find preliminary evidence that soft money spent on administrative chores frees hard money for contributions and coordinated expenditures in support of federal candidates.

How do state political parties spend soft money?

We now turn to a description of how state parties use soft money in campaigns. As we stated earlier, there is anecdotal evidence, mostly from the news media, describing the use of soft money for issue ads. More systematic scholarly research demonstrates that in key races soft money is invested in the ''ground war'' of campaigns, through contacts with individual voters using direct mail and telephone banks. Party and campaign finance scholars continue to speculate whether the infusion of soft money in the last two decades has altered patterns of state party activity. Advocates of stronger parties have argued that providing parties with privileged access to campaign resources would reverse the long decline of party organizations. From their perspective, the introduction of soft money into the party system provides an interesting test case for this theory. How will parties behave with this new wealth generated by soft money? Will they spend additional increments to build the party through voter identification programs and grassroots activity? Or will soft money simply buttress candidate-centered campaigns, with the parties serving as pass-throughs to pay for television ads promoting individual nominees?

Our findings will hardly satisfy those who seek support for an opinion that soft money is either good or bad for the party system. In fact, we find elements of what some would consider ''bad'' as well as ''good'' spending. On the positive side, we observe that state organizations continue to use funds in ways we traditionally expect of parties: to mobilize voters, provide grassroots paraphernalia like bumper stickers and lawn signs, and, of course, for basic organizational maintenance activities such as paying rent and salaries (overhead) and fundraising. In short, soft money enables parties to spend additional resources on party-building activities.

The election in 1996, however, marked a dramatic shift toward greater spending on media related activities. Whereas the state parties spent just 3 percent of their budgets on media activities in the 1992 presidential election year, four years later this category absorbed more than one-third of their budgets. The shift is more striking in absolute terms: media spending jumped from about $2 million to $65 million. The reasons for this shift have been explained in many journalistic accounts of the 1996 and 1998 campaigns. The increase in media spending in 1996 was a result of campaign strategies pursued by the parties and presidential candidates to saturate critical electoral markets with televised issue ads that benefited the candidates in all but name. Dick Morris, the key Clinton-Gore campaign strategist, urged the DNC to begin televising issue ads in the summer and early fall as a way to shore up a faltering Clinton early in the election and undercut the presumptive GOP nominee, Bob Dole. The RNC, in support of the Dole-Kemp ticket, countered with the same strategy right before and after the convention in July. Apparently, both national parties tried to take advantage of the favorable soft-hard ratios available to state parties by delegating responsibility for purchasing the ads to the latter.

Ironically, soft money spending on issue ads might be an artifact of the sweeping reforms of 1974 that established a system of public financing for presidential candidates. If a candidate accepts public funding, in the primary he faces limits on spending in each state. A competitive race could cause candidates to bump up against these limits rather early in the primary season, especially given the trend toward front-loading of primaries, forcing them to curtail spending severely during the weeks leading up to the convention. Bob Dole, for example, faced several tough and well-funded challengers in 1996. He was forced to spend money fending off Gramm, Buchanan and Forbes. Clinton, in contrast, began using party soft money, as well as primary campaign funds, to attack the GOP and promote his campaign themes for the general election. Dole and the Republicans could only retaliate with party soft money ads, given that the candidate would not receive additional public funds for the general election until after the convention. The late timing of FEC-released public funds leaves a good part of the summer in which either candidate can harm the other through attack ads. The parties joined in the campaign, in part, to bridge the period between the point at which a nominee effectively, but not officially, wins the party nomination, and the official start of the general election season as determined by the end of the party conventions.

The increasing use of soft money for issue ads may also reflect the inadequacy of a public funding system for presidential campaigns that falls to keep pace with rising media costs. A standard thirty-second advertisement during prime time in a major media market can cost in the range of $20,000 to $30,000. Only fifteen years ago, the same ad cost approximately half that amount. Although presidential funding system adjusts for inflation, average media unit costs have risen faster than the average for all other goods and services. More importantly, according to one study, campaign strategists rely increasingly on expensive media-related activities, especially television, which drive up the cost of the entire campaign.

During midterm elections, spending on media decreases without the demands of a national campaign. In the 1998 midterm, the amount spent on media related activities by state parties was cut more than half, to $30 million from two years earlier. But this amount was ten times as much as party spending on similar activities in the 1994 midterm election. The lessons of using party soft money for issue ads in the 1996 presidential campaign had obviously been passed on for congressional elections. According to a study sponsored by the Brennan Center, party spending on issue ads—which includes both state and national organizations—amounted to $25.9 million. This spending accounted for close to 45,000 ads, reflecting about 20 percent of all campaign advertising.

Our data demonstrate clearly that soft money was transferred to state parties to fund media-related activity that comprised mostly issue ads. But assuming that every dollar transfer produced a dollar's worth of issue ads, the fact remains that state parties spent little more than 55 percent of transfers on issue ads in 1996, and 43 percent on them in 1998. Where did the rest of the soft money go? The answer is that parties used ''excess'' soft money to increase traditional party activities. In 1996, spending on voter mobilization almost doubled from the previous presidential election, rising from $8 million to $16 million. Over the same period, spending on grassroots activities increased sevenfold, from $1.2 to $8.3 million.

These figures, of course, are small in comparison to allocations for media-related activity. One reason is that the cost of bumper stickers, or even telephone banks, is considerably less than that of media-purchases in metropolitan markets. At about ten cents per bumper sticker, one million dollars will purchase 10 million bumper stickers. The same amount will provide about forty ads (30 seconds) on network TV in a major media market during prime time.

Importantly, media spending did not crowd out spending on traditional party activities. The portions of the party budget spent on mobilization and grassroots did not change substantially even when media spending soared. In the 1998 elections, Magleby (2000)

reports that the parties, particularly the Democrats, emphasized a ''ground war'' strategy that involved lots of direct mail, telephone banks and other get-out-the-vote activities. It appears, according to Table 2, that parties used additional soft money in 1998 to intensify mobilization efforts, spending nearly the same portion of their budget on such activities as they did in 1992 and 1994.

Additional soft money has also been used to expand party headquarter operations. In 1992, state parties spent $42 million on overhead, which include payments for salaries, rent and other organizational maintenance costs. By 1998, this total had risen to $107 million. Certainly, we would want to know the degree to which these rising expenses at headquarters reflect sustained organizational growth or temporary surges in activity for the limited campaign season. An analysis of party budgets during the off-election year should resolve whether these costs reflect enduring investments in the party organization. At the very least, the rising costs associated with maintaining party headquarters suggests that state party organizations are a locus of increased campaign activity.

Partisan differences?

To see if parties pursue different strategies with soft money we compare them for the 1996 and 1998 elections. The parties appear to spend similar amounts on all activities except for media, which accounts for much of the Democratic lead. In 1996 the Democratic state parties allocated about $48 million for media, three times as much as the Republicans. The gap for the 1998 midterm election was not as great since neither party spent as much on media, but the Democratic state parties continued to outspend the Republicans at the state level by more than 6 million. We believe these partisan differences exist because the national Democrats, being the relatively poorer party, attempt to exploit soft money for federal races more than Republicans. They do this by transferring soft money to state parties where the spending ratios for soft and hard money are higher, meaning that the state parties can use more soft money than the national parties to pay for the same activity.

The practice of using the state parties for national party goals probably comes at a cost. State parties might dun the national parties for these services by requesting additional transfers of soft money beyond the costs of the services. At the very least, a transfer strategy imposes greater coordination costs on national parties, particularly the Democrats, who appear to do this more often. National parties must monitor the transferred funds to ensure state parties spend them properly. The national Republicans, with a significant advantage in hard money receipts, can more likely avoid this problem by producing and purchasing media services directly, even if they must pay with additional hard money. We suspect that the national committees of the Republican Party outspend their Democratic counterparts on such campaign activities.

The Democratic strategy of transferring soft money to state parties for issue ads is clearly evident from Table 4, not supplied, which lists states with the highest media-related spending. In each of these states there was a close federal electoral contest. In 1996, Ohio was not only a key swing state for the Clinton re-election, but also included six close congressional races. The Ohio Democratic Party spent 10.5 million dollars on media-related activities, almost triple the amount of any other state party. Michigan and Illinois were other key states during the 1996 presidential campaign; the latter also contained a key Senate race and several competitive House races. In Washington, there were at least five critical House elections. Neither party was willing to concede California, the state with the most electoral votes, as well as a good number of competitive congressional races. In 1998, the parties were more evenly matched on media spending with much of it focused in New York, Nevada and Kentucky, the states with highly competitive Senate races.

CONCLUSION

We began with a question about how parties spend soft money. We speculated that soft money was not simply a resource to fund issue ads, but also a primary means to support party organizations and their traditional campaign activities. Our finding is that parties use soft money in ways that would strike many observers—including those favoring a ban on soft money—as positive. This preliminary study illustrates that parties use soft money to invest in campaign activities that promote party-building and citizen participation. If soft money permits the party to reach additional voters through telephone calls and mail, or generate enthusiasm for political campaigns through rallies and yard signs, then perhaps we are short-changing American campaigns by cutting off this supply of money. The overemphasis in the news and by public interest advocates on the media strategies of parties obscures the fact that parties do many things with soft money.

Undoubtedly, parties also exploit soft money to fund issue ads through their state organizations. Media-related spending by state parties jumped from just $2 million in 1992 to $65 million in 1996. The Democrats appear to take advantage of a state-sponsored issue ad strategy more than the Republicans, probably because they trail the Republicans in raising hard money. Both parties, however, use most of their soft money to expand party headquarter operations during the campaign. Since 1992, they have more than doubled the amount spent contacting individual voters through various voter identification and get-out-the-vote programs. In the last midterm election, just 16% of soft money went toward issue ads, the same amount that was spent on direct mobilization and grassroots efforts.

Seeing that the lesser part of party soft money goes toward issue ads, we feel compelled to re-examine the question: how is soft money harmful in elections? The obvious answer is that soft money permits candidates, contributors and parties to circumvent federal laws limiting campaign contributions. If party soft money can help a specific candidate by using it to purchase a candidate-tailored advertisement, then corporations, unions or wealthy individuals can simply funnel contributions to candidates through the parties. The potential for the quid pro quo exchange between contributor and policymaker escalates with the increasing size of contributions to the party.

But assume for a moment that party money is ''clean.'' Suppose party money is generated through public subsidies, or raised from contributors in increments that are small enough to prevent corrupt exchanges. Are the spending patterns of parties necessarily harmful in American elections? In this study, we observe that parties spend a significant portion of their cash to build the party as intended by the 1979 amendments to the FECA. It is primarily through soft money that parties have had access to resources that permit them to engage in activities that political scientists, for the most part, view as salutary for the electoral system. If the solution to the problem of corruption is to ban soft money fund raising, then reformers should also consider ways to ensure that parties have access to sufficient resources so they might continue occupying a central role in campaigns.

An earlier set of reforms in 1974 had the effect of weakening party role in campaigns by institutionalizing PACs as legitimate contributors to candidate campaigns. The number of PACs proliferated in the 1970s and early 1980s, providing candidates with an increasing share of their campaign funds. Candidates became more reliant on PACs than on their parties, which encouraged the candidate-centered nature of campaigns. The ever-adaptable American parties exploited the campaign finance regulations to reestablish themselves. Soft money probably helped restore the party role in campaigns, making the candidates less reliant on direct support from PACs. On the other hand, party leaders may now feel beholden to big soft money contributors, a potential problem that should not be overlooked. If the soft money regime encourages interest groups to contribute more frequently through the party leadership, then soft money may simply centralize the corrupt exchange among the most powerful political actors. If this is true we should see greater party unity in congressional voting than in the past, particularly for issues that are important to the most generous party patrons.

The type of party spending that concerns many campaign observers is issue advertisements. In our view, party spending on issue ads is not bad, per se, especially if these ads link the candidate closer to party. Scholars who desire responsible parties would argue that party-sponsored messages create more accountability by promoting themes that unify party candidates around a platform. A recent study by Krasno and Seltz (2000) appears to cast doubt on this theory since only 15 percent of the ads apparently mention the party in the text or graphics. On the other hand, these authors acknowledge that cookie cutter issue ads featuring the same graphics and text are common. We believe these generic ads encourage candidates to use similar themes and symbols across districts and states, which would tend to promote party unity and accountability. The problem, then, is not so much the issue ads themselves, but how they are funded.

The fact that party money goes toward television advertising reflects the reality of campaigning in a mass democracy. Party leaders and their consultants believe television advertising is critical to winning elections so they invest in this form of campaigning. By curtailing party resources, we doubt that party candidates will seek less of this kind of campaign activity. In fact, reform laws that cause the depletion of party resources will likely eliminate ''good'' spending, such as direct voter contacts, rather than ''bad'' spending, such as issue ads. Parties will employ a triage strategy that emphasizes media advertising over direct voter contacts and grassroots. The first activities to be shorn are those that support long-term party building and encourage volunteer participation, since these are not of critical interest to incumbents seeking re-election.

We also suspect that the placement of party issue ads encourages electoral competition. The vast literature on campaign contributions suggests that parties allocate campaign resources more efficiently than interest groups, preferring to give money to candidates in the closest races. Interest groups tend to pursue a low risk strategy by giving directly to incumbents who face little competition. Indeed, parties solve a collective action problem by moving resources to where they are needed most, since incumbents are often unwilling to transfer money

from their campaign accounts to colleagues who may need it more.

Campaign resources that flow through parties, therefore, will tend to promote competition more than if resources flow directly into candidate committees, or when money is spent independently by interest groups to promote the election of a favored candidate. Using the Krasno and Seltz data for the 1998 elections, we observe a similar pattern of resource distribution in purchasing issue ads. Table 5 (not supplied) demonstrates that parties place almost 60 percent of their issue ads in competitive House elections, a greater percentage than either candidate committees or interest groups. For Senate elections, which are much more competitive, 92 percent of party issue ads appear in competitive elections, whereas 74 percent all candidate-sponsored ads appear in competitive elections. Interest groups provided less than one percent of ads in the 1998 Senate election, but all of these ads were placed in competitive campaigns. The relatively low participation of interest groups in Senate campaigns is probably because media costs are prohibitively high except for the wealthiest organizations.

Candidate-controlled advertising continues to dominate the airwaves, but interest groups and parties are more active than ever. The only institutional counterweight to outside spending by interest groups is the parties. As long as the courts prevent the FEC from regulating issue ads through *Buckley* v. *Valeo*, there is a danger from unilaterally disarming the parties by a ban on soft money. Candidates risk losing control of their campaigns in some very competitive districts. Fearful of being hit by outside spending of interest groups, candidates will no doubt enlist the support of groups favorable to them. Indeed, there is sufficient evidence in the 2000 elections that this is already occurring. The groups most able to produce campaign ads for candidates will likely be the wealthiest, skewing the candidates' obligations toward such groups even more.

We conclude with a policy recommendation that parties retain access to sufficient campaign resources to continue the activities they have pursued with soft money. Our findings suggest that soft funds encourage party-building and party integration, much as Congress desired when it passed amendments to the campaign finance laws in 1979. To reduce the potential for corruption, we recommend that Congress place a cap on soft money contributions or raise the limits on hard money contributions. On the other hand, we believe the distinction between soft and hard money is still valuable. Soft money provides an incentive for national parties to transfer funds to state and local parties, where campaign activities have increased substantially. We believe the likelihood of grassroots work is enhanced at lower levels of party, which afford more participation opportunities for amateurs and volunteers. The national parties may be more reluctant to transfer hard money to state parties for party building when they can use this money themselves for direct candidate support and issue ads.

COMMEMORATION OF THE 90TH ANNIVERSARY OF HADASSAH

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2002

Mr. BONIOR. Mr. Speaker, last week, thousands of members of Hadassah, the Women's Zionist Organization of America, kicked off celebrations of their ninetieth anniversary.

Throughout the past ninety years, Hadassah has provided invaluable service to a wealth of communities and peoples. As America's largest female organization, this Jewish collective has provided unprecedented assistance to individuals in countless nations, regardless of race, religion or credo. Established in 1912 by Henrietta Szold, Hadassah has set an example of peaceful relations and service both here and abroad.

Founding the largest medical school in Israel, the women of Hadassah have united students from across the Middle East, building bridges through education and service and establishing friendships—all because they understand that this important work will provide a foundation for new forms of unity in the future.

Since its inception, Hadassah members have worked tirelessly to aid both their local and international communities. The Hadassah Medical Organization consistently stands on the cutting edge of technology, assisting regional patients as well as American troops, heads of state and Congressional delegations. Their reach extends throughout the world, building and staffing new hospitals in Zaire and training African and Asian doctors to work in developing nations. Their dedication to American relief work was demonstrated by the medical aid and blood banks provided in the aftermath of the Pearl Harbor attacks.

Today, Hadassah continues their work through medical and civic education, setting an example of excellence for their humanitarian efforts. A leader in community support programs, Hadassah has invested considerable time to providing information to female citizenries. The organization formed youth counseling groups and female career training in the Middle East, while creating the Hadassah Cares programs to champion efforts to raise breast cancer awareness in the United States.

Mr. Speaker, as our nations continue to work to establish a peaceful, just international community, it is my honor to commemorate the ninetieth anniversary of an organization that has demonstrated these qualities in the work they do every day.

HONORING SAL SALAZAR

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2002

Mr. RADANOVICH. Mr. Speaker, I rise today to honor the late Sal Salazar on the occasion of the California Restaurant Association commemorating his life with the Lifetime Achievement Award. Mr. Salazar began his remarkable career in the restaurant in 1942 and his family continues the business holding fast to Sal's values and traditional recipes. This award is the Association's highest honor and marks the 60th anniversary of Sal's Mexican Restaurant and pays tribute to a successful entrepreneur, respected community leader, and beloved husband and father.

Mr. Salazar was born in Herez, Zacatecas, Mexico, and came with his parents to Selma, California, in the late 1920's. Sal worked as a farm laborer until he followed an impulse and on August 22, 1942 opened his own taco restaurant. The restaurant grew to include a full Mexican menu and earned regional acclaim.

A great Mexican restaurant was not the only thing that Mr. Salazar gave his community. Sal worked for the Selma Justice Court, Fresno County Superior Court, and California Supreme Court in Sacramento as an interpreter. He also sponsored 14 Mexican families who relocated to California, provided leadership in the formation of a West Selma improvement district that led to its incorporation into the city, and helped his siblings with their education. Sal also served on the Selma Chamber of Commerce, Selma Planning Commission, Selma High School Boosters Club, and Fresno County Grand Jury. In 1945, he served as an alternate on the interpreter staff at the first meeting of the United Nations in San Francisco.

Mr. Speaker, I rise today to honor the memory of Sal Salazar as his family accepts the California Restaurant Association's Lifetime Achievement Award on his behalf. I invite my colleagues to join me in remembering Mr. Salazar for his community service and entrepreneurial spirit and wishing his family and restaurants many more years of continued success.

TRIBUTE TO MARTY MARSHALL, PRESIDENT OF CALIFORNIA SCHOOL FOOD SERVICE ASSOCIATION

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2002

Mrs. TAUSCHER. Mr. Speaker, Marty Marshall is President of the California School Food Service Association, with over 2,500 members, Director of Nutrition Services for Fremont Unified School District, with over 32,000 students, wife, mother, grandmother, and community volunteer. Her life has been, a continues to be, devoted to service to others. Whether to family, co-workers, friends, or fellow professional association members, Marty finds giving of her heart, energy and time to he her greatest pleasure.

As President of the California School Food Service Association, Marty Marshall has worked tirelessly to revitalize the Association by conducting strategic planning sessions, and accomplishing the resulting strategic goals in the areas of organizational structure, internal and external communication, membership, professional image, leadership development, and legislative activity. With her inclusive style of leadership, she has brought together members of all levels including site staff, management, and industry to come to consensus on the goals as well as the necessary steps to achieve them. The membership has expressed enthusiastic appreciation for bringing back some of the traditions and structure that had been lost over the past few years. In addition to her current position as President of CSFSA, Marty has served as President Elect, Chair of the Professional Development, Awards and Scholarships, and Rules and Resolutions Committees, Conference Program Chair, Conference Exhibits Chair, and President of the Josephine P. Morris and Northern California Chapter. She is also currently the Executive Committee Advisor to the Public

Policy and Legislative, and Conference Committees.

Marty's theme for her Presidency, ''Nutrition and Learning, Hand in Hand,'' depicts her commitment to children's nutrition education, and the positive effect good nutrition has on a child's learning ability. This has been a timely theme because of current interest amongst California families, schools, and Legislators in children's nutrition issues. Marty testified numerous times during the 2001–2002 session in both Senate and Assembly Committee hearings regarding nutrition and training related legislation. Her testimony contributed strongly to reaching compromise on SB 19, the Pupil Health, Nutrition, and Achievement Act of 2001, signed into law by the Governor, and authored by Senator Escutia.

Marty Marshall was born Martha Elizabeth Knecht in Berkeley, California on August 21, 1946. She grew up in Walnut Creek, where she attended Parkmead Elementary School and Del Valle High School, participating in service and leadership activities in both. In Elementary School she was active in Brownies, Girl Scouts, Job's Daughters and St. Paul's Episcopal Church, and took lessons in flute, piano, and ballet. She was a member of the Student Council, and gave the commencement speech at her eighth grade graduation ceremony. Attending a new high school, as a member of the second graduating class, Marty was in the Leadership Class and on the Student Council all four years, and was a cheer leader for three years, the last of which she was elected as Head Cheer Leader. She was a member of the Latin and French Clubs, tutored special education students, earned a life membership in the California Scholarship Federation, and was selected as Del Valle High School's ''Most Outstanding Citizen'' by the school staff.

After graduating from High School, Marty Marshall attended the University of California at Berkeley, where she majored in Dietetics. It is here where she met Marilyn Briggs, current Assistant Superintendent of Public Instruction for the California Department of Education Director of the Nutrition Services Division, who has become a lifelong friend and mentor in the area of child nutrition. Marty continued tutoring special education students through her college years, and volunteered in a local convalescent hospital, reading to residents and participating in holiday events. She joined the Alpha Phi sorority, which focuses nationally on activities to support heart health, and participated annually in their fundraising drive.

Before working at Fremont Unified School District, Marty worked for two years as an Assistant Dietitian for a chain of convalescent hospitals. She also worked for six years as the Food Service Instructor for a Federal Training Grant Project where she trained functionally retarded and legally blind clients to work in commercial food service. Here, she developed an Independent Living Skills program for her clients, most of who had recently been released from a state hospital that had closed. She also developed a prescreening program for the Business Enterprise Program for the Blind, to help ensure the success of her clients when they entered this business food service training program. Marty still stays in touch with two of her clients from this Federal Training Project after 30 years.

Marty has worked at Fremont Unified School District for over twenty years as the Director of Nutrition Services. She works hard to combine nutritional integrity with sound business practices, and has earned a USDA Recognition Award each time her program has been audited. She is committed to the children and is known for running her program with the highest of ethics and standards.

Marty is a member of Candle Lighters, a Fremont organization that builds and operates a ghost house each year and donates the proceeds to local charities. She has chaired the Caramel Apple booth and the scheduling of students to work in the house. Over $1,500,000 has been returned to the community over the past 25 years through the efforts of this organization. Marty's husband Steve, and her two children, Chris, 26 and Nicky, 23, participate with her in many of her volunteer activities.

HONORING SUZANNE MUBARAK, FIRST LADY OF EGYPT FOR WINNING THE STEPHEN P. DUGGAN AWARD FOR INTERNATIONAL UNDERSTANDING

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2002

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me in paying tribute to Mrs. Suzanne Mubarak, the wife of Egyptian President Hosni Mubarak, upon her receipt of the Stephen P. Duggan Award for International Understanding on Monday evening of this week. The award, presented by the Institute of International Education and named after the organization's first president, is awarded to distinguished world leaders in the fields of government, education, business and diplomacy in recognition of their commitment to educational exchange and appreciation of other peoples and cultures.

Mrs. Mubarak is indeed a worthy recipient of this honor. She is a sociologist, having received both her bachelors and masters degrees from the American University in Cairo, and she has devoted her efforts to education at all levels. In particular, she has supported the television program Alam Simsim, the Egyptian production of the popular U.S. children's series of the Children's Television Workshop, Sesame Street. When this excellent Egyptian production began its third year in October 2001, Suzanne Mubarak participated in the opening. As in the American model, Alam Simsim helps to build literacy, number skills, education of young girls, and tolerance and understanding.

Mr. Speaker, Mrs. Mubarak's commitment to education, particularly of young women, is most worthy of recognition, and I am delighted that the Institute of International Education (IIE) has made the decision to honor her for her life's work. The Institute was founded in 1919 by two Nobel Laureates, Elihu Root and Nicholas Murray Butler. The purpose of the Institute, in the words of its Chairman Henry Kaufman and its President Allan Goodman, is to ''replace ignorance of other cultures and peoples with knowledge and understanding.'' To this end, the IIE has fostered and supported study in the United States by foreign students and study abroad by American students.

Suzanne Mubarak's commitment to education is consistent with these worthy goals. This was acknowledged in the citation of recognizing her contributions:

''For seven millennia, the world has learned from Egypt. And, even today, we are learning much for your work about the impact that early education has on a child's ability to cope with his or her environment. You have taught us that education must encompass all of life's issues and should enhance the ability of people to interact in society. By your leadership you have demonstrated the overwhelming importance of the education of girls. You have set a new standard for respect and gender equality that will make Egypt and our world safer and more secure for all.''

Mr. Speaker, I invite my colleagues in the Congress to join me in paying tribute to Mrs. Suzanne Mubarak for her contribution to international understanding and in honoring her on receiving the Stephen P. Duggan Award.

HONORING HADASSAH

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2002

Mr. DEUTSCH. Mr. Speaker, I rise tody to congratulate Hadassah, the Women's Zionist Organization of America, on its 90th Anniversary. Since its beginning, Hadassah has contributed to worthy charities around the world both financially and through volunteer work. Hadassah's tireless efforts have aided in the creation of access to quality health care throughout the Middle East, and Hadassah has always strived for the equal treatment of women in the United States and Israel.

Today, Hadassah, with over 300,000 active members organized throughout the United States, has continued its rich tradition of volunteerism by enacting programs to fight breast cancer and other health related issues affecting women. Hadassah has also sponsored numerous programs to increase the quality of the educational system in the United States.

While Hadassah's interests are primarily education and women's rights, this group has been active in educating its membership on a variety of public policy issues and encouraging civic participation. In a time of increased violence in the Middle East, Hadassah has also remained a staunch advocate of peace and tolerance between Arabs and Jews.

Mr. Speaker, Hadassah has worked since its inception in 1912 to create a higher quality of education and equal rights for women in the United States and the Middle East. It is my sincere belief that as Hadassah continues into the Millennium and to it's own hundredth birthday, it will continue to fight for women against disease, violence, and injustice.

RESCUE THE UNINSURED FROM SEA OF UNCERTAINTY

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2002

Mr. CARDIN. Mr. Speaker, the growing epidemic of the uninsured threatens both the social fabric and the economic stability of our nation. If Congress fails to act, soon millions

more Americans will be denied their basic right to health care. The Catholic Health Association represents facilities across this country that provide a safety net for uninsured and underinsured citizens in need of medical care. Led by the Reverend Michael D. Place, its president and chief executive officer, CHA is working actively to increase awareness of this crisis. I urge all my colleagues to heed their timely call to action.

[From the Baltimore Sun, Feb. 19, 2002]

RESCUE THE UNINSURED FROM SEA OF UNCERTAINTY

(By Michael D. Place)

WASHINGTON.—In Manchester, N.H., a 6-year-old girl arrives at Catholic Medical Center unable to eat for several days because of medical complications from dental pain.

Why the wait? The little girl's family did not have health insurance.

This child, and so many others across the country, represent the crisis of vulnerability endured by 38 million Americans without any health insurance.

While the girl in Manchester was fortunate enough to live in proximity to a Catholic health facility with high quality emergency care, there are 22 million Americans who live in rural areas that the federal government calls ''health profession shortage areas.''

Many of these citizens are without health insurance and without access to medical care of any kind. They are at the apex of this health care crisis of vulnerability.

As we struggle to cope with burgeoning numbers of uninsured across the country, rural areas highlight a disturbing trend of funding ''drift''—a drift away from subsidized health care coverage for the poor, the unemployed and the disabled.

Rural hospitals were hit hard by the Balanced Budget Act of 1997. It has been estimated that of the $118 billion that the law directed to be cut over five years, $16.8 billion was cut from Medicare funds intended for rural areas. Legislation in the past two years has restored only about $3.8 billion of this money.

For skeptics who believe that rural health care may not be as vital as has been reported, a quick look at a sample state's mortality statistics may be convincing.

In Illinois, rural death rates from all causes from 1992 to 1996 were 1,106.7 deaths for every 100,000 people. This figure compares with 853.8 deaths in Illinois' urban areas.

Sadly, the rural patient base tends to be older, poorer and less medically privileged. For such patients, the small rural hospital is indeed a lifeline in need of preservation.

Whether in rural or urban areas, our cities have no shortage of uninsured and desperate families. In Des Moines, Iowa, a single Catholic hospital—Mercy Medical Center—operates a free clinic through its House of Mercy program. More than 600 people a month come in without insurance, many with acute illness.

In the South Bronx, the Dominican Sisters Family Health Services is a safety net provider in what has been designated the nation's poorest congressional district. Hospital admission rates in that community for children with asthma and pneumonia—conditions that can be prevented with adequate primary care—are five to seven times the rates in more affluent areas of New York City.

Emergency access to basic health care is a stopgap. The emergency room or free clinic is not a substitute for health insurance coverage for access to the same health-care services enjoyed by the more privileged in our society.

And such access is critical not only to ensuring quality of life but also term of life. The heart or cancer patient, treated early and with our best tools, can be offered a much different prospect than the critical care patient who arrives without benefit of early therapy.

During this congressional legislative session, it is increasingly important that we tackle the health care needs of our nation's uninsured. When Congress failed to adopt an economic stimulus package in February, the growing numbers of the recently unemployed and uninsured were dealt a dose of legislative paralysis.

Added to the diminishing set-asides for the ''permanent'' uninsured, the health care outlook for our nation's poor, uninsured, and under-served population is truly bleak.

We must and can do better.

American society must ensure that each person has access to affordable health care. At a crossroads moment, let us engage in a new national conversation on systemic health care reform, a dialogue from Main Street to Pennsylvania Avenue.

It is time for our nation's public and private leadership, health care providers and faith-based groups to come together and to join all Americans in a search for real and meaningful solutions to this health care challenge.

CONGRATULATING REVEREND BOBBY RAY MORRIS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2002

Mr. GRAVES. Mr. Speaker, I rise today to congratulate Reverend Bobby Ray Morris of Lawson, Missouri. Reverend Morris has been the pastor of the Lawson Assembly of God Church for the past 42 years, providing spiritual leadership to generations of Missourians.

In addition to caring for his congregation, Reverend Morris is a positive influence on the community of Lawson. During his distinguished tenure, 25 individuals became pastors, youth leaders, and missionaries. The dedication and guidance of Reverend Morris enabled these individuals to answer their calls to the ministry.

This well-loved and respected man of God is retiring on March 16. Although the Reverend will relinquish his role as leader of the Lawson Assembly of God Church, he will remain a spiritual leader in the community and continue to guide and inspire future generations. Please join me in honoring Reverend Bobby Ray Morris for his life of service to the community of Lawson.

PERSONAL EXPLANATION

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2002

Ms. SOLIS. Mr. Speaker, during rollcall vote number 46 on H. Con. Res. 305 I was unavoidably detained. Had I been present, I would have voted ''yes''.

PERSONAL EXPLANATION

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2002

Mr. HINOJOSA. Mr. Speaker, I regret that I had to travel to my Congressional District for an important event on February 28, 2002. Had I been present, I would have voted ''yes'' on rollcall 46.

HONORING ABRAHAM FROST

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2002

Mr. DEUTSCH. Mr. Speaker, today I rise to honor the memory of Abraham Frost, who came to this country from Poland in 1912. Mr. Frost was an individual who was constantly in awe of everything he saw in the United States. For his entire life, he had a deep appreciation for the opportunities this great nation provided to him, and truly enjoyed his work and time spent raising his family. Mr. Frost marveled at the development of modern conveniences such as automobiles and airplanes. He was truly captivated with the possibility of realizing the American Dream. Abraham Frost died in 1976 in Miami Beach, Florida.

Mr. Speaker, the accomplishments of Abraham Frost are a testament to his dedication and his passion for life. He leaves a lasting legacy for both his family and friends.

HUNTING MADE EASY

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2002

Mr. FARR of California. Mr. Speaker, I encourage you to read the Time Magazine article entitled ''Hunting Made Easy'' which describes the ''slaughter'' of ''captive animals to mount their heads on a wall.''

It is a very disturbing article which also raises the question, ''Should Congress step in?'' The answer is a resounding yes. You can step in by cosponsoring H.R. 3464, the ''Captive Exotic Animal Protection Act of 2001'', a bill to combat the unfair and inhumane practice of ''canned hunting.'' Even hunters are objecting to this gruesome practice.

HUNTING MADE EASY

(By Jeffrey Kluger)

The exotic Corsican ram trotting about the 100-yard-long pen in central Pennsylvania paid little mind to the men approaching across the field. People were always walking in and out of the pen, as often as not with food for the flock. So the ram didn't resist when the men drove all the animals toward one end of the enclosure. It was only when the first arrow—fired from just yards away—struck it in the haunch that it realized something was up. The ram hobbled off and was struck by a second arrow, then a third. It stood for a moment staring beyond the fence line and then settled onto its haunches, bleeding. A gunshot to the abdomen finished it off—preserving its head as a trophy.

It has never been easy being an animal at the business end of a hunt, but these days it's hard being the hunter too. Dwindling ranges and herds make the ancient business of stalking prey an increasingly difficult proposition. The answer for many Americans is to shift their shooting grounds from the wild to one of the country's growing number of hunting preserves.

By almost any measure, hunting preserves are enjoying a boom. Up to 2,000 may exist in the U.S., with 500 in Texas alone. Many advertise on the Internet and in hunting magazines, and all offer the same thing: the chance to bag a trophy, with none of the uncertainty of hunting in the wild. ''No kill, no pay'' is the promise many make.

Of course, making good on that guarantee requires bending the prey-and-predator rules. Animals at some preserves are so accustomed to humans that they wander into range at the sound of a rattling feed bucket. Elsewhere they're confined to small patches of woods where they can't elude hunters for long. At others they may never even make it out of their cages before being shot.

Most troubling, it's not just prolific-as-rabbits deer and other common prey that are being killed in such canned hunts, as they're sometimes called; it's rarer creatures too. All manner of exotics—including the Arabian oryx, the Nubian ibex, yaks, impalas and even the odd rhino, zebra or tiger—are being conscripted into the canned-hunt game and offered to sportsmen for ''trophy fees'' of up to $20,000.

Not surprisingly, these hunts have their critics. A handful of states ban or restrict the practice, and a pair of bills are pending in the U.S. Senate and House of Representatives to prohibit the interstate sale of exotic animals for hunts. Supporters of the hunts object, arguing that exotics are bred in sufficient numbers to support the industry and that many surplus zoo animals could not survive in the wild anyway. Even to some outdoorsmen, however, canned hunts are beginning to look like no hunt at all. ''I started hunting when I was 7 and didn't kill my first deer until I was 16,'' says Perry Arnold, 52, of Lake City, Fla. ''What they got going on now, that ain't hunting. That's a slaughter.''

A slaughter is precisely the way canned-hunt foes frame the practice, and the killing of the Corsican ram is not the only horror they point to. The Humane Society of the United States tells stories of its own: the declawed black leopard that was released from a crate, chased by dogs and shot as it hid under a truck; the domesticated tiger that lounged under a tree and watched a hunter approach, only to be shot as it sat. ''Canned hunts are an embarrassment,'' says California Representative Sam Farr, sponsor of the House bill.

What makes the problem hard to police is the sheer number of exotic animals for sale. There are about 2,500 licensed animal exhibitors in the U.S., and only 200 of them belong to the American Zoo and Aquarium Association, which condemns the sale of exotics to hunting ranches. Even unaffiliated zoos might be reluctant to wade into the canned-hunt market, but many do so unknowingly, selling overflow animals—often products of too successful captive-breeding programs—to middlemen, who pass them into less legitimate hands. The crowding that can result on the ranches leads to animals' being killed not just by hunters but also by diseases that occur in dense populations.

If zoos have trouble keeping track of exotic animals, Washington doesn't even try. The U.S. Fish and Wildlife Service can intervene only if animals are federally protected or if the hunt violates a state law and interstate commerce is involved. Since many cases don't meet those criteria, the animals are essentially orphaned by the feds.

Still, not all hunts on preserves provoke an outcry. Many ranch owners keep exotic animals out of their collections or conduct hunts on grounds that give prey a sporting chance. The Selah Ranch in Austin, Texas, is a 5,500-acre spread covered by Spanish dagger and prickly pear, often with no sign of the elusive animals that live there. ''There are a lot of exotic animals on this place that die of old age,'' says Mike Gardner, owner of San Miguel Hunting Ranches, which runs Selah.

Here too, however, the odds can be stacked in the hunters' favor. Deer are often lured to feeding stations, where they are serenely unaware of the men in the stilt-mounted tin shack 75 yards away. Such lying in wait—or ''shooting over bait''—is legal in Texas and defended by hunters. ''It promotes a clean kill,'' says Gardner. Other sportsmen are troubled by the practice. Stan Rauch of the Montana Bowhunters Association believes that fed animals are tame animals and should thus be off limits. ''Animals become habituated to people when they depend on us for food,'' he says.

Even preserves with no baited killings and lots of room to roam may be less of a square deal than they seem. ''If a ranch advertises itself as having 3,500 acres, you need to know if that space is open or broken down into pens and whether there's protective cover or the ground is clear,'' says Richard Farinato, director of the Humane Society's captive-wildlife protection program.

Concerns such as these are promoting governments to act. More states are being pressed to ban or restrict hunting in enclosures. The House bill, which parallels one introduced in the Senate by Delaware's Joseph Biden, would not drop the hammer on the hunts but would give Washington a way to control the animal traffic.

But the new laws could come at a price. In Texas alone, the hunt industry brings in $1 billion a year; a crackdown could hurt both good ranches and bad. ''Cattle prices have stayed the same for 40 years,'' says Gardner. ''To hold on to acreage, you've got to have other sources of income.'' Safari Club International is worried that since hunting areas are so different, it may be impossible to pass a law that covers them all. ''There's no standard to say what is and what isn't fair,'' says club spokesman Jim Brown. ''You know it when you see it.''

But there may be a deeper standard than that. If the hunting impulse is as old as humanity, so is the sense of what it truly means to chase and bag an animal. Nature may have intended humans to hunt, but whether it meant to toss ranches, pens and feeding stations into the mix is a question hunters must ask themselves.

YOUNG PEACEBUILDERS ACT OF 2002

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2002

Mr. UDALL of Colorado. Mr. Speaker, today I am introducing the Young Peacebuilders Act of 2002, a bill intended to help young people from regions of conflict around the world learn about conflict resolution, communication, and leadership. The legislation aims to get at one of the root causes of terrorism by enabling young people to interact with each other and gain a greater understanding of their cultures and their differences.

The goal of the Young Peacebuilders Act is to help international youth learn the value of working together to solve problems, break down barriers and mistrust, and avoid the cultural misunderstandings that have plagued their parents' generation. My hope is that the program this bill would establish can be part of a solution that will prevent another September 11 from ever happening again.

The bill would establish a program in the State Department for youth from regions of conflict around the world. The program would provide for visits in the United States of 90 days or less for training in conflict resolution and mutual understanding. Non-profit organizations and other organizations as determined by the Secretary of State would provide training, with the State Department working in conjunction with the Attorney General to establish criteria for eligibility.

With this program, Americans would have another opportunity to respond to President Bush's call for national and community service. I believe that groups like Seeds of Peace and Outward Bound, where I was an educator and director in Colorado for 20 years, could be vehicles for developing leaders of tomorrow and stewards of peace.

At the Colorado Outward Bound School, I saw first-hand how young people developed strong character and leadership skills by working in the outdoors. Our young people are our greatest resource and our future. Building peace requires an investment in new generations of young people around the world. In light of the violence and turmoil in the Middle East and the September 11 attacks, it is clear that this modest investment has never been so timely or needed more urgently.

I look forward to working with my colleagues in the House to move forward with this important initiative, and I am attaching a fact sheet on this bill.

A TRIBUTE TO JODI J. SCHWARTZ

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2002

Mrs. LOWEY. Mr. Speaker, I rise in tribute to Jodi J. Schwartz, who will be honored on Thursday, March 14, by Kolot: The Center for Jewish Women's and Gender Studies. Jodi's kindness and generosity have made her a dear friend. Her extraordinary ability, inexhaustible devotion, and charismatic personality have made her a leader in the Jewish community.

A partner at Wachtell, Lipton, Rosen and Katz, Jodi still finds time to serve in a leadership capacity for a host of diverse community organizations, including the Jewish Agency for Israel; American Jewish Joint Distribution Committee; the Commission on the Jewish People, a New York UJA-Federation group dealing with the unity and diversity of the Jewish people; Israel Policy Forum; United Jewish Communities; Jewish Board of Family and Children's Services; Jewish Community Relations Council; and the Jewish Council for Public Affairs.

Jodi's appreciation for Jewish causes surfaced while first visiting Israel in the late 1980's with the Young Leadership Cabinet of the United Jewish Appeal. During her fellowship at the Wexner Heritage Foundation in 1990–91, she gained a more robust appreciation for Jewish philosophy and principles. Jodi

was later asked to take over as the United Jewish Appeal representative for annual giving at Wachtell, Lipton, Rosen and Katz, and has since returned to Israel more than 50 times.

Jodi received her Bachelor's degree, MBA, and law degree from the University of Pennsylvania and her Master's of Law in Taxation from New York University. She resides in New York with her husband, Steven F. Richman.

Jodi's contributions to New York and the Jewish community are immeasurable. It is my pleasure and privilege to congratulate my dear friend, Jodi J. Schwartz. Kolot could not have chosen a more worthy honoree.

A TRIBUTE TO THE LIFE AND ACHIEVEMENTS OF JAMES H. MCKENZIE

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2002

Mr. ROSS. Mr. Speaker, I rise today to pay tribute to a close personal friend and a distinguished Arkansan who last week lost a courageous four and a half year battle with cancer. His name was James H. McKenzie.

Jim McKenzie was born in my hometown of Prescott, Arkansas, in 1941. After graduating from Prescott High School, he attended the University of Arkansas and was a member of Arkansas Razorback baseball team and the Student Senate and president of Sigma Alpha Epsilon fraternity. He then went on to get his law degree from the University of Arkansas School of Law and served two years on active duty as a Captain in the U.S. Army.

Upon his discharge from active duty, Jim returned to Prescott to practice law. As an attorney, he quickly earned the respect of the legal community and became a leader in the Arkansas Bar Association, serving in many capacities including president. He fulfilled appointments to several committees of the Arkansas Supreme Court and, in 1998, was named outstanding lawyer by the Arkansas Bar.

In our hometown of Prescott, to say that Jim was a respected and notable citizen would be an understatement. He was a pillar in our community. Jim served as president or chairman of the local Chamber of Commerce, the hospital board, and the Kiwanis Club. He was a lifelong, active member of the First United Methodist Church, where he was my Sunday school teacher. He was also a youth sponsor in the church, and he even coached Little League baseball.

Jim McKenzie truly exemplified the ideal of a public citizen. Throughout his life, he was a leader who never hesitated to give his time and energy to help others. For me personally, he was a role model growing up and an inspiration throughout my public service. I am grateful for all he did for our family and for his fellow citizens, and I feel privileged to have had the opportunity to call him a friend. His death is an enormous loss not only to those who knew him well, but also to our community and to our state.

My heart goes out especially to Jim's wife, Betty, their two daughters, Kris and Miki, and their five grandchildren as they deal with the pain of this difficult loss, and I am keeping all of them in my thoughts and prayers. While Jim may no longer be with us, his legacy and his spirit will always live on in all those whose lives he touched.

CLUB 20 STARTING SECOND HALF-CENTURY

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2002

Mr. UDALL of Colorado. Mr. Speaker, I rise today to recognize Club 20 as it starts its second half-century as a forum and advocate for Colorado's majestic western slope region.

Founded in 1953 by the publisher of the Grand Junction Daily Sentinel and a number of business leaders, Club 20 took its name from the 20 counties from which its original membership came. Now it includes 22 counties, 75 incorporated cities and towns, the Southern Ute and Ute Mountain Ute Indian Tribes, 40 chambers of commerce, a number of special districts, and hundreds of businesses and individuals.

In its 50 years of service, Club 20 has been an active participant in lively debates about issues important to the economic vitality and quality of life in the communities of the western slope. From transportation, health care and other social services to the whole range of issues related to federal lands—which make up a large share of this region—Club 20 has been an effective advocate for its members. It has worked to identify issues of concern, inform its members about them, develop as great a degree of consensus as possible regarding ways to address those issues, and, most importantly, communicate to elected officials and others to make sure the voice of its members are heard on important policy matters.

As part of its work, Club 20 members make an annual visit to the nation's capital to meet with Members of Congress and their staffs and officials of the Executive Branch. These trips help inform people in Washington about the issues affecting western Colorado and the views of its citizens. They help us better understand how issues are affecting western Coloradans—people who are directly affected by federal decisions on public lands, agriculture, transportation, rural social services, and water as well as other issues. These direct contacts put a human face on the issues and are very valuable for all of us who work on these matters.

I ask all our colleagues to join me in congratulating Club 20 for its successful 50 years and in wishing them continued success for the next 50 years and beyond.

A TRIBUTE TO ALICE SHALVI

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2002

Mrs. LOWEY. Mr. Speaker, I rise in tribute to Alice Shalvi who will be honored on Thursday, March 14, by Kolot: The Center for Jewish Women's and Gender Studies. Mrs. Shalvi, an internationally known scholar and women's rights advocate, has dedicated her life to creating a more just society in Israel.

Alice Shalvi has called Israel home for more than 50 years. Born in Germany and educated in England, she moved to Israel in 1949. The following year Mrs. Shalvi became Professor of English Literature at the Hebrew University, a post she held for 40 years. During her remarkable tenure, she established the English Department at Ben Gurion University of the Negev (1969–1973) and also served as head of the Institute of Languages and Literature at Hebrew University (1973–1976).

Her devotion to the betterment of Israeli women's lives led her to a voluntary role as Principal of Pelech Experimental High School for Religious Girls in Jerusalem, a school dedicated to ensuring equal opportunities for women in Torah study and in every aspect of civil society. She was also the founding Chair of the Israel Women's Network, the country's major advocacy organization on women's rights, and today serves as its honorary President. In 1996, Mrs. Shalvi was appointed rector of the Schechter Institute of Jewish Studies where she later served as President and as Chair of the Executive Committee.

Mrs. Shalvi lives in Jerusalem with her husband, Moshe Shalvi. They have six children, and are blessed with grandchildren.

I am proud to congratulate Alice Shalvi on her tremendous accomplishments. She has devoted her life to enriching the lives of women in Israel, and we are the better for her efforts.

A NATIONAL TREASURE

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2002

Mr. ROSS. Mr. Speaker, I wish to honor and congratulate a good friend and constituent on a well-deserved recognition for his unique and exemplary commitment to preserving our nation's architectural and cultural heritage.

For over 30 years, Parker Westbrook has dedicated himself to promoting the preservation and rehabilitation of countless buildings, parks, museums and monuments throughout the nation. In Arkansas, he is affectionately and aptly known as ''Mr. Preservation.'' An active member of many states and local preservation foundations, commissions, and councils, Parker's efforts can be observed in numerous places throughout the state, perhaps most notably in the historic town of Old Washington, Arkansas, which briefly served as the state capital.

Parker spent many years in Washington, D.C. working here on Capitol Hill for several members of Arkansas's congressional delegation. His contributions to historical preservation began in 1968 while he was serving as an aide for the last United States Senator J. William Fulbright. At that time, Parker purchased and restored an old Quaker cottage in Waterford, Virginia, for which he received the Excellence in Restoration award from the Loudon County Chamber of Commerce.

His passion for restoration and preservation continued when he returned to Arkansas in the mid 1970s. In the 1980s, he helped create the Historic Preservation Alliance of Arkansas and helped pass an initiative that provides over $3 million per year for preservation in the

State of Arkansas. Later, President Clinton appointed him to the National Park System Advisory Board and twice named him to the President's Advisory Council on Historic Preservation.

Friends and colleagues described Parker as dedicated and committed to ''volunteerism.'' His leadership in preservation serves as an example to all of us at a time when our country faces new challenges that demand greater community involvement and public service.

Fittingly, in honor of his decades of work and dedication, the National Trust for Historic Preservation has recently bestowed upon him the prestigious National Preservation Award and declared him a ''National Treasury.'' Parker Westbrook is a ''national treasure,'' a true champion of a noble cause. His accomplishments will undoubtedly be admired and appreciated by this and future generations for many years to come.

YOUNG PEACEBUILDERS ACT OF 2002

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2002

Mr. UDALL of Colorado. Mr. Speaker, the Young Peacebuilders Act of 2002 recognizes that our young people are our greatest resource and our future. It also recognizes that promoting international cooperation and increased mutual understanding—in effect, building peace—requires an investment in new generations of young people.

This legislation would offer young people from regions of conflict opportunities to develop strong character, integrity, and leadership skills, and would help them to learn about conflict resolution and communication. The bill is intended to instill hope—instead of fear—in the hearts of the world's young people, as well as in the hearts of Americans who are at a loss as to how to view the months and years ahead.

For 20 years, Representative UDALL was director of the Colorado Outward Bound School, where he saw first-hand how young people developed strong character and leadership skills by working in the outdoors. Outward Bound and similar programs in the U.S. could help international youth learn the value of working together to solve problems, as well as to help them avoid the cultural misunderstanding that have plagued their parents' generation.

The Young Peacebuilders Act of 2002 would establish a program in the Department of State for youth from regions of conflict. The program would provide for visits in the United States of 90 days or less for training in conflict resolution and mutual understanding. Training would be provided by non-profit organizations and other organizations as determined by the Secretary of State. The State Department, working in conjunction with the Attorney General, would establish criteria for eligibility for participation. The bill would authorize $2 million for each fiscal year to carry out this Act.

PERSONAL EXPLANATION

HON. ROBIN HAYES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2002

Mr. HAYES. Mr. Speaker, due to a scheduling conflict, I was unable to be present for rollcall Nos. 41 and 42. Let the record reflect that, had I been present, I would have voted ''yea'' on each of these votes.

LIMITS FOR FARM PAYMENTS

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 5, 2002

Mr. SMITH of Michigan. Mr. Speaker are we going to have a vote of ''yea'' or ''nay'' on limits for farm payments?

I would first offer a quote by the President from last August, ''There's a lot of medium-sized farmers that need help, and one of the things that we're going to make sure of as we restructure the farm program next year is that the money goes to the people it's meant to help.''

The following is a dear Colleague sent out yesterday and signed by Representatives NICK SMITH, MARCY KAPTURE, JOHN HOSTETTLER, EARL POMEROY, EARL BLUMENAUER, DAN MILLER, DOUG BEREUTER, and TAMMY BALDWIN, and I quote, As the farm bill conferees begin deliberations, I ask for your help in bringing about meaningful federal farm policy with limits on how much money a farm can receive. As President Bush has said, we should work to send him a bill that directs support to those it was meant to help, namely small and mainstream family farms.

In response to the Dear Colleague letter dated February 27, 2001 from Representatives CHAMBLISS and BERRY, one thing should be made clear: there are no effective limits for price support payments farmers may receive in current law, or in the House-passed farm bill. When the $150,000 limit is reached, any producer can continue to receive unlimited price support benefits through loan forfeitures and certificates. According to the Environmental Working Group's website (www.ewg.org) the top 5 recipients from 1996–2000 were: Riceland Foods, Inc. $49 million; Farmers Rice Corporation, $38.2 million; Harvest States Coop, $23.8 million; Tyler Farms, $28.2 million; Producers Rice Mill, Inc., $19.8 million. Do we really want federal farm policy that gives unlimited support to huge farm operations?

Last October, the Smith payment limitation amendment was brought before the House under the 5-minute debate rule. Despite the time limit on debate and organized opposition, the amendment fell just 26 votes short of passage. However, payment limitations successfully moved in the Senate farm bill by a vote of 66–31. Now we must resist the efforts of those who seek to thwart our efforts to cap farm subsidies. Unlike what has been suggested, most states do not have a single farmer who would be affected by the limitations we are trying to establish.

If you have any questions or would like to sign on to the letter of Representatives POMEROY and BEREUTER requesting payment limitations, contact Representative POMEROY's office, Representative BEREUTER's Office, or Representative SMITH's office.

HONORING REINHARDT COLLEGE

HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. BARR of Georgia. Mr. Speaker, there are a select group of people who reach out to make the world a better place, and truly make an impact on the lives of others. Dr. and Mrs. Floyd A. Falany are two such individuals. They worked tirelessly at Reinhardt College for 25 years, to bring students, faculty, and alumni the best they could offer as an educational and colligate experience.

Since first coming to Reinhardt in 1973, one of Dr. Falany's dreams was to bring a church to the campus. He saw that dream become a reality, when Reinhardt opened its doors to a new sanctuary in 1987. Aware of the importance of music and the performing arts, not only to a well-rounded educational facility, but also to a community, Dr. Falany's next goal became the construction of a state-of-the-art performance center. I am pleased to say that as of January 2002, Dr. Falany's second dream has also been brought to life.

The Floyd A. and Fay W. Falany Performing Arts Center was first announced in 1998, following the completion of its ambitious fundraising campaign. An anonymous donor contributed the center's name gift, asking it be named for the former Reinhardt president and his wife. It holds eight practice rooms, six classrooms, two rehearsal spaces, two production/control rooms, four dressing areas, a green room, storage space, 15 offices, and a 350-seat auditorium with seven balcony areas. Taking 14 months to build, the project ran a total of $9 million. It houses both the music and communications departments of the college; the music department began holding classes in the building in January, and the communications and business school will join in the fall.

The first service was held in the center on Saturday, February 16, 2002, honoring the Falanys and the dedication of the center to the school. The next ceremony will be in April for the school's annual ''Celebration Event,'' at which the college's trustees, advisors, alumni board, and ministerial association officers will meet to attend a performance by the Atlanta Symphony Orchestra.

I ask my fellow members to, please join me in congratulating Reinhardt College, on the successful completion of its new performing arts center, and in thanking Dr. and Mrs. Flanay for their continued dedication to their work, to the students of Reinhardt College, to God, and to their community.

TRIBUTE TO RETIRING WENTWORTH MILITARY ACADEMY PRESIDENT

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. SKELTON. Mr. Speaker, let me take this opportunity to pay tribute to Colonel (Ret.) Jerry Brown, former President of Wentworth Military Academy, for the service he has given to the academy for the last seven years.

Colonel Brown's time as president of the academy has been marked with many accomplishments. Some of Colonel Brown's achievements include orchestrating the building of new barracks and an accreditation visit by the Higher Learning Commission of the North Central Association. Brown was also instrumental in forming the Wentworth Foundation, created to gather funds for capital improvements at the school.

As he prepares to spend more time with his family, I know that Members of the House will join me in expressing appreciation for his dedication to Wentworth Military Academy.

HONORING THE LIFE AND ACHIEVEMENTS OF EDWARD DURELL STONE

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. BOOZMAN. Mr. Speaker, I rise today to honor Edward Durell Stone on the 100th anniversary of his birth.

Born in 1902, Edward Durell Stone attended the University of Arkansas before becoming one of the most celebrated architects in American history. He is famous for designing recognizable buildings including the Museum of Modern Art, The U.S. Embassy in New Delhi and the Standard Oil Building, better known as the Amoco Building in Chicago. The latter still stands as the ninth tallest building in the world.

My colleagues here in Washington, DC are very familiar with one of his designs in particular, as many of them have enjoyed concerts, plays and performances at the Kennedy Center.

Stone left Arkansas for New York City, but eventually returned to design a number of notable buildings, including the University of Arkansas's Fine Arts Center, the Medical Center Hospital in Little Rock and the Pine Bluff Civic Center.

Today, Edward Durell Stone's family are in Fayetteville, Arkansas joining the University in celebrating his life and touring the house in which he grew up in. That house, the Walker-Stone House, is on the National Register of Historic Places and is now home to my Fayetteville District Office.

Mr. Speaker, I thank you for the opportunity to honor Edward Durell Stone and I yield back the balance of my time.

A SPECIAL TRIBUTE TO JAMES BLAKE OF TIFFIN, OH, A TRUE AMERICAN HERO

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. GILLMOR. Mr. Speaker, it is with great pride that I rise today to recognize a true hero. Since September 11, the definition of a hero has changed dramatically. People who selflessly put their lives on the line for others have always been recognized as heroes, but their deeds are even more appreciated today.

One of my constituents fits this description, James Blake from Tiffin, Ohio. Three days after the Christmas 2001 holiday, Mr. Blake, a truck driver for Fry Foods, and his son, Zach, were traveling on Interstate 80 in Pennsylvania, returning home after a trip to New York City. Over his CB radio, he heard of an accident ahead of him caused by a snow squall. When he and his son came across the accident scene, they saw that it involved a tanker truck that was loaded with powdered iron, an extremely flammable substance. Debbie Weeda and her three children were wedged in their car under the tanker. Her car on fire, her youngest trapped, she screamed for help. Mr. Blake reacted without regard for his own safety, running to the burning car to save Dominick, age 1, who was trapped in his car seat. On his first try, he was unable to extract the child. Wielding his pocketknife, he returned a second time and cut the restraints that trapped the infant. Having extricated Dominick from the burning car, the children, their mother and the Blakes fled the scene just before the tanker exploded.

Mr. Speaker, James Blake is a true hero. Today, at a time when the forces of evil have threatened our way of life, Mr. Blake exhibited the American spirit. I thank Mr. Blake, his son, and the countless fire and rescue personnel who put their lives on the line for others. Mr. Blake, you are a truly selfless American.

TRIBUTE TO MR. JAMES T. McCAIN

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a lifelong friend and mentor, Mr. James T. McCain of Sumter, South Carolina. ''Nooker'' as he is affectionately known, is an extraordinary man who has contributed greatly, not only to his community and state, but the entire nation. He started his professional career as an educator. But his most lasting contributions were made as a civil rights activist. An accomplished author, his long-standing commitment to the struggle for equality is legendary throughout the nation. He is married to the former Ida M. Channault of Georgia, and they have three children.

Nooker was born on March 8, 1905 in Sumter, South Carolina, where he resides. He graduated from Morris College in Sumter, and continued his education in Philadelphia, Pennsylvania where he received a Masters of Education Degree from Temple University. His talents were displayed over subsequent years as an outstanding educator. He held positions as a teacher, principal, college professor, registrar and dean. The Negro Educational Review nationally recognized Mr. McCain's unique abilities in 1952 when he was named Runner-up in a nation-wide Classroom Teacher of the Year project conducted.

In addition to his incredible contributions as an educator, Mr. McCain has dedicated his life to seeking full citizenship, civil rights and absolute equality for minorities in our country. Through his participation in such civil rights efforts as the sit-ins, Freedom Rides and picketing during the sixties, Mr. McCain displayed his willingness to put the good of the people ahead of his own safety. He served as Field Secretary and Director of Organization of the Congress of Racial Equality (CORE) for nine years. His affiliation with CORE called for him to courageously work in numerous communities throughout the South during the turbulent 60's when civil rights activities were hazardous work. He later served as Director of the Citizenship, Education, Scholarship, Education and Defense Fund for Racial Equality in South Carolina.

Mr. McCain has made his mark on the civil rights movement, not only through his actions, but also through his publications. He was an inductee into the University South Caroliniana Society, and has contributed countless volumes on the civil rights movement to the South Carolina Library. He is co-author of the publication, Political Strength: How to get it, a guide to effective community action.

Throughout his life, ''Nooker'' has been active in many facets of his community. His past and present professional and civic affiliations include Associate Director, South Carolina Council on Human Relations; President and Treasurer, Palmetto Education Association; Vice Chairman, South Carolina Economic Opportunity Board; Coordinator Sumter Black Political caucus; Charter President, Sumter Branch of the N.A.A.C.P.; 1st Vice Chairman, Wateree Community Actions, Inc.; Boy Scouts of America; Lay Advisory Board, Sumter High School; Sumter Count Council on Aging, and the Governor's Council on Human Affairs for South Carolina. He is a recipient of the Order of the Palmetto, the highest honor that a South Carolina Governor can bestow on an individual. He has also been recognized as the Outstanding Senior Citizen of the Year for South Carolina. Mr. McCain continues his community involvement as a trustee emeritus of the Mt. Zion Missionary Baptist Church.

Mr. Speaker, I ask that you and my colleagues join me in wishing my first baseball coach and lifelong political mentor—Mr. James T. ''Nooker'' McCain—a Happy 97th Birthday which, God willing, he will celebrate on Friday, March 8th. I wish him good luck and Godspeed.

PAYING TRIBUTE TO RALPH NEWBY

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to recognize a truly dedicated teacher at Otero Junior College, Mr. Ralph Newby. Ralph has dedicated countless hours to helping others understand and succeed in the field of computer studies at OJC. He has gone far beyond what is required in the classroom and touched the lives of his students in such a profound way that he was recently named OJC Teacher of the Year. Mr. Speaker, I feel that it is only appropriate during this moment of distinction for Ralph that we, as a body of Congress recognize his efforts.

For fifteen years, Ralph has remained dedicated and committed to his students in their pursuit of computer studies. He has consistently kept up on the ever-evolving world of computers in order to give his students the best skills for their future jobs. He is known to his colleagues and his students for his loyalty, his willingness to be involved in their lives and

his innovative teaching style. However, he is best known for his perseverance in his teaching; he will not quit trying new methods until his students fully understand a concept. Ralph has served his fellow teachers as the Chair of the Faculty Assembly and he has served his state as the Vocational and Technology Advisor to the State Community Colleges.

Ralph is not only an extraordinary educator but also a pillar of the community. He has been involved in organizing the Arkansas Valley Career Fair, regional FBLA conferences, Kids College, and Phi Beta Lambda. Ralph also coaches recreational sports, sponsors a marching band and is involved in church activities. He is also known as a loving father and husband.

Mr. Speaker, it is a great privilege to recognize Ralph for his service to his community and the students whose life he has changed. The diligence and commitment demonstrated by Ralph Newby certainly deserves the recognition of this body of Congress, and this nation. Ralph's achievements as a teacher serves as a symbol to teachers throughout Colorado, and indeed the entire nation. The honor of OJC teacher of the year is proof that hard work is rewarded. It is people like Ralph who help to ensure that our future generations are guaranteed the opportunity to improve their lives through the resource of education. Congratulations Ralph, and thank you for all of your hard work.

TRIBUTE TO THE CARL AND GLESSIE YOUNG COMMUNITY AUDITORIUM

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. SKELTON. Mr. Speaker, let me take this means to recognize the city of Marshfield, Missouri, and the generosity of Carl and Glessie Young on the grand opening of the Carl and Glessie Young Community Auditorium. During a recent visit to Webster County, I attended the grand opening of this facility, which will serve the community and the students in Marshfield for many years to come.

The auditorium was made possible through a local bond issue and a generous donation from Carl and Glessie Young. This facility will be home to community and school plays, musical performances, concerts and speech and debate competitions. It will provide a teaching facility for the nearby schools.

Mr. Speaker, the citizens of Marshfield can be proud of their new 21,000 square foot, state-of-the-art facility. I know the Members of the House will join me in congratulating all of Marshfield on completing this fine addition to their community.

HONORING SAILING TEAMS FROM TEXAS A&M AT GALVESTON, TEXAS A&M UNIVERSITY AND UNIVERSITY OF TEXAS

HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. LAMPSON. Mr. Speaker, I rise today to honor the sailing teams from Texas A&M at Galveston, Texas A&M University, and the University of Texas for their heroism. I am amazed at the selflessness that these young people displayed.

On Saturday, February 23, 2002, Texas A&M University at Galveston was hosting a sailing team-racing regatta. As the sailboats were maneuvering for the start of the race, a mini van carrying a total of six people drove at high speed off a dead-end road and flew approximately 80 feet out over the water and sank. The van landed within 30 feet of the starting line.

Participants from the regatta yelled to shore for someone to call 911 and then swam in the 60-degree water to the van and made repeated dives in an effort to rescue the people trapped inside. The rescuers called for rocks from the shore to smash the windows open and other students began swimming the rocks out to the site. An anchor from the regatta motorboat was also used to smash the windows.

Over a period of ten minutes while the van was submerged the participants successfully rescued the five unconscious occupants, brought them to shore and administered first aid/CPR. The students rescued two adult women and three children, four years old, six years old and seven months old. The driver of the van, who purposely drove the van into the water and escaped on his own, is incarcerated and faces attempted capital murder charges.

Mr. Speaker, these students, many of whom were injured themselves from broken glass, showed astonishing courage. Today, I would like to recognize them on the floor of the U.S. House of Representatives. These brave sailors are:

Coach Gerard Coleman, Brence Bedwell, Jenipher Cate, Megan Chrostowski, Kelly Cunningham, Capt. Jeffrey Daigle, Kelly Gallop, Kevin Gunn, James Loynes, Chris Noll, Robin Roger, Joseph Richardson, Bill Self, Julie Svaton, Danna Svejkosky, Lloyd Towns, Judkey Reed, Mr. Shannon Galway, Capt. Jake Scott, Jennifer Doreck, John Gross, Spencer Ogden, Mike Curtin, Sarah Lakhani, Varun Idnani, Jennifer Curtin, and Scott Marsden.

On behalf of the city of Galveston, I would like to express my thanks to these courageous sailors who showed no regard for their own safety when it came to rescuing the people trapped inside that van. They make me proud to be a Texan. God bless.

HONORING THE JUNIOR ROTC CLASS OF CASS HIGH SCHOOL, GEORGIA

HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. BARR of Georgia. Mr. Speaker, at a time when the country remains understandably concerned about national and homeland security, it is reassuring to see a bring young group of students interested not only in becoming part of our military programs, but taking it upon themselves to begin one of their own. High school students who participate in Junior Reserve Officer Training Corps learn practical information that teach leadership, foster patriotism, and polish individual character; all traits that can be applied in every professional arena, whether or not they become part of the U.S. military directly.

I am proud to say that in the 7th District of Georgia, we have a wonderful program at Cass High School in Bartow County. The lengths to which the support system at Cass went in order to start their JROTC program early, is a true testament to their dedicated service. It was quite an ordeal for the students, faculty, and parents of Cass students to get JROTC classes up and running. Under normal conditions it takes five years for the application process to be completed, but in this case the school board was petitioned and the program rushed through.

The rapid implementation of the program can be attributed largely to two determined students: seniors Matt Barnes and Sarah Cavazzini. The two students recognized the need for a course that promoted maturity, discipline, and commitment. Educator Jeannie Buck says she has seen students turn a full circle due to the program. Sara Cavazzini was one of the first girls to be in the JROTC technology program, and became very involved in the engineering efforts of the program as well. She plans to continue here education at Auburn University's Navy ROTC program. Matt Barnes became interested in the military when he joined the Junior Silver Air Patrol in sixth grade. As a result of his success in that organization, he was awarded the Silver Air Patrol Award. Matt's desire to continue his education regarding the armed forces motivated him to initiate the JROTC program at Cass. Matt plans to join the military following graduation in June.

JROTC courses at Cass are under the direction of Brent Bunkley, and are support by a large network of teachers, administrators, parents, and other students. Students are responsible for purchasing their own uniforms, and parental support is the primary means by which the classes are kept afloat. Teens enrolled in JROTC earn class credit, as well as life-long lessons such as discipline, teamwork, and leadership.

The Cass High School JROTC program has made itself available for appearances at parades, and the presentation of colors for athletic events. I would like to commend the JROTC students at Cass for their foresight and dedication, as well as the parents and faculty who supply their own time and money to ensure the best for the future of their students. I hope my fellow members of the House join in applauding the JROTC program and in particular, the program at Cass High School in Bartow County, Georgia.

HONORING THE LIFE OF DARRYL FRANCIS

HON. JOHN BOOZMAN

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. BOOZMAN. Mr. Speaker, I rise today to pay tribute to the memory of Mr. Darryl R. Francis of Fort Smith, Arkansas.

Darryl Francis passed away Feb. 8, 2002 in the arms of his beloved wife, Sherrian. He was survived by a large group of family and friends who will miss his contributions to their lives dearly.

Born in 1912, Darryl Francis grew up in Ridgeway, Mo. After receiving his bachelor's

degree in agriculture at the University of Missouri College of Agriculture in 1936, he began a career in banking that led him to the position of President of the Memphis branch of the Federal Reserve Bank of St. Louis.

In 1976, Mr. Francis moved to Fort Smith, Arkansas to be closer to his family. He took the position of President, CEO and chairman of the board of Merchants National Bank, from which he retired in 1982 to take care of his former wife, Loretta, who suffered from Alzheimer's disease.

Mr. Francis was responsible for the modern reputation of the Federal Reserve Bank of St. Louis. He lead them to take revolutionary steps in emphasizing the importance of inflation as a national problem. He showed that money creation held the central role in the inflation process.

In 1966 he was awarded the Golden Step Award of the Agri-Business Club of St. Louis in recognition of his achievements resulting in a major economic impact on the St. Louis area. He also received the Citation of Merit Award from the University of Missouri Agriculture Alumni Association. He was named to a special U.S. delegation to Honduras in the 1950's to help set up a new banking system. He was honored in 2000 by the Federal Reserve by their dedication of the 25th annual Economic Policy Conference to him. His contributions to the world of banking and the systems used by that world will not be forgotten.

Mr. Speaker, thank you for giving me the opportunity to honor the memory of Mr. Darryl Francis.

IN MEMORY OF MOLLY PORTER

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. CASTLE. Mr. Speaker, it is with deep sadness that I report the death of Molly Porter, 34, of Smyrna, Delaware. Molly passed away on March 1, 2002, in the prime of her life. For the past five years, Molly has been a valued employee of the Delaware Public Archives in Dover, Delaware. Molly's work ensured that the history of Delaware was preserved and available for all Delawareans, and she helped many more people, firsthand, in their desire to learn more about their family, their state and their country. Her service to the citizens of Delaware and this country was a model for public service. She worked to help others and, in so doing, contributed to the quality of life in Delaware. She will not be forgotten. The state of Delaware has lost a true public servant, and our thoughts and prayers are with her family and friends at this time.

PAYING TRIBUTE TO G. MARVIN BEEMAN

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to Marvin Beeman and thank him for his extraordinary contributions to the National Western Horse Show. His life-long dedication to both his job, as a large animal veterinarian, and to the National Western Horse Show, as its manager, is surpassed only by the level of integrity and honesty with which he has conducted himself each and every day while at his posts. As the manager of the National Western Horse Show, he will always be remembered as a man with the utmost dedication and talent, and will continue to be known as a leader in the veterinary field. As he celebrates his retirement, let it be known that I, along with each and every person with whom he has worked and the people of Colorado, are eternally grateful for all that he has done for the National Western Horse Show and for the state.

Marvin has dedicated his entire life to the care and treatment of horses. Growing up on a 28,000-acre ranch, which was owned by the Phipps family, his father was a professional huntsman who managed the horses and hounds of the ranch and taught him how to care for and appreciate horses. At as early an age as seven years old, Marvin realized that he wanted to be a horse vet. He doggedly pursued his dream, and earned a doctorate in veterinary medicine from Colorado State University in 1957. Shortly after, he began working at the Littleton Large Animal Clinic, where he has worked ever since.

Marvin has had a distinguished career as a large animal veterinarian. He is the past president of the American Association of Equine Veterinary Practitioners, chief huntsman for the Arapahoe Hunt Club, and the only vet to be a trustee on the American Horse Council. In addition, he serves on the American Quarter Horse Association research committee and was inducted into the AQHA Hall of Fame. In 1997, Marvin took the prestigious post of Horse Show Manager at the National Western, where he served until retiring after the 2002 show. During his tenure, he markedly improved the quality of the show, as well as increased interest in it. Because of his dedication, knowledge and hard work, he will be sorely missed by everyone involved in the National Western, and by the thousands of people who enjoyed his work each and every year.

Mr. Speaker, it is clear that Marvin Beeman is a man of unparalleled dedication and commitment to the National Western Horse Show, to his veterinary practice and to the people of Colorado. 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. He is a remarkable man, who has achieved extraordinary things throughout his career, and it is my privilege to extend to him my congratulations on his retirement from the National Western Horse Show and wish him the best in his future endeavors.

A SPECIAL TRIBUTE TO YVONNE N. DARLING ON HER RETIREMENT FROM THE OTTAWA COUNTY BOARD OF ELECTIONS

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. GILLMOR. Mr. Speaker, it is with great pride that I rise today to recognize a woman who has served the Fifth Congressional District with patriotism, devotion, and kindness. Today, Yvonne N. Darling of Elmore, Ohio will be retiring from the Ottawa County Board of Elections. For the last eight years, she has ensured the accuracy and sanctity of Ottawa County elections. Her dedication and optimism will not be forgotten.

Mrs. Darling's service to our country started long before she came to Northwest Ohio. She began her marriage as a military wife, making her own sacrifice while her husband, Jim, served our country. After his retirement, Mrs. Darling and her husband returned to Elmore, Ohio where she joined the Ottawa County Republican Central Committee. Taking on a leadership role, she served as Women's Club Treasurer. As an Elmore Village Councilwoman for 8 years, she again demonstrated how important it is to give back to your community. Most recently, she has served on the Ottawa County Board of Elections ensuring that our elections are safe and accurate.

Since 1975, Mrs. Darling has been an active member of the American Legion Post 269 and her efforts speaks for themselves. As the Chairman of the Americanism Committee, Mrs. Darling helps foster a sense of patriotism in high school students across Ottawa County. She motivates young people to give back to their communities and encourages them to reach for their dreams. At every opportunity she has made a positive impact on her community and the people around her.

Mr. Speaker, Mrs. Darling is an example of how American values can make a difference in each of our communities. Her passion for service and charity towards all will remain an important staple in the Elmore community for many years to come. I ask my colleagues of the 107th Congress to join me in saluting Mrs. Yvonne N. Darling and wishing her the very best in her future endeavors.

TRIBUTE TO STAN SLOSS

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. UDALL of Colorado. Mr. Speaker, I rise today to ask my colleagues to join me in celebrating the 60th birthday of Stan Sloss, who serves as my Senior Legislative Counsel and heads my legislative staff.

I would not ordinarily take the time of my colleagues to thank a member of my personal staff, but Stan is so well known and beloved by members on both sides of the aisle, and his reputation is so well regarded, that I believe it is entirely appropriate to commemorate his birthday in a journal that he has known so well and to which he has contributed so much.

Many of you know Stan and have had an opportunity to work with him over the years. Stan's distinguished service has resulted in his becoming a valued resource—not only as an experienced voice on substantive policy issues, but also for his knowledge of the venerated but often byzantine procedures of the House. I heavily draw upon his experience, expertise and diplomatic operating style.

A native of Glenwood Springs, Colorado, Stan is a graduate of Amherst College and the Harvard Law School. He came to Washington, DC in the late 1960s, working first in the General Counsel's office of the Atomic Energy

Commission. He next spent some time in private practice, and among other things spent some time in Alaska working on some issues related to the Alaska Native Claims Settlement Act of 1971.

Stan's congressional career started in 1975 when he joined the staff of what was then known as the Interior and Insular Affairs Committee. He served as counsel to the Mines and Mining Subcommittee, chaired by Representative PATSY MINK. He assisted with some important amendments to the Coal Leasing Act that were passed over the veto of President Ford and with a variety of other measures that came before that Subcommittee.

In 1977, Stan became a counsel to the new Subcommittee on General Oversight and Alaska Lands, chaired by former Representative John F. Seiberling. In this capacity, Stan worked with both Representative Seiberling and my father, Morris K. Udall, who was the Chairman of the full Interior Committee. Stan helped draft a number of key parts of the legislation that became the Alaska National Interest Lands Conservation Act (ANILCA), particularly those related to subsistence uses by Alaska's Native peoples. Stan staffed hearings throughout the lower 48 states and Alaska and was one of the many key professional staff who helped shape the final legislation. ANILCA was a milestone in conservation, setting aside more than 100 million acres of Alaska's most pristine, public lands—an area larger than the State of California—and more than doubling the size of the nation's systems of national parks, wildlife refuges, wilderness and wild and scenic rivers.

In addition to ANILCA, Stan has been involved with many other laws and regulations affecting the public lands and natural resources. He served as Representative Seiberling's staff counsel to the Select Committee on the Outer Continental Shelf (OCS). That Committee developed the 1978 Amendments to the Outer Continental Shelf Lands Act, which shifted the focus of debate on the OCS away from just energy production to a more balanced approach, which included greater protection for the environment. He also played a key role in connection with a variety of other measures, including the Colorado Wilderness Act of 1980 and the Military Lands Withdrawal Act of 1986.

When John Seiberling retired in 1987, Stan remained on the Interior Committee staff, serving under former Representative Bruce Vento, chairman of the Subcommittee on National Parks and Public Lands. He was involved in development of legislation, including the Arizona Desert Wilderness Act sponsored by my father, the Colorado Wilderness Act of 1993 that included legislation developed by my predecessor, Representative David Skaggs, and the California Desert Protection Act.

In 1995, Stan left the Resources Committee to become the Legislative Director for David Skaggs. Representative Skaggs was a member of the Interior Subcommittee of the Appropriations Committee, so Stan was able to use his familiarity with public lands issues to assist in connection with those issues as they arose in that new context. He also dealt with the contentious issues related to Rocky Flats and the other sites in the DOE nuclear-weapons complex.

Stan was one of the first people I hired following my election in November 1998. I was fortunate to have someone who worked for my predecessor and so was familiar with the Second Congressional District. As a newly elected Member of the Resources Committee, I also appreciated his familiarity with matters within its jurisdiction as well as the more senior members and the Committee staff.

At my office, Stan has made important contributions in drafting legislation to establish Rocky Flats as a national wildlife refuge after it is cleaned up and closed. He also has worked on the Udall-McInnis wilderness bill for James Peak, and fire prevention legislation I have proposed with my colleague, Mr. HEFLEY.

Stan's work has not been confined to the environmental arena. His keen intellect, common sense and sharp legal analysis have been invaluable on the wide range of issues and topics that face all members every day. He has been especially effective in tutoring many of the younger members of my staff on the inner workings of the House, the nuances of legislative drafting and as an example of the highest standard of professionalism for congressional staff.

Like any thoughtful and accomplished lawyer, Stan is often fond of saying that he ''can argue it flat or argue it round'', and his objectivity is legendary in our office. Having said that, however, I also know that beneath his always calm demeanor and his ability to see all sides of a question, there beats the heart of a man who is passionate about doing the ''right thing.'' Stan has never compromised his firm and unswerving commitment to civil rights and liberty. He loves the absurdity that is sometimes politics, but he doesn't allow political analysis to get in the way of his strongly held views about the majesty of our constitution.

Stan is a public servant in the best sense. He brings a work ethic and code of professionalism that is always focused on the promotion of policies that best serve the environment, the public good and the values of honesty and bipartisanship that are the hallmarks of American democracy at its best. His contributions to my office, the offices of my predecessors, the House Resources Committee and the whole House of Representatives—and ultimately the people of the United States—serve as an example of a professional life that commands both respect and affection. I wish Stan a happy birthday and many productive years ahead.

THE CONGRESSIONAL GLAUCOMA CAUCUS URGES AMERICANS TO GET SCREENED THROUGH CAPITOL VISION

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. CUMMINGS. Mr. Speaker, I rise today to address the issue of glaucoma awareness and the importance of early detection to prevent blindness among Americans.

Glaucoma, a debilitating eye disease that strikes without warning and often without symptoms, blinds more than 5,500 Americans annually. While impacting all Americans, glaucoma is the leading cause of blindness in African-Americans. Because eye damage from glaucoma cannot be reversed, early detection and treatment are the only ways to prevent vision impairment and blindness.

As a member of the Congressional Glaucoma Caucus, I am pleased to announce that glaucoma will take on a renewed emphasis on March 6, as the Congressional Glaucoma Caucus, Friends of the Congressional Glaucoma Caucus Foundation and Pharmacia Corporation join forces to bring glaucoma awareness and screenings to those at risk around the United States.

Capitol Vision, the call-to-action and educational campaign, will challenge Americans to learn more about glaucoma and encourage them to take positive steps to protect their vision. Capitol Vision will especially emphasize the importance of glaucoma awareness among African-Americans, who are three to four times more likely to go blind from glaucoma than are Caucasians. We will also raise awareness of the Medicare Improvement Act—effective since January 2002—that adds Medicare coverage of annual glaucoma screenings for people who are at high risk for glaucoma.

Rep. Charles B. Rangel (D-New York); Bud Grant, CEO, Friends of the Congressional Glaucoma Caucus Foundation; Eve Higginbotham, M.D., Professor and Chair, Department of Ophthalmology, University of Maryland School of Medicine; Paul Chaney, Vice-President, Global Ophthalmology Business, Pharmacia Corporation; Herman Washington, WHUR-FM; and Sharon Matthews, a glaucoma patient, will joint me to kick off the campaign with a media briefing in the Rayburn building on March 6 in Washington, D.C. Capitol Vision will then travel to communities throughout the country to provide free glaucoma screenings. The first screening will take place in Rep. Rangel's district in late March.

I am honored to join forces with such a distinguished group to tackle a very important health concern. I strongly encourage other members of Congress to join us in our efforts to promote early detection of glaucoma so that we can eradicate a disease that steals the sight of many Americans.

IN HONOR OF JAMES M. SMITH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of James M. Smith, who is retiring after 30 years of distinguished service on the Cuyahoga County District Board of Health, 28 of which he served as President. Mr. Smith's unwavering commitment to public service has been invaluable to the people of Cuyahoga County. His integrity, intelligence, and unselfish commitment will be greatly missed.

Mr. Smith grew up in Nebraska where as early as high school he displayed leadership as president of his senior class. After high school he served his country during WWII in the Navy and the Naval Corp. He went on to attend the University of Michigan where he earned a BBA degree from the School of Business Administration and a JD from the law school. He then moved to Cleveland where he opened his own law practice which he ran for many years before merging with the firm founded by William R. Van Aken in 1977. He became a senior partner in what is now called, Van Aken & Bond.

Throughout his career Mr. Smith has displayed continued leadership and community involvement in the Cleveland area. He spent 10 years beginning in 1959 as a Councilman in the city of Highland Heights, the last three as President of the Council. He has served as an officer and member of the board of directors of many Cleveland based corporations as well as a member of various civil organizations.

James M. Smith's educational background, professional experience and extensive community involvement in Cleveland made him an ideal candidate to serve as President of the Cuyahoga County District Board of Health. His leadership, vision and genuine concern for the people of Cuyahoga County have led the department to be a leader in public health issues statewide. On behalf of the residents of Cuyahoga County and the city of Cleveland I would like to express sincere gratitude to the years of devoted service by James M. Smith.

I ask my colleagues to join me in rising to honor this truly remarkable public servant for his distinguished years of service to the Cleveland community.

H.R. 1542, THE INTERNET FREEDOM AND BROADBAND DEPLOYMENT ACT

HON. RICK BOUCHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. BOUCHER. Mr. Speaker, I rise today in full support of the Tauzin-Dingell bill, H.R. 1542. Included as a part of that bill by means of the Manager's Amendment is an antitrust savings clause. This is an important addition to the bill and the authors, the Chairman of the Committee on Energy and Commerce and the Chairman of the Committee on the Judiciary, are to be congratulated on the development of this amendment.

Regulatory and antitrust laws serve different functions. This amendment recognizes and embraces that fact as it preserves the antitrust laws and it indicates that these laws are not affected by H.R. 1542, the Telecommunications Act of 1996, nor the Communications Act of 1934. Second, and equally important, is the fact that it does not overrule nor affect any court case interpreting those laws including the Goldwasser case. The savings clause preserves this case law as well. Third, when the savings clause uses the term antitrust laws, such term includes antitrust defenses and immunities.

Congress and the courts have recognized how ill-equipped antitrust courts are to serve as regulatory agencies. That's why the 1996 Act replaced judicial supervision under the AT&T consent decree with regulatory supervision of the process through which competition in the telecom industry would be jump-started. If we had simply abolished the AT&T consent decree and left all these details to antitrust enforcement agencies, private litigants, and the courts, five bad results would have occurred.

First, the courts would have been flooded with regulatory tasks they are not suited to handle. It was a formidable task having one federal judge trying to micromanage the telecommunications industry under a consent decree. We did not repeat that experiment by authorizing many state and federal antitrust courts to undertake the same tasks.

Second, the antitrust enforcement agencies, including the Department of Justice, would have been called on to duplicate, second guess, and perhaps contradict the telecommunications policy decisions Congress instead decided to entrust to the FCC and to the state commissions. We need the enforcement agencies to enforce the antitrust laws, not establish telecommunications policy or duplicate the regulatory expertise of other agencies.

Third, incumbent carriers would not have been subject to many of the requirements they now face. By this bill, we limit regulation in the broadband segment of the industry, but we leave in place many regulatory requirements imposing on carriers duties they do not have under the antitrust laws.

Fourth, as courts reached different and inconsistent conclusions in different cases, chaos would reign in an infrastructure industry critical to our economy and our nation's security.

Fifth, we would bog down the deregulatory process through the protracted process of antitrust litigation in which cases often drag out for many years and, in some cases, decades.

The 1996 Act assigns responsibility for working out the difficult details of interconnection and other transitional arrangements to private parties, state regulators, and the FCC. Antitrust laws are not expanded or diminished in any way by the 1996 Act or this Act. Among the antitrust laws preserved by the savings clause in the Managers' Amendment are the well-crafted and carefully applied judicial doctrines that govern the manner through which antitrust courts coordinate their activities with those of the regulatory agencies to avoid potential incompatibilities that might otherwise occur. We did not expand or diminish the antitrust laws, or the manner in which the courts apply those laws, when we enacted the Telecommunications Act of 1996. We will not do so now by enacting this Act.

PAYING TRIBUTE TO CLARA HORAN

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to honor a woman whose passion for life and whose incredible human spirit is an inspiration to us all. Clara Horan, a Colorado resident of almost sixty years, who will soon achieve an extraordinary milestone, celebrating her one-hundredth birthday with four generations of her friends and family.

Clara was born on April 11, 1902 in Elba, Nebraska. She was raised by her parents, Peter and Katherine Andrzejewski, on a cattle, corn and wheat farm with her eight brothers and sisters. On December 7, 1921, Clara married Lloyd Horan of Cotesfield, Nebraska. The couple relocated to Mesa, Colorado in 1943, and then moved to Clifton, Colorado five years later. Her friends and family fondly refer to her as ''Grandma.''

Incredibly, Clara is the matriarch of a family that includes 3 children, 8 grandchildren, 16 great-grandchildren and 10 great-great-grandchildren. It is an impressive lineage of which she is extremely proud, and which, more importantly, is extremely proud of her. She has been a member of St. Ann's Church in Palisade, Colorado for nearly 25 years, and continues to volunteer on a weekly basis at the Migrant Center in Palisade. She still loves to attend to her garden, and finds time to fish on Grand Mesa. The remarkable longevity of Clara's life is a testament to the extraordinary passion for life that she has always carried with her, and her family and friends are all fortunate to be able to share in a life as rich and varied as hers.

Mr. Speaker, it is with great pleasure that I bring to the attention of this body of Congress the life and spirit of such an incredible woman. She has lived her life with extraordinary passion and kindness, and possesses an innate ability to brighten and invigorate the lives of those around her. She is truly an inspiration to all of us, and I, along with the many people whose lives she has touched, am honored to recognize her tremendous accomplishment in reaching her one-hundredth birthday, and more importantly, her passion for life and indomitable human spirit.

RECOGNIZING JOHN PLACK AS TOP STUDENT VOLUNTEER IN PRUDENTIAL FINANCIAL'S SPIRIT OF COMMUNITY AWARDS

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mrs. McCARTHY of New York. Mr. Speaker, I rise in recognition of John Plack, my constituent from New Hyde Park who has been chosen as a top student volunteer in Prudential Financial's Spirit of Community Awards, a nationwide program honoring young people for outstanding acts of volunteerism. John is one of only nine students from New York chosen for this award. He will receive an engraved bronze Distinguished Finalist medallion in the Prudential Spirit of Community Award ceremony.

John is a sixteen-year-old junior at New Hyde Park Memorial High School. John's project was to create the ''Children Helping Children Remembrance Quilt.'' He headed the worldwide effort to make remembrance quilts from squares displaying personalized messages of condolence and hope for children affected by the September 11 terrorist attacks.

Thanks to John our community will always remember the support and help given by the world to New York during a desperate time. Children everywhere will always be aware of the contributions made by many to a city in need. Our community can rest assured that its future is in good hands with people like John demonstrating outstanding public service.

The awards, presented by Prudential Financial in partnership with the National Association of Secondary School Principals, honor young people for outstanding community service. This year, a record 28,000 youth volunteers across the country were considered for these awards.

John's ideas and creativity show his vision and determination to make the world a better place. It is refreshing to see such a young person with such a mature outlook and it bodes

well for our future generations. I applaud John for his hard work, generosity and leadership. Long Island is proud to commend such a talented young individual.

We are fortunate to have John Plack in Nassau County.

HEART OF A CHAMPION PROGRAM

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Ms. GRANGER. Mr. Speaker, each of us shudders in horror when we hear about a school shooting or about the drug and alcohol abuse that haunts our youth. We immediately want to do something—perhaps draft new legislation—something, anything, that will make things ''safe'' for our children and grandchildren.

As a former teacher with three children of my own, I know the anxiety and anguish that students and their parents often experience in facing the world today—it can be a very scary place.

So, last December, I sponsored a Safe Schools Summit in Fort Worth, Texas. Five hundred middle school and high school students from across my district participated in this 3-hour session. They were students of all races and backgrounds, male and female. The purpose of this summit was to hear directly from the students about how they felt in their schools. It was an amazing day, and the students produced some remarkable and somewhat surprising results.

Today, I want to talk about what the students said about character education. The students told me that they would feel safer at their schools if there were greater attention to the development of character in those schools. We found that students overwhelmingly support character education in their school, by nearly 80%. I knew that parents and educators were supportive of quality character education programs, but I learned through that gathering of students that, these young people also know that character is the critical element for creating safer schools. Yes, there are mechanical and physical elements of a safe school, but these students identified a ''human'' element of safe schools, and character is a critical aspect of that element. To simplify, these students know that in order to have safe schools, we must have safe students.

On February 4th, what I believe will be one of the most effective character education programs in the nation was launched in my district. The Heart of a Champion character development program is a one-of-a-kind curriculum that combines video, and audio, with a print curriculum, to reach today's ''sight and sound'' generation on a year-round basis. Heart of a Champion's founder, Steve Riach, has created a comprehensive in-class program to reinforce positive character traits and virtues, and demonstrate examples of persons with high character to students in our schools.

Using positive role models, the Heart of a Champion program tells the stories of widely known athletes—stories that demonstrate virtues such as commitment, perseverance, integrity, courage, honesty, discipline, responsibility and fairness. These stories, and the application lessons that follow, encourage students to examine these character traits, and inspire them to embrace and integrate those traits into their own lives. It is a winning formula.

The Heart of a Champion program, has already received the endorsement of several key national community and educational groups, and their representatives will meet with members of the Department of Education later this month. I believe there is nothing else like this program available for schools today. I am in full support of this program and believe it will have a dramatic impact.

President Bush has repeatedly said that character education in our nation's schools is of great importance in this day. He is aware that each year, 10 million school kids abuse alcohol or drugs; that 65 percent of youth in school say they are sexually active by the 12th grade; and that 80 percent admit to cheating in school. We know there is a problem that needs our attention. I believe that character education programs like Heart of a Champion are a solution for this generation.

My fellow members of the House, we all agree our young people are the most valuable asset we have for our nation's future. That is why I believe the Heart of a Champion program is so necessary for our country at this time. This program will provide our kids with the character our society so desperately needs; will give them direction for the future, and will create champions in our schools, homes, and communities—young men and women of character who will become leaders for the next generation. But that can only happen if leaders like you and I show our young people that we truly care about them, by getting behind this program and helping to see that no young person is ''left behind'' in the development of their character.

Mr. Speaker, I invite all of my colleagues to get to know the Heart of a Champion program. I am confident that you will see the powerful impact it can have on the youth of your cities and counties. Today, it is impacting my district. Tomorrow, with your help and support, it could make a difference in yours.

COMMENDING TONY MONROE

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. RADANOVICH. Mr. Speaker, I rise today to recognize Tony Monroe for his commitment to his community through service to disadvantaged youth and gang members in the Fresno area. Mr. Monroe rides a horse in some of the roughest neighborhoods and encourages those he encounters to find a better way of life.

Mr. Monroe has made numerous personal sacrifices to continue his service. Previously, he was a Fresno reserve police officer and a Santa Cruz County deputy sheriff. Now, he offers the children and youth a chance to feed his horse and talk about God, gangs, and life in general. A young Fresnan met Tony six years ago when he was an angry and violent street fighter. This young man credits Mr. Monroe with helping him get his life turned around.

The community has also responded by helping Tony with supplies and assistance. Jensen's Armstrong Stables houses two of Mr. Monroe's horses in exchange for maintenance work. All three of his horses, Max, Gumby, and Impact, were donated when his first horse died. This generosity shows how warmly received and appreciated Mr. Monroe is in the community.

Mr. Speaker, I rise to commend Tony Monroe for his community service and dedication to helping those in need. I encourage my colleagues to join me in wishing Mr. Monroe many more years of continued success.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. BECERRA Mr. Speaker, on Tuesday, March 5, 2002, I was unable to cast my floor vote on roll call number 47, on the Motion to Suspend the Rules and Agree, as Amended to H. Con. Res. 305, a Resolution Permitting the Use of the Rotunda of the Capitol for a Ceremony to Present a Gold Medal on Behalf of Congress to Former President Ronald Reagan and his wife Nancy Reagan.

Had I been present for the vote, I would have voted ''aye'' on roll call vote 47.

CALIFORNIA UNIVERSITY OF PENNSYLVANIA INTERMODAL TERMINAL FUNDING

HON. FRANK MASCARA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. MASCARA. Mr. Speaker, I submit to the RECORD a letter I have sent to Secretary Norman Mineta of the U.S. Department of Transportation. My letter is to clarify to the D.O.T. the intended use of an earmark I requested in TEA 21 for an intermodal transportation terminal on the campus of California University of Pennsylvania. I requested that earmark in order to fund an intermodal facility that would help connect the main campus to the new campus over one mile away. Now, the campus has an exciting opportunity to create a low speed magnetic levitation system connection between the two campuses and this intermodal facility would be a vital part of the system.

HOUSE OF REPRESENTATIVES,
Washington, DC, March 6, 2002.

Hon. NORMAN MINETA,
Secretary, U.S. Department of Transportation, Washington, DC.

DEAR SECRETARY MINETA: I write to clarify the intended use of funding I have obtained for an important project in my district. Over the years I have been working with California University of Pennsylvania officials to acquire funding for a much needed intermodal facility on the campus. Consequently, I have secured a $1 million TEA–21 earmark and other related earmarks for the University to construct an intermodal facility/transportation improvement project.

My intent for funding the intermodal facility was to support a people-mover system to connect the main university campus to the new auxiliary campus in the Roadman Park

area. This area is approximately 1.25 miles away on a mountain ridge above the main campus and the fastest growing area of the university. Ultimately, this area will house over 750 students and be the location of the University's Sports Complex.

This people-mover transportation system is critical to the intermodal center and the University's Master Plan, which identifies a need to demonstrate a safe transportation connection between these parcels of land.

California University of Pennsylvania officials have had extensive discussions with the Pennsylvania Department of Transportation and the General Atomics Urban Maglev team to demonstrate the urban Maglev people-mover technology. I am fully supportive of this initiative which is consistent with the intent of the original earmarks that I obtained for the intermodal facility at California University of Pennsylvania.

Any Federal earmarks referencing the California University of Pennsylvania intermodal project should address the Urban Maglev people-mover demonstration project. All costs incurred to date and any cost incurred in the future as part of this project should be considered eligible.

I am a strong supporter of this important project, and am firmly committed to bringing a Maglev system to the campus of California University of Pennsylvania.

Sincerely,

FRANK MASCARA,
Member of Congress.

PAYING TRIBUTE TO HOWARD ROLAND

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. MCINNIS. Mr. Speaker, it is with profound sadness that I rise today to recognize the life and contributions of the former County Commissioner and livestock auctioneer Howard Roland. His life-long dedication to both his job and the people of Mesa County is matched only by the level of integrity and honesty with which he conducted himself each and every day. As his family mourns his loss, I think it is appropriate to remember Howard and pay tribute to him for his many contributions to his community.

Howard began his service to Mesa County as County Commissioner in 1975. He served in this position with dedication and distinction until 1979. Howard was also renowned throughout the region for his honesty and integrity as an auctioneer. Using these qualities and his extraordinary knowledge of the stock show business, Howard opened the Grand Junction Livestock center in 1966. Howard will be remembered by his community as a humble man who was dedicated to both his work as a civil servant and as an auctioneer.

Mr. Speaker, it is my privilege to pay tribute to Howard Roland for his contributions to the Mesa County community. He was known for his kind heart and gentle demeanor, which he displayed throughout his life. His dedication to his fellow man certainly deserves the recognition of this body of Congress and this nation. I would like to extend my thoughts and deepest sympathies to Howard's family and friends during this time of remembrance and bereavement.

IN HONOR OF DANIEL PEARL

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Ms. ESHOO. Mr. Speaker, on February 21, 2002, the world learned of the horrific and senseless murder of Wall Street Journal reporter Daniel Pearl. An extraordinary American and a courageous and talented journalist, Pearl was killed in the pursuit of truth. Abducted in Karachi, Pakistan, Pearl was investigating potential connections between alleged shoe-bomber Richard Reid and radical fundamentalists in Pakistan. His death represents a tragedy not only for his wife Marianne, now seven months pregnant, and their family, but for all humanity.

Daniel Pearl's murder left an indelible mark on the world of journalism. A colleague who had the privilege of knowing Pearl is Don Kazak, a highly respected senior staff writer and former editor of the Palo Alto Weekly. It was at the Weekly that Pearl, then a student at Stanford University, began his career in journalism as an Editorial Intern during the spring of 1984.

Mr. Speaker, I respectfully submit for the RECORD a tribute to Daniel Pearl written by Don Kazak and published in the Palo Alto Weekly on February 27, 2002. I share it with my colleagues who I'm sure will find it as poignant and instructive as I did.

[From the Palo Alto Weekly, Feb. 27, 2002]

OUR TOWN: ''IS THAT OUR DANNY?''

(By Don Kazak)

There is always distance between us and what we read in the newspaper or watch on the evening news.

These are usually events happening far away, which don't touch us.

The Sept. 11 terrorist attacks touched many, and shocked, angered or numbed the nation, but for most there was still a distance. As much as I felt for what happened, it was other people, somewhere else.

And then I heard about Wall Street Journal Danny Pearl being captured by a radical Islamist group. He had been a reporter for the Journal for 12 years. It was a big, international news story—but it touched me deeply and personally, along with others at the Weekly and at Stanford University.

Pearl was based in Pakistan and had traveled to Karachi, which is kind of the Wild West of Pakistan, to interview radical Islamists.

Then there was the photo of him sitting head bowed, hands tied, with a gun to his head.

Like many of the rest of rest of us, I have a hard time putting a label on what is right or wrong. Maybe I've covered too many stories for too many years.

The Weekly has employed editorial interns for many years. They are basically low-paid college help to get some newspaper experience as part of their education. These have been mostly terrific kids, bright and eager.

We've had so many interns over the years that they kind of blur together for me.

But I remember Danny, Stanford class of 1985. He had a bright smile and was obviously very talented. He's one of those I distinctly remember, and I recoiled at the image of him with a gun to his head.

I was the editor of the Weekly when Pearl was an intern, and when the news broke about his capture Carol Blitzer, an editor then and now, asked me, ''Is that our Danny?''

Carol later received an e-mail from Kathleen Donnelly, a former Weekly reporter and Mercury News writer, now living in Seattle, which confirmed: That is our Danny.

He was so good-natured when he was here that it is hard to envision him as a hard-edged hard-news reporter. But that's what he has been and what he has been doing, chasing a difficult story in a dangerous place.

Eight journalists have already been killed trying to cover the mess in Afghanistan, because they wanted to ''get the story.''

I have a lavish photo book, ''Requiem,'' about the Vietnam War, the war of my youth, the war I marched against. In it are the photos of photographers who died covering the wars in Southeast Asia, 135 of them.

I don't know if I would have had the courage to do what Danny Pearl was doing. But I sense the desire to get the story. He wanted to know—which is what drives all good journalists.

He and his wife were expecting their first child when he was kidnapped, adding to the pathos. Now that baby will grow up without ever knowing his or her father.

As a reporter, it has been bred deep within me not ever to take sides. I'm just a reporter, trying to make sense of what I see and hear for our readers. But no one can make sense of his death.

Now, it turns out he was killed not just because he was an American reporter, but because he was also a Jew.

Sometimes I think people who ignore what's going on the world around them have an easier time, because they don't have to feel for what is happening. But some things touch even the people once removed, reading a newspaper or watching the news on TV. This was one of those times.

When the World Trade Center towers collapsed, it was a tragedy for thousands of people and their families, friends, co-workers, all of us. There is still one photo which haunts me, taken on the fly by a Magnum photographer who didn't see what he shot until he looked at his film later.

In the photo, there are dozens of people outside the windows of the upper floors of one of the World Trade Center towers, fires billowing below them. They were there, looking out of the building, and they all died.

That was impersonal, because it was just people in the photo, none of whom I knew.

And then there was the photo of Danny Pearl with a gun to his head, killed for trying to get the story.

INTRODUCTION OF A BILL CONCERNING AGENT-DRIVERS AND COMMISSION-DRIVERS

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. CRANE. Mr. Speaker, I rise to announce the introduction of legislation that will clarify the rules for determining whether certain agent-drivers and commission-drivers are employees for the purpose of FICA and FUTA taxes. Under present law, the determination of whether a worker is an employee or an independent contractor for Federal tax purposes is determined under a common law facts and circumstances test. An employer-employee relationship generally exists if the person contracting for the services has the right to control not only the result to be accomplished by the

services, but also the means and details by which the result is accomplished.

Under a special statutory rule in section 3121(d)(3) of the Internal Revenue Code, agent-drivers and commission-drivers, who are independent contractors but are engaged in distributing meat, vegetable, bakery, beverage (other than milk) products, or laundry or dry-cleaning services, are treated as ''statutory employees'' solely for FICA and FUTA tax purposes if (1) their services are part of a continuing relationship with the person for whom services are performed; (2) the distributor's service contract contemplates that he or she will perform substantially all of the services personally; and (3) the distributor does not have a substantial investment in facilities used in performance of services, excluding facilities used for transportation.

In a reversal of its long-standing ruling position, the IRS issued GCM 39853 in 1991, which held that investments in distribution rights and territories were akin to investments in the intangible assets of education, training, and experience. The legislative history to section 3121(d)(3) had indicated that investments in education, training, and experience were not to be treated as investments in ''facilities.'' The GCM analogized an investment in a distribution right or territory to an investment in education, training, and experience, and accordingly concluded that an investment in a distribution right or territory was not to be considered an investment in ''facilities.'' This reversal has created much uncertainty, particularly in the baking industry, with respect to independent contractor drivers, who have made substantial investments in their businesses and have been paying Social Security taxes with their federal tax returns. While the IRS may contend that the GCM is no longer in force, I believe that it is being applied by various field agents.

For example, at least four companies have endured prolonged audits in which the IRS challenged the status of bakery drivers based on the GCM. In each of those audits, the IRS agreed that bakery drivers were independent contractors under the common law test, but sought to treat them as statutory employees by ignoring their substantial investment in ownership of their routes.

This is not only an unfair result, but has caused great confusion in the bakery industry. This amendment attempts to clear up that confusion and correct that inequity.

An investment in a distribution night or territory specifically and directly relates to, facilitates, and is used in the performance of the distribution services in question. In contrast, education, training, and experience have a more general, attenuated, and indirect relationship to distribution services. Accordingly, my bill will clarify the statute to reflect Congressional intent that an investment in facilities can include an investment in a distribution night or territory, in contrast to an investment in education, training, and experience. Thus, an independent contractor driver who is engaged in distributing meat, vegetable, bakery, beverage (other than milk) products, or laundry or dry-cleaning services and who has a substantial investment in his or her distribution fight or territory will not be treated as a statutory employee.

IN HONOR OF INTERNATIONAL WOMEN'S DAY

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. FARR of California. Mr. Speaker, International Women's Day began in our Nation. It was not a gift from Members of Congress, nor from the well-clothed captains of industry, but rather a victory achieved by the women who sewed the suits they wore. It was these women, garment workers, who went on strike March 8, 1857, demanding the bread of economic security and the roses of a better life.

At an international conference held fifty-three years later, German socialist Clara Zetkin asked for an international women's day to mark the strike of the garment workers in the United States. Her request was met with unanimous support, and International Women's Day was born.

More than 11,000 babies will be born in our Nation today. These children will eventually inherit many of the problems the Federal Government strives to solve. To prepare them to assume responsibility for progressive government leadership, we must ensure their health, give them adequate nutrition, educate them, allow them equal opportunities, and inspire them with knowledge of the accomplishments which generations of women have contributed to the world.

And so, as we celebrate International Women's Day this Saturday, we must recommit ourselves to the betterment of the lives of and equal opportunities for our daughters, our wives, our sisters, and our mothers. We do this to honor all women, and especially those on strike during the early spring of 1857, who remind us of our capacity to improve our lives and the lives of those around us.

THE PRESERVING PATIENT ACCESS TO PHYSICIANS ACT

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mrs. JOHNSON of Connecticut. Mr. Speaker, on the first of this year, a 5.4 percent across-the-board Medicare payment cut went into effect for doctors caring for seniors. Under the present payment system, further deep cuts are in store for the future. In some areas of the country doctors are no longer accepting new Medicare patients because payments no longer fairly recognize the changing health care needs of today's seniors nor the increasingly complex and difficult environment doctors must work under.

With malpractice insurance skyrocketing, nursing costs rising, diagnostic and treatment options expanding rapidly, and paperwork burdens exploding, these cuts are unjustifiable and unfair! They result from an arbitrary formula that ignores the real costs of providing health care. According to the American Medical Association, Medicare payments to doctors have increased only 18.5 percent in the last 10 years, an average of 1.1 percent per year, which pales in comparison to the skyrocketing costs of providing health care.

To now cut payment rates 5 percent for four years will, without question, force early retirements among physicians who are primarily serving our seniors, or force physicians to limit the number of Medicare patients they serve. More seriously, in the long run under-reimbursing our doctors in yet another public health care program will discourage the top quality students medicine has traditionally attracted and erode the world famous quality of American medicine.

Today, I am introducing legislation that would implement the recommendations of the Medicare Payment Advisory Commission (MedPAC) and reform Medicare's doctor payment formula. The bill repeals the Sustainable Growth Rate (SGR) system that has resulted in unpredictable payment increases and cuts. If left in place, the present SGR system is projected to cut physician payments by more than 20 percent over the next several years. My bill increases payments to physicians by 2.5 percent in 2003 and ties future updates to an index similar to the Medicare Economic Index, making the system for adjusting physician payments similar to that for adjusting Medicare payments to other providers. While much work remains to be done to understand and manage the cost of this common-sense reform, rational payment rates are essential to maintaining the quality of Medicare.

I am committed to providing physicians with a more stable, predictable, and fair payment formula. Absent such reform, we will shortchange our physicians and threaten both access to care and quality of care for our seniors.

HONORING 2002 MEN AND WOMEN OF HEART GALA HONOREES

HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. LAMPSON. Mr. Speaker, I rise today to honor the 2002 Men and Women of Heart Gala honorees. The honorees have dedicated themselves to their communities and to service. I am proud to represent them here in Washington. The recipients are: Anita Fogtman, Colin Fox, Norman Frede, Kathleen Harlan, Bette Johnson, Bill Lowes, Victor Maria, Floyd H. Myers, Charlotte Tetter, and Paula Orcutt Thomas.

These citizens were presented this award for their committed and caring service to their fellow Texans, and have helped make their communities better places for all.

NEWLY RELEASED DOCUMENTS SHOW PERSECUTION OF BELIEVERS BY CHINESE GOVERNMENT

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. WOLF. Mr. Speaker, an organization called the Committee for Investigation on Persecution in China has compiled an unparalleled trove of documents concerning religious persecution by authorities of the People's Republic of China (PRC). The organization's

president, Li Shixiong, has compiled an extensive archive that documents some 22,000 testimonies about persecution of Christians in China. This archive also contains court transcripts, internal PRC government documents and photographs.

The work of the Committee for Investigation on Persecution in China provides a unique insight into how the PRC persecutes and imprisons people of faith, and restricts religious freedom throughout the country.

Attached for our colleagues is a copy of an article about the work of the Committee for Investigation on Persecution in China that appeared in the March 11, 2002, issue of the magazine Christianity Today.

[From Christianity Today, Mar. 11, 2002]

''NEW'' CHINA: SAME OLD TRICKS

TOP COMMUNISTS, DESPITE THEIR DENIALS, ENDORSE ARREST AND TORTURE OF CHINESE CHRISTIANS BY THE THOUSANDS

(By Tony Carnes)

A Chinese Christian refugee in New York, working with Christians in China, has compiled an extensive new archive documenting brutal religious persecution that has caused more than 100 deaths and thousands of injuries.

Activist Li Shi-xiong, head of the New York City-based Committee for Investigation on Persecution of Religion in China, believes these documents establish that communist rulers at the highest levels take an active role in persecuting house-church Christians. In the past, top leaders in China have blamed repression on overzealous local officials.

The New York committee timed its unveiling of the archive to influence President Bush during his February trip to China.

The archive is a 10-foot-high stack of 22,000 testimonies about persecution of Chinese Christians. It includes court transcripts, internal government documents, and photographs. Experts call it the largest collection ever assembled on the persecuted church in China.

''The secret documents alone are extremely rare and incredibly important,'' says Carol Hamrin, a star China analyst who recently retired from the State Department. The mammoth collection, which Li calls a ''truth bomb,'' includes 5,000 detailed testimonies of Chinese Christians describing their arrests, interrogations, and jailings. Many account include photographs of the persecuted believers, including injuries they suffered while in custody. Some case files include official arrest and court records. The largest number of testimonies comes from central Henan Province, where persecution has dramatically escalated since 1999. Li's group has also collected partial reports on 17,000 others, mostly Christians, persecuted for their religious beliefs.

Li is also documenting the cases of 117 religious people who have died while in official custody, 700 who have been put in labor camps, and 550 who are wanted by the police but are in hiding. He is also investigating 300 police officers accused of being especially abusive.

Freedom House's Nina Shea has written that Li's archive is a ''tremendous work.'' Shea, a member of the U.S. Commission on International Religious Freedom, marvels at Li's ''dedication to the cause of religious freedom and his amazing work in the documentation of so many thousands of cases of the persecution of China's Christians.'' Freedom House, an advocacy organization founded in 1941 by Eleanor Roosevelt, plans to make extensive use of the archive.

China scholar Brent Fulton, head of China Source in Los Angeles, is aware of the archive but has not examined its contents. He says the documents indicate the ''degree of seriousness'' with which China approaches unregistered religious groups. ''They see the unregistered groups as a national security threat.''

Li and the New York committee believe that going public with the archive will build international political pressure on China's leaders to end their repression of religion. Fulton foresees the government searching for those who leaked the documents. He also expects more crackdowns. But, he says, ''The long-term response to the release of these papers will be good.''

A SENSITIVE TIME

The revelation of the archive comes at a sensitive time for China. Political leaders say that the nation of 1.3 billion people faces wrenching changes related to its entrance into the World Trade Organization (WTO) last December. WTO membership will lower trade barriers, enabling China to compete for trade on a more level playing field. Certain parts of China's economy, such as high tech, are expected to do well. Others, such as the inefficient and subsidized industrial and agricultural sectors, may be pummeled. Millions of unskilled laborers could be thrown out of work.

Seeking to maintain its grip on society, the Chinese government since 1999 has been waging a campaign against ''cults,'' such as the Falun Gong movement. (Falun Gong adherents use physical exercise as a spiritual discipline.) China's officials are trying now to eliminate what they consider undesirable movement, because WTO membership will bring additional international pressure on China to improve its poor record on human rights. ''[China's] officials spell out that the anti-cult campaign is a preparation for the further opening of society because of China joining the World Trade Organization,'' Hamrin says. But, Fulton adds, ''There are in fact a lot of cult groups that are doing bad things.''

Says Eric Burklin, president of Colorado-based China Partner, ''China wants to have a positive image with the rest of the world. The government can't really discern the cults from the non-cults because [China's top leaders] are atheistic.''

The archive makes it clear that repression of religion is official state policy at the highest levels—not merely a local and sporadic phenomenon, as China usually claims. In the documents, officials say the cults are ''soaking into'' and weakening the foundations of state authority. Officials link rising religious influence to the increased influence of Western cultural values of democracy and equality.

In public, Chinese leaders are vague on what actually constitutes a cult. ''Cults are not religions,'' Premier Zhu Rong Ji said in a December meeting on religion. Critics say this approach allows authorities to crack down on any groups they do not like—including many house churches. These churches typically do not register with the government-sponsored Three-Self Patriotic Movement.

While there is no consensus on the number of Christians in China, Operation World estimates the presence of 45 million people in house churches and another 40 million members and adherents in the official church. There are about 12 million Catholics in China, in both state and unofficial groups.

Hamrin, who favors improving trade relations with China, says that this latest government repression will worsen matters. ''This massive campaign against millions of their people will exacerbate social tensions''

AGGRESSIVE ACTIONS

In a recent public pronouncement, China's government declared that religion has never fared better. Ye Xiaowen, the head of the Religious Affairs Bureau, toured the United States last year. Ye claimed that the government had initiated a ''golden time'' for religion. China's president, Jiang Zemin, recently told a U.S. congressional delegation in Beijing, ''I am looking forward to seeing a church on one side of every village and a mosque on the other side.''

During the second week of December, top communist leaders gathered in Beijing to discuss religion policy. Jiang led off with a speech declaring, ''The influence of religion on political and social lives in today's world should never be underestimated.''

In lower-profile gatherings, however, the talk tilts toward intensive surveillance of religion, according to Li's archival materials. In a speech, a local public security official in charge of religion quoted Hu Jintao, likely to be the next leader of China, on the proper approach to a ''cult'': ''Watch and follow its direction and deal with it by law at the proper time.'' As the orders filter down, local leaders often act aggressively. A provincial security chief says, ''Talk less and smash the cult quietly.''

Li's archive documents how the anti-cult campaign was quickly broadened to include many well-known Protestant groups. In just one example, on August 18, 2001, authorities raided three offices of the South China Church. They arrested 14 people, using fists and electric clubs to obtain accusations against the pastor.

''The central government is defining whole groups as targets of extreme measures,'' says Hamrin, who produced the U.S. State Department's first annual reports on religious freedom and persecution in China. For example, more than 300 Chinese associated with the Falun Gong movement have died while in China's custody.

Increasingly, groups are targeted not just for breaking civil laws on registration and holding unauthorized meetings, but for their beliefs and religious doctrine. The government, the archive shows, especially dislikes preaching about ''the end of the world'' or teaching that ''the Lord can heal a person of disease.''

According to the archive, the Ministry of Public Security spells out five characteristics of a cult, ranging from the clearly defined ''deifying its top leader'' to the grab bag of ''stirring up and deceiving others.'' (See ''What China's Secret Documents Reveals'')

The documents show that officials are especially wary of unregistered church groups that attempt to link with other unregistered groups. In such cases, the archive shows, officials are returning to the fierce battles from the era of Mao Zedong, China's first communist ruler, from 50 years ago. This has led to tremendous abuses. In April 2000, officials put Peter Xu's Born Again Movement on their cult list. Officials set quotas for arrests, putting pressure on local police to obtain confessions. Police often beat, slap, and use electric shocks to obtain those confessions.

Leaders of the large South China Church organization also have been hit hard by recent arrests. A document from a police official in the provincial religion office hints that poorly trained police in Hebei Province are resorting to abusive interrogation methods instead of quiet information-gathering. The archive reveals several recent cases of local police trying to bribe the families of people they had killed under interrogation. Leaders of the South China Church report, ''On July 20, 2001, we heard the news that Yu Zongju was tortured to death. The police did not inform her family until her body started to smell. They asked her family to meet them in a restaurant. They paid them $8,000 and warned them to keep quiet.''

CHRISTIAN NETWORKS ''MUTATE''

Last year, the Bush administration sponsored a resolution for the United Nations Commission on Human Rights that condemned Beijing's human rights record. Amnesty International reported in 2001 that China's use of torture was widespread and systematic.

China analysts such as Hamrin say that the Chinese government, wishing to improve its image internationally, probably will respond favorably to pressure to improve human rights.

''China has really developed and they have tasted too much freedom to go back,'' says Eric Burklin of China Partner. ''There would be major bloodshed if they tried to go back to Maoist times.''

But Li's archive shows that China's emerging strategy for dealing with the house-church movement is comprehensive and difficult for outsiders to counter. Officials gain access through informants, harass leaders, block communication, and strip churches of financial assets, including church buildings and homes.

The government notes in the documents that house-church Christians already have a means to resist these new efforts at repression. House-church leaders reportedly are creating networks that constantly mutate. Leaders communicate with wireless phones and hard-to-trace Web sties. In response, the government has begun building a national computer network known as the ''Golden Shield'' in order to conduct Internet surveillance and information-gathering.

Meanwhile, the impact of Li's archives promises to be seismic. ''It's a bombshell,'' Shea says.

TRIBUTE TO ABELARDO ''ARBIE'' VILLARREAL

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. BACA. Mr. Speaker, today I pay tribute to the memory of a man who was very special to me and to the entire Inland Empire community, Abelardo ''Arbie'' Villarreal, a longtime professor at San Bernardino Valley College.

Like a ray of sunshine, Arbie came to San Bernardino Valley College (SBVC) in 1971 to teach English, mainly to foreign students. A tall, thin, meticulously groomed man with sharp, angular features and a ready smile, Arbie was easily recognized on campus. He was the first ESL teacher at SBVC, and he was able to reach out to the community by establishing ties between the college and the area's rapidly growing Spanish-speaking population.

Arbie was a great asset to Valley College and was recognized as ''Outstanding Professor.'' He was awarded a Fulbright Scholarship/Fellowship to teach abroad, which allowed him to live and teach in Switzerland for two years. His knowledge of foreign languages easily opened doors for him in Europe. He spoke Spanish and Italian fluently and managed in French and Portuguese.

Last summer, Arbie was awarded a faculty fellowship to spend six marvelous weeks in Washington, D.C. working at the US Department of Agriculture. He was surprised to reunite with several friends now settled in Washington who he met almost 40 years ago during a training program to join the new and exciting Peace Corps. Arbie spent two unforgettable years in Columbia with the Peace Corps.

Arbie was born in Texas but raised in Albuquerque, New Mexico. His mother, Amelia, and his older brother, Gilbert, still live in New Mexico. Arbie's twin, Hilly, also moved to California like his brother to teach at Cal State Los Angeles. Arbie's youngest brother, Albert, followed his beautiful Texan bride back to Texas.

Arbie was exuberant, well-prepared, good-looking, fun to be with, and curious about the world. He was so curious, in fact, that in order to learn more about Italy, he married his Italian student Maria, his wife of 28 years. Together they enjoyed their friends, travels, romantic candlelight dinners in their patio, the theater, music, Victorian dances, and books that they read to each other.

Arbie was loved, admired and respected by his adoring students, the faculty and staff of Valley College, and by his countless friends spread across two continents. Arbie's illness and death hit the San Bernardino Valley College campus very hard. During his hospitalization in September 2001, students organized a blood drive in his honor. More than 50 people donated blood while some people had to be turned away because turnout was so high.

Arbie's widow, Maria said that her husband loved life and battled his disease courageously. While he was in Washington over the summer, he developed pain in his lower back. Initially, this was the only symptom, and as he was a healthy man, he though it was just a strained muscle until he was diagnosed with kidney cancer.

Arbie passed away on Wednesday, February 27, 2001 surrounded by his loving family. The Villarreal family set up the Abelardo ''Arbie'' Villarreal Memorial Scholarship Fund for students at San Bernardino Valley College. Friday, March 8, 2001, the college will hold a memorial service in his honor.

And so Mr. Speaker, I submit this loving memorial to be included in the archives of the history our country. It is men like Arbie who make this nation great. Arbie leaves a legacy of lives filled with education and enrichment of knowledge for those whose lives he touched.

TRIBUTE TO THE COLORADO CHERRY CREEK DIVERSITY CONFERENCE

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. SCHAFFER. Mr. Speaker, it is an honor to rise today to congratulate the Colorado Cherry Creek Diversity Conference Executive Council. On February 2, 2002 students from 79 schools attended the conference that was held at Cherry Creek High School in Englewood, Colorado.

The Cherry Creek Diversity Conference was created as an opportunity for Colorado high school students to come together and discuss issues of diversity in their schools. Since the first year, when 18 schools participated, the conference has grown to include over 850 student representatives from 79 high schools and 150 adult volunteers. The conference gives an annual Human Rights Award to a Colorado organization that promotes diversity, as well as a scholarship to one attendee who has worked in his or her school to foster a more harmonious school environment.

The event was almost entirely planned and coordinated by the executive council, which was co-chaired by Nicholas Ferguson of Elizabeth, Colorado, and Challona Coleman of Aurora, Colorado. To put together this year's conference, students from 22 schools met once a week to plan the one-day event that included motivational speaker Michael Simmons, small-group discussions and more than sixty workshops. Janet Sammons, a teacher at Cherry Creek High School helped guide the students into making this year's conference an overwhelming success.

I applaud the efforts of Colorado high school students to improve relations between all people no matter their race, religion, or creed. As stated in the Pledge of Allegiance, we are ''one nation, under God, indivisible, with liberty and justice for all.''

I ask the House to join me in thanking high school students from across Colorado who participated in the Colorado Cherry Creek Diversity Conference, and also the executive committee for their hard work and success.

PAYING TRIBUTE TO SANDRA WILKINS

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to Sandra Wilkins and thank her for her extraordinary contributions in the Chaffee County Treasurer's Office. Her life-long dedication to both her job and the people of Chaffee County is matched only by the level of integrity and honesty with which she has conducted herself each and every day while at her post. She will always be remembered as an employee with the utmost dedication and talent, and will continue to be known as a leader in her community. As she celebrates her retirement, let it be known that I, along with each and every person with whom she has worked and the people of Chaffee County, are eternally grateful for all that she has accomplished in her more than 30 years of public service.

Sandra went to work in the Chaffee County Treasurer's Office in 1971, working for John Hughes. After Mr. Hughes retired in 1986, Sandra ran successfully for the post of county treasurer, and was subsequently re-elected three times. For over 30 years, Sandra has selflessly given her time, energy and unrelenting commitment to the people of Chaffee County, and although Chaffee County is no doubt sad to lose her services, everyone is happy that she will now have more time to travel, relax, and enjoy her well-deserved retirement.

Mr. Speaker, it is clear that Sandra Wilkins is a woman of unparalleled dedication and commitment to both her professional endeavors and the people of her community. It is her unrelenting passion for each and every thing she does, as well as her spirit of honesty and integrity with which she has always conducted herself, that I wish to bring before this body of Congress. She is a remarkable woman, who has achieved extraordinary things in her career and for her community. It is my privilege

to extend to her my congratulations on her retirement and wish her the best in her future endeavors.

CONGRESS BEARS THE RESPONSIBILITY TO ENSURE THE SOLVENCY OF SOCIAL SECURITY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to join with my colleagues in expressing my concern about the Administration's budget and how it jeopardizes the Social Security Trust Fund.

I would like to begin by reminding my friends that within the last year, the overall cumulative surplus has shrunk from $5.6 trillion to about $1.6 trillion; this is a difference of approximately $4 trillion in one year. Also last month, the Administration expressed the need for legislation that would raise the statutory debt ceiling in order to prevent a national default. Add the proposal to raid the Social Security Trust Fund surplus into this mix, and we have got a situation that the Democrats have been warning about and objecting to for the last year.

Mr. Speaker, the war on terrorism and homeland security are very important, but so is the economic well being of this country. We will support the Administration in the war on terrorism, but we will oppose any legislation that disregards the economic well-being and future prosperity of our citizens. National security and homeland security can be achieved without penalizing, Social Security and Medicare.

According to a Social Security primer published in September 2001 by the Congressional Budget Office, over the next three decades, the number of people over 65 years of age will rise by 90 percent, whereas the number of people below 65 years of age will rise by only 15 percent. This is a major demographic shift that will stretch the Social Security program to its fullest.

In his budget for FY 2003, the President is seeking more than $2 trillion in spending. This implies that for the rest of his term, the government will have to consistently dip into the Social Security Trust Fund surplus to fund its day to day operations. All this, despite the promises made by the Administration last year to leave the Social Security surplus untouched. It was in February 2001, in his address to the joint session of Congress, that the President stated that his budget will protect all $2.6 trillion of the Social Security surplus. Other Republicans echoed the same promise. A promise that they are trying to break as we speak. With these facts blatantly staring us in the face, we should be ensuring Social Security benefits for the public and not dissolving them.

It is true that the American citizens are concerned about national and homeland security. But, they are also concerned about their Social Security and Medicare benefits. We cannot and should not accomplish one at the expense of the other. It is time to keep the promises we made to the American public and ensure that the Social Security surplus is intact for the benefit of the current and future workforce.

HONORING THE NEW FAITH CHURCH AND PASTOR T.R. WILLIAMS

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. BENTSEN. Mr. Speaker, I rise to congratulate the New Faith Church located at 4315 West Fuqua Street, Houston, Texas, and the Reverend Theodore Roosevelt (T.R.) Williams, Sr., celebrating 25 years of service to the Houston community.

The New Faith Church was organized on February 27, 1977, as the New Faith Missionary Baptist Church. Under the leadership of its original and current pastor, the Reverend T.R. Williams Sr., and an initial body of fifty-two members, adopted the church motto which came from Nehemiah 4:6, . . . ''for the people had a mind to work.'' Beginning in March 1977, services were held in Magnolia Lodge Masonic Hall at 2792 McGowen, and less than one year later on January 15, 1978, Pastor Williams and a membership of 142 entered New Faith's present church home on Fuqua.

From its inception, New Faith's priorities have been in accord with God's directives, and members served the church through participation in Bible Study, Deacons, Brotherhood, Junior and Senior Missions, Junior and Senior Usher Board, Adult, Youth and Sunshine Choir, and Boy and Girl Scouting programs. New Faith also has a tape ministry where quality cassette recordings of all worship services and special programs are made available at nominal cost. In addition, they have a premarital course to assist engaged couples in building a life together on a spiritual foundation and a leadership course to prepare men as spiritual leaders both at home and at church.

Under the leadership of Reverend Williams, the congregation has grown to more than 1,600 members with facilities on more than ten acres of property. Reverend Williams is assisted by Reverend Drew E. Marshall, Assistant Pastor; and the Minister of Music, Reverend Ronald J. Materre; Minister of Prison Care, Reverend Christopher Lumpkin; Minister of Pastoral Care, Reverend Rosetta Whitfield; Minister of Christian Education, Reverend Lekesha Barnett; Minister of Youth and Young Adults, Reverend Howard Earle; and Minister of Children, Sheryl Williams Edmonson. Additionally, a number of dedicated and talented individuals, both paid staff and volunteers, support the broader ministries and the demands of the church family through their day to day commitment and active involvement in church operations.

Mr. Speaker, I congratulate Pastor Williams on his 25 years of service to the New Faith Church and to all the members of New Faith Church as they look back on 25 years of service to their community. I wish them continued success as they build on the strong sense of community they have established in the city of Houston.

THE FUTURE OF SOCIAL SECURITY

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mrs. McCARTHY of New York. Mr. Speaker, I rise to discuss the future of Social Security.

Social Security is the basis of the American worker's retirement. Given the essential role it plays for every generation, regardless of gender, race, or socioeconomic status, I believe all my colleagues join me in support of this program.

Unfortunately, that is where our common ground ends.

We all know Social Security is in danger, and we all know something must be done. We just disagree as to how we can accomplish this difficult—yet necessary—task.

Each year, more Americans retire and begin collection of Social Security, but not enough people are joining the workforce to supplement the depleting funds. We must find a way to finance the Social Security Trust Fund without cutting guaranteed benefits.

I firmly believe investment is a critical part of the American worker's future, but I don't believe the government can promote investment at the expense of current retirees. Today, as my generation approaches retirement age, and we plan our finances for the future, I count on receiving Social Security benefits.

I don't recommend the American public rely solely on Social Security for their retirement. I want every generation to think constructively about their retirement by saving and investing money outside of Social Security. Since I want my constituents to retire in comfort, I want to make sure their money is secure. That is why I support pension reform legislation, why I believe each and every American worker should be actively involved in their finances, and why I know Social Security must be saved—not replaced by an alternative and faulty solution.

There is nothing to debate—if Congress doesn't do something to strengthen and finance Social Security, the trust fund will run out in 2038. My colleagues and I are good at waiting until the last minute to solve a problem . . . but this isn't one with which we should play political games.

THE EMERGENCY CONTRACEPTION EDUCATION ACT

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Ms. SLAUGHTER. Mr. Speaker, I am pleased to introduce today, along with my Senate colleague PATTY MURRAY, The Emergency Contraception Education Act. This bipartisan legislation will help educate women and health care providers across the nation about this important method of contraception. EC has often been called ''the nation's best kept secret'' because so few women in this country know that, in emergency situations, something is available that can prevent pregnancy after sexual intercourse.

It is estimated that almost 90 percent of women aged 18–44 have either never heard

of emergency contraception, or don't know the key facts critical to the use of emergency contraception. Only one percent of women aged 18–44 have used emergency contraception. Were information about this important contraceptive choice readily available, the incidence of abortion could be drastically reduced. Our legislation is an attempt to get this information to precisely the women and health care professionals who need it.

One of the reasons this bill is so necessary is because there is so much confusion surrounding emergency contraception. EC is not abortion; it is not RU–486; it is contraception. Regardless of one's position on abortion, we should all be able to support emergency contraception. EC will reduce unintended pregnancies, and therefore reduce abortions.

Proof of the effectiveness of EC's ability to reduce unwanted pregnancies is found in Senator MURRAY'S home state of Washington, where emergency contraception is available without a prescription at pharmacies. In Washington State, pharmacy access to emergency contraception has helped produce the largest declines in adolescent pregnancy and in abortion rates in the last 20 years.

This legislation has been endorsed by the American College of Obstetricians and Gynecologists (ACOG). I hope that my colleagues in both the House and Senate will join Senator MURRAY and me, as well as the health professionals of ACOG, in championing this important reproductive health option for women across the country.

TRIBUTE TO LAVINIA M.C. HARTFIELD

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 6, 2002

Mr. KILDEE. Mr. Speaker, I rise today to offer congratulations to Mrs. Lavinia M.C. Hartfield upon her retirement from the International Free and Accepted Modern Masons and Order of the Eastern Star. Mrs. Hartfield will be honored at the National Midwest District Convention to be held in Grand Rapids, Michigan on March 9.

For the past 51 years Mrs. Hartfield has faithfully served this organization in a wide variety of positions. As one of the original founding members of the International Free and Accepted Modern Masons Mrs. Hartfield has remained a dynamic force in moving the organization forward. She is the first national district Grand Matron for the National Midwest District. The district consists of the states of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, and Wisconsin. She serves on the First Supreme Board of Directors, the Corporate Secretary, the Grand Matron of the Edith Sampson Grand Chapter Order of the Eastern Star for the State of Michigan for the past four years and Secretary of the Exalted Degree Department of the organization. She was elected Supreme Recording Secretary at the first International Masons and Order of the Eastern Star Supreme Convention in Canton, Ohio and is still serving in that position.

Lavinia Hartfield has carried the principles of the International Free and Accepted Modern Masons of charity, benevolence and education into other areas of her life. As a member of the NAACP, The Urban League, and the Greater Flint Council of Churches she has worked to bring charitable service to everyone she meets. Honored by her peers, she was honored in 1975 by the Zeta Phi Beta Fraternal Sorority as the ''Zeta Woman of the Year.''

Rooted in the Bible and Christian doctrine, Mrs. Hartfield has returned her God-given musical talent to the Lord's service at Macedonia Missionary Baptist Church. Since her early childhood, Lavinia has provided musical inspiration to the congregation. Working tirelessly as the choir director, music coordinator, and gospel soloist she is presently carrying on the Lord's work as the assistant choir director.

Mr. Speaker, I ask the House of Representatives to join me in honoring Mrs. Lavinia Hartfield as she retires from active service with the International Free and Accepted Modern Masons and Order of the Eastern Star. Along with her husband of 47 years, Dr. Turner S. Hartfield, Lavinia Hartfield has served God, her community, her church and her family with zeal, compassion, and courage.

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, March 7, 2002 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 8

9:30 a.m.
Joint Economic Committee
To hold hearings to examine the employment-unemployment situation for February 2002.
311, Cannon Building

10 a.m.
Appropriations
Energy and Water Development Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2003 for the U. S. Army Corps of Engineers and the Burueau of Reclamation, Department of the Interior.
SD–138

MARCH 11

1:30 p.m.
Governmental Affairs
International Security, Proliferation and Federal Services Subcommittee
To hold hearings to examine the Central Intelligence Agency national intelligence estimate of foreign missile development and the ballistic missile threat through 2015.
SD–342

MARCH 12

9:30 a.m.
Environment and Public Works
Superfund, Toxics, Risk, and Waste Management Subcommittee
To hold hearings to examine environmental enforcement.
SD–406

10 a.m.
Appropriations
Commerce, Justice, State, and the Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2003 for the Department of State.
SD–138

Finance
To hold hearings to examine welfare reform issues.
SD–215

Health, Education, Labor, and Pensions
Public Health Subcommittee
To hold hearings to examine solutions for uninsured patients.
SD–430

2:30 p.m.
Armed Services
Emerging Threats and Capabilities Subcommittee
To hold hearings on proposed legislation authorizing funds for fiscal year 2003 for the Department of Defense and the Future Years Defense Program, focusing on special operations military capabilities, operational requirements, and technology acquisition.
SR–222

Governmental Affairs
International Security, Proliferation and Federal Services Subcommittee
To hold hearings on S.1800, to strengthen and improve the management of national security, encourage Government service in areas of critical national security, and to assist government agencies in addressing deficiencies in personnel possessing specialized skills important to national security and incorporating the goals and strategies for recruitment and retention for such skilled personnel into the strategic and performance management systems of Federal agencies.
SD–342

Environment and Public Works
To hold hearings to examine the President's proposed budget request for fiscal year 2003 for the First Responder Initiative.
SD–406

MARCH 13

9:30 a.m.
Armed Services
Personnel Subcommittee
To hold hearings on proposed legislation authorizing funds for fiscal year 2003 for the Department of Defense Health Program.
SR–232A

Environment and Public Works
To hold hearings to examine the economic and environmental risks associated with increasing greenhouse gas emmissions.
SD–406

Governmental Affairs
To resume hearings to examine public health and natural resources, focusing on implementation of environmental laws.
SD–342

10 a.m.
Appropriations
Commerce, Justice, State, and the Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2003 for the Department of Commerce.
SD–116

Judiciary
Technology, Terrorism, and Government Information Subcommittee
To hold hearings to examine the worldwide connection between drugs and terrorism.
SD–226

Banking, Housing, and Urban Affairs
To hold oversight hearings on the implementation of the Transportation Equity Act for the 21st Century (105–178).
SD–538

10:30 a.m.
Appropriations
Legislative Branch Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2003 for the Library of Congress and the Congressional Research Service.
SD–124

2:30 p.m.
Commerce, Science, and Transportation
To hold hearings on the nominations of Robert Watson Cobb, of Maryland, to be Inspector General, and Major General Charles F. Bolden, Jr., United States Marine Corps, to be Deputy Administrator, both of the National Aeronautics and Space Administration.
SR–253

Intelligence
To hold closed hearings to examine pending intelligence matters.
SH–219

MARCH 14

9:30 a.m.
Armed Services
To hold hearings on proposed legislation authorizing funds for fiscal year 2003 for the Department of Defense, focusing on the atomic energy defense activities of the Department of Energy.
SH–216

Commerce, Science, and Transportation
To hold hearings to examine.
SR–253

Commerce, Science, and Transportation
To hold hearings on the proposed National Defense Interstate Rail Act.
SR–253

10 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentations of the Gold Star Wives of America, the Fleet Reserve Association, the Air Force Sergeants Association, and the Retired Enlisted Association.
345, Cannon Building

Judiciary
To hold hearings to examine competition, innovation, and public policy concerning digital creative works.
SD–226

2 p.m.
Veterans' Affairs
To hold hearings on the nomination of Robert H. Roswell, of Florida, to be Under Secretary for Health, and the nomination of Daniel L. Cooper, of Pennsylvania, to be Under Secretary for Benefits, both of the Department of Veterans Affairs.
SR–418

Foreign Relations
To hold hearings on the nomination of Richard Monroe Miles, of South Carolina, to be Ambassador to Georgia; the nomination of James W. Pardew, of Arkansas, to be Ambassador to the Republic of Bulgaria; and the nomination of Peter Terpeluk, Jr., of Pennsylvania, to be Ambassador to Luxembourg.
SD–419

MARCH 15

10 a.m.
Appropriations
Energy and Water Development Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2003 for the Department of Energy.
SD–138

MARCH 19

9:30 a.m.
Armed Services
To hold hearings to examine the worldwide threat to United States interests (to be followed by closed hearings in SH–219).
SH–216

10 a.m.
Appropriations
Commerce, Justice, State, and the Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2003 for the National Oceanic and Atmospheric Administration and the Small Business Administration.
SD–138

MARCH 20

10 a.m.
Judiciary
Technology, Terrorism, and Government Information Subcommittee
To hold hearings to examine identity theft and information protection.
SD–226

2 p.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentations of American Ex-Prisoners of War, the Vietnam Veterans of America, the Retired Officers Association, the National Association of State Directors of Veterans Affairs, and AMVETS.
345, Cannon Building

MARCH 21

10 a.m.
Appropriations
Commerce, Justice, State, and the Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2003 for the Federal Bureau of Investigation, Immigration and Naturalization Service, and the Drug Enforcement Administration, all of the Department of Justice.
SD–116

APRIL 10

10:30 a.m.
Judiciary
Antitrust, Competition and Business and Consumer Rights Subcommittee
To hold hearings to examine cable competition, focusing on the ATT-Comcast merger.
SD–226

CANCELLATIONS

MARCH 19

9:30 a.m.
Armed Services
To hold hearings on worldwide threats to United States interests; to be followed by closed hearings (in Room SH–219).
SH–216

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S1553–S1620

Measures Introduced: Six bills and one resolution were introduced, as follows: S. 1990–1995, and S. Res. 217. **Page S1599**

Measures Passed:

Gold Medal Ceremony in Rotunda: Senate agreed to H. Con. Res. 305, permitting the use of the Rotunda of the Capitol for a ceremony to present a gold medal on behalf of Congress to former President Ronald Reagan and his wife Nancy Reagan. **Pages S1616–17**

Relative to the Death of Senator Cannon: Senate agreed to S. Res. 217, relative to the death of the Honorable Howard W. Cannon, formerly a Senator from the State of Nevada. **Page S1617**

Energy Policy Act: Senate continued consideration of S. 517, to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, taking action on the following amendments proposed thereto: **Pages S1553–62, S1567–92**

Adopted:

Murkowski/Stevens Amendment No. 2982 (to Amendment No. 2980), to protect the jurisdiction of the State of Alaska and provide for workforce training. **Pages S1586–87**

By 93 yeas to 5 nays (Vote No. 41), Daschle Modified Amendment No. 2980 (to Amendment No. 2917), to prohibit the issuance of any permit which would authorize the transport of Alaska North Slope natural gas via a pipeline running offshore in the Beaufort Sea between Alaska and Canada. **Pages S1553–62, S1567–90**

Pending:

Daschle/Bingaman Further Modified Amendment No. 2917, in the nature of a substitute. **Pages S1553–62, S1567–92**

A unanimous-consent agreement was reached providing for further consideration of the bill at 10 a.m., on Thursday, March 7, 2002. **Page S1617**

Appointment:

Library of Congress Trust Fund Board: The Chair, on behalf of the Majority Leader, in consultation with the Republican Leader, pursuant to Public Law 68–541, as amended by Public Law 102–246, reappointed Bernard Rapoport of Texas as a member of the Library of Congress Trust Fund Board for a term of five years, upon the expiration of his current term on March 10, 2002. **Page S1616**

Messages From the President: Senate received the following message from the President of the United States:

A message from the President of the United States, received during adjournment, transmitting, pursuant to law, a report to facilitate positive adjustment to competition from imports of certain steel products; to the Committee on Finance. (PM–72) **Page S1598**

Nominations Confirmed: Senate confirmed the following nomination:

Margaret S.Y. Chu, of New Mexico, to be Director of the Office of Civilian Radioactive Waste Management, Department of Energy. **Pages S1616, S1620**

Nominations Received: Senate received the following nominations:

Jeffrey D. Wallin, of California, to be a Member of the National Council on the Humanities for a term expiring January 26, 2006.

Peter A. Lawrence, of New York, to be United States Marshal for the Western District of New York for the term of four years.

6 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, Navy. **Pages S1617–20**

Nominations Withdrawn: Senate received notification of withdrawal of the following nomination:

Frederick R. Heebe, of Louisiana, to be United States Attorney for the Eastern District of Louisiana for the term of four years, which was sent to the Senate on November 1, 2001. **Page S1620**

Messages From the House: **Page S1598**

Measures Referred: **Page S1598**

Additional Cosponsors: **Pages S1599–S1600**

Statements on Introduced Bills/Resolutions: Pages S1600–14

Additional Statements: Pages S1596–98

Amendments Submitted: Pages S1614–15

Authority for Committees to Meet: Pages S1615–16

Privilege of the Floor: Page S1616

Record Votes: One record vote was taken today. (Total—41) Page S1590

Adjournment: Senate met at 10 a.m. and, in accordance with the provisions of S. Res. 217, as a further mark of respect relative to the death of Senator Howard Cannon, adjourned at 6:42 p.m., until 10 a.m., on Thursday, March 7, 2002.

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Agriculture, Nutrition, and Forestry: Committee concluded hearings on the nominations of Thomas C. Dorr, of Iowa, to be a Member of the Board of Directors of the Commodity Credit Corporation, and to be Under Secretary for Rural Development, and Nancy Southard Bryson, of the District of Columbia, to be General Counsel, both of the Department of Agriculture; and Grace Trujillo Daniel, of California, and Fred L. Dailey, of Ohio, each to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation, Farm Credit Administration, after the nominees testified and answered questions in their own behalf. Testimony was also received on the nomination of Mr. Dorr from Representative Clayton; Ron Langston, National Director, Minority Business Development Agency, Department of Commerce; Dennis Keeney, Ames, Iowa; George Naylor, Iowa Citizens for Community Improvement, Des Moines; Leon Crump, Federation of Southern Cooperatives, East Point, Georgia; Nancy Hier, Marcus, Iowa; Varel Bailey, Anita, Iowa; Thomas A. Fretz, University of Maryland Agricultural Experiment Station, College Park; and Constantine Curris, American Association of State Colleges and Universities, Chevy Chase, Maryland.

APPROPRIATIONS—ARMY

Committee on Appropriations: Subcommittee on Defense concluded hearings on proposed budget estimates for fiscal year 2003 for the Department of Army, after receiving testimony from Thomas E. White, Secretary, and Gen. Eric K. Shinseki, USA, Chief of Staff, both of the Department of the Army.

APPROPRIATIONS—STATE/AID

Committee on Appropriations: Subcommittee on Foreign Operations concluded hearings to examine proposed budget estimates for fiscal year 2003 for democracy and human rights programs of the Department of State and the U.S. Agency for International Development, after receiving testimony from Lorne W. Craner, Assistant Secretary of State for Democracy, Human Rights and Labor; and Roger P. Winter, Assistant Administrator for Democracy, Conflict and Humanitarian Assistance, U.S. Agency for International Development.

APPROPRIATIONS—VETERANS AFFAIRS

Committee on Appropriations: Subcommittee on VA, HUD, and Independent Agencies concluded hearings on proposed budget estimates for fiscal year 2003 for the Department of Veterans Affairs, after receiving testimony from Anthony J. Principi, Secretary of Veterans Affairs.

DOD FINANCIAL MANAGEMENT

Committee on Armed Services: Subcommittee on Readiness and Management Support concluded hearings to examine financial management reform issues of the Department of Defense, focusing on financial management systems, operations, and controls, after receiving testimony from Dov S. Zakheim, Under Secretary of Defense (Comptroller); and David M. Walker, Comptroller General of the United States, General Accounting Office.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities concluded hearings on proposed legislation authorizing funds for fiscal year 2003 for the Department of Defense, focusing on nonproliferation programs of the Department of Energy and the Cooperative Threat Reduction program of the Department of Defense, after receiving testimony from J.D. Crouch II, Assistant Secretary of Defense for International Security Policy; and Linton F. Brooks, Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration, Department of Energy.

ACCOUNTING AND INVESTOR PROTECTION

Committee on Banking, Housing, and Urban Affairs: Committee resumed oversight hearings to examine accounting and investor protection issues raised by Enron and other public companies, including oversight of the accounting profession, audit quality and independence, and formulation of accounting principles, after receiving testimony from Bevis Longstreth, former Commissioner of the Securities and Exchange Commission, Lee J. Seidler, Bear

Stearns and Company, and Abraham J. Briloff, City University of New York Bernard M. Baruch College, all of New York, New York; Shaun F. O'Malley, Philadelphia, Pennsylvania, former Chairman of the Public Oversight Board Panel on Audit Effectiveness (O'Malley Commission); and Arthur R. Wyatt, Village of Golf, Florida.

HUD HOMELESS ASSISTANCE

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing and Transportation concluded oversight hearings to examine the proposed reauthorization of the HUD McKinney-Vento Homeless Assistance Act programs, after receiving testimony from Roy A. Bernardi, Assistant Secretary, Office of Community Planning and Development, Department of Housing and Urban Development; Stanley J. Czerwinski, Director, Physical Infrastructure Issues, General Accounting Office; Nan Roman, National Alliance to End Homelessness, Washington, D.C.; Mitchell Netburn, Los Angeles Homeless Services Authority, Los Angeles, California; and Mary Ann Gleason, York County Initiative to End Homelessness, Alfred, Maine.

2003 BUDGET

Committee on the Budget: Committee concluded hearings on the President's proposed budget request for fiscal year 2003 and revenue proposals, focusing on analysis of the Congressional Budget Office, after receiving testimony from Dan L. Crippen, Director, Congressional Budget Office.

WIRELESS COMMUNICATIONS

Committee on Commerce, Science, and Transportation: Subcommittee on Communications concluded hearings to examine wireless communications infrastructure in the United States in light of September 11, focusing on access to diverse markets and quality services at affordable prices, receiving testimony from Agostino Cangemi, Department of Information Technology and Telecommunications, Brooklyn, New York; Steve Souder, Emergency Communications Center, Rockville, Maryland; Paul Crotty, Verizon, Inc., New York, New York; Glen Nash, Association of Public-Safety Communications Officials-International, Inc., Sacramento, California; Gloria Harris, AT&T Wireless Services, Inc., Paramus, New Jersey; Larissa Herda, Time Warner Telecom, Inc., Littleton, Colorado; and Christopher A. McLean, ComCare Alliance, Washington, D.C.

Hearings recessed subject to call.

LAND USAGE AND BROWNFIELDS

Committee on Environment and Public Works: Committee concluded hearings on S. 975, to improve environmental policy by providing assistance for State and tribal land use planning, to promote improved quality of life, regionalism, and sustainable economic development; and S. 1079, to amend the Public Works and Economic Development Act of 1965 to provide assistance to communities for the redevelopment of brownfield sites, after receiving testimony from Senator Levin; David A. Sampson, Assistant Secretary of Commerce for Economic Development; Elizabeth Humstone, Vermont Forum on Sprawl, Burlington, on behalf of the American Planning Association; Deborah Anderson, Wood Partners, Durham, North Carolina, on behalf of the National Multi Housing Council/National Apartment Association; Don Chen, Smart Growth America, Washington, D.C.; F. Gary Garczynski, Woodbridge, Virginia, on behalf of the National Association of Home Builders; and Mary Lou Bentley, Western Nevada Development District, Carson City, on behalf National Association of Development Organizations.

DIRTY BOMBS

Committee on Foreign Relations: Committee concluded hearings to examine the effects of potential terrorist attacks using radiological dispersal devices, so-called dirty bombs, and the possibility of contamination if radiation levels do exceed EPA health and toxic material guidelines, after receiving testimony from Richard A. Meserve, Chairman, Nuclear Regulatory Commission; Donald D. Cobb, Associate Director for Threat Reduction, Los Alamos National Laboratory, and Harry C. Vantine, Lawrence Livermore National Laboratory, both of the Department of Energy; Steven E. Koonin, California Institute of Technology, Pasadena; and Henry C. Kelly, Federation of American Scientists, Washington, D.C.

WORKFORCE ACCOUNTABILITY

Committee on Governmental Affairs: Committee concluded hearings to examine the monitoring of accountability and competition in the federal and service contract workforce, focusing on the Circular A–76, cost comparisons for the public-private competition process, after receiving testimony from Angela B. Styles, Administrator, Office of Federal Procurement Policy, Office of Management and Budget; Barry W. Holman, Director, Defense Capabilities and Management, General Accounting Office; Dan Guttman, Johns Hopkins University Washington Center for the Study of American Government, Bobby L. Harnage, Sr., American Federation of Government Employees (AFL–CIO), and Colleen M. Kelley, National Treasury Employees Union, all of Washington, D.C.; and Mary Lou Patel, Advanced Systems Development, Inc., and Stan Z. Soloway, Professional Services Council, both of Arlington, Virginia.

ENVIRONMENTAL HEALTH TRACKING

Committee on Health, Education, Labor, and Pensions: Subcommittee on Public Health concluded hearings to examine the improvement of surveillance of chronic conditions and potential links to environmental exposures, after receiving testimony from Senator Reid; Richard J. Jackson, Director, National Center for Environmental Health, Centers for Disease Control and Prevention, Henry Falk, Assistant Administrator, Agency for Toxic Substances and Disease Registry, and Kenneth Olden, Director, National Institute of Environmental Health Sciences, National Institutes of Health, all of the Department of Health and Human Services; John Harris, California Birth Defects Monitoring Program, Oakland, on behalf of the March of Dimes; F. Ed Thompson, Jr., Mississippi State Department of Health, Jackson, on behalf of the Association of State and Territorial Health Officials; George D. Thurston, New York University School of Medicine Institute of Environmental Medicine, New York, New York, on behalf of the National Institute of Environmental Health Sciences' Community Outreach and Education Program; Thomas A. Burke, Johns Hopkins University Bloomberg School of Public Health, Baltimore, Maryland; and Shelley A. Hearne, Trust for America's Health, Washington, D.C.

CABLE AND SATELLITE COMPETITION

Committee on the Judiciary: Subcommittee on Antitrust, Competition, and Business and Consumer Rights concluded hearings to examine cable and satellite television competition, focusing on the proposed merger between the two largest satellite television companies in the country, EchoStar Communications and DirecTV, and the question of the application of antitrust laws to such merger, after receiving testimony from Robert Pitofsky, Georgetown University Law Center, former Chairman of the Federal Trade Commission, and Gene Kimmelman, Consumers Union, and Edward O. Fritts, National Association of Broadcasters, all of Washington, D.C.; Missouri State Attorney General Jeremiah W. Nixon, Jefferson City; Eddy W. Hartenstein, DirecTV, Inc., El Segundo, California; and Charles W. Ergen, EchoStar Communication Corporation, Littleton, Colorado.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee meets again on Wednesday, March 13.

House of Representatives

Chamber Action

Measures Introduced: 33 public bills, H.R. 3857–3889; and 8 resolutions, H. Con. Res. 339–342, and H. Res. 358, 359, 361, 362, were introduced. **Pages H736–37**

Reports Filed: Reports were filed today as follows:

H.R. 1870, to provide for the sale of certain real property within the Newlands Project in Nevada, to the city of Fallon, Nevada, amended (H. Rept. 107–366); and

H. Res. 360 providing for consideration of the Senate amendment to H.R. 3090, to provide tax incentives for economic recovery (H. Rept. 107–367). **Page H736**

Journal: The House agreed to the Speaker's approval of the Journal of Tuesday, March 5 by a yea-and-nay vote of 352 yeas to 43 nays with 1 voting "present", Roll No. 48. **Pages H689, H692–93**

Suspensions: The House agreed to suspend the rules and pass the following measures. Earlier, the House agreed to H. Res. 354, the rule that provided for consideration of motions to suspend the rules today by voice vote and to order the previous question by a yea-and-nay vote of 218 yeas to 191 nays, Roll No. 49. **Pages H696–H700**

Bicentennial Anniversary of West Point: S.J. Res. 32, congratulating the United States Military Academy at West Point on its bicentennial anniversary, and commending its outstanding contributions to the Nation (agreed to by a yea-and-nay vote of 407 yeas to one nay, Roll No. 50) clearing the measure for the President; **Pages H700–04, H715–16**

Settlement of Tribal Claims Application of the Statute of Limitations: S. 1857, to encourage the negotiated settlement of tribal claims clearing the measure for the President; **Pages H704–05**

Sale of Property to Fallon, Nevada: H.R. 1870, to provide for the sale of certain real property within the Newlands Project in Nevada, to the city of Fallon, Nevada; **Pages H705–06**

Water Optimization Feasibility study for Oregon River Basins: H.R. 1883, to authorize the Secretary of the Interior to conduct a feasibility study on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River basin, Oregon; **Pages H706–07**

George Rogers Clark Northwest Campaign Trail: H.R. 1963, to amend the National Trails System Act to designate the route taken by American soldier and frontiersman George Rogers Clark and his men during the Revolutionary War to capture the British forts at Kaskaskia and Cahokia, Illinois, and Vincennes, Indiana, for study for potential addition to the National Trails System; **Pages H707–08**

Expressing Support for the Government of Colombia: H. Res. 358, expressing support for the democratically elected Government of Columbia and its efforts to counter threats from United States-designated foreign terrorist organizations; **Pages H710–15**

Hunting Seasons for Migratory Mourning Doves: The House agreed to H. Con. Res. 275, expressing the sense of the Congress that hunting seasons for migratory mourning doves should be modified so that individuals have a fair and equitable opportunity to hunt such birds. **Pages H708–10**

Earlier, the House agreed to H. Res. 353, the rule that provided for consideration of the concurrent resolution by voice vote. **Pages H693–96**

Presidential Message—Quotas on Steel Imports: On Tuesday, March 5, read a message from the President wherein he transmitted documents that describe his actions on the imports of certain steel products—referred to the Committee on Ways and Means and ordered printed (H. Doc. 107–185).

See Congressional Record of March 5 at Page H685

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of the House today and appear on pages H692–93, H700, and H715–16. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 5:55 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies held a hearing on Marketing and Regulatory Programs. Testimony was heard from the following officials of the USDA: Stephen B. Dewhurst, Budget Officer; William Hawks, Under Secretary, Marketing and Regulatory Programs; Bobby R. Acord, Administrator, Animal and Plant Health Inspection Service; A.J. Yates, Administrator, Agricultural Marketing Service; and David R. Shipman, Acting Administrator, Grain Inspection, Packers and Stockyards Administration.

COMMERCE, JUSTICE, STATE AND JUDICIARY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, State and Judiciary held a hearing on Secretary of State. Testimony was heard from Colin L. Powell, Secretary of State.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense held a hearing on Fiscal Year 2003 Navy/Marine Corps Budget Overview. Testimony was heard from the following officials of the Department of the Navy, Department of Defense: Gordon R. England, Secretary, Adm. Vernon Clark, USN, Chief, Naval Operations; and Gen. James L. Jones, USMC, Commandant, Marine Corps.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development held a hearing on Department of Energy. Testimony was heard from Spencer Abraham, Secretary of Energy.

INTERIOR APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior held a hearing on National Endowment for the Humanities, and on National Endowment for the Arts. Testimony was heard from Bruce Cole, Chairman, National Endowment for the Humanities, and Eileen B. Mason, Acting Chairperson and Senior Deputy Chairperson, National Endowment for the Arts.

LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education held a hearing on Secretary of Health and Human Service's Budget Overview. Testimony was heard from Tommy G. Thompson, Secretary of Health and Human Services.

MILITARY CONSTRUCTION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction held a hearing on Navy and on Air Force. Testimony was heard from the following officials of the Department of the Air Force: Nelson F. Gibbs, Assistant Secretary, Installations, Environment and Logistics; and Maj. Gen. Earnest O. Robbins II, HQ, USAF, The Civil Engineer, Deputy Chief of Staff, Installations and Logistics.

TRANSPORTATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation held a hearing on U.S. Coast Guard. Testimony was heard from Adm. James M. Loy, USCG, Commandant, U.S. Coast Guard, Department of Transportation.

TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Treasury, Postal Service, and General Government held a hearing on Federal Law Enforcement Training Center, on Financial Crimes Enforcement Network. Testimony was heard from the following officials of the Department of the Treasury: Paul Hackenberry, Acting Director, Federal Law Enforcement Training Center; and James Sloan, Director, Financial Crimes Enforcement Network.

VA, HUD, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on VA, HUD, and Independent Agencies held a hearing on FEMA. Testimony was heard from Joe M. Allbaugh, Director, FEMA.

EXPORT ADMINISTRATION ACT; NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST

Committee on Armed Services: H.R. 2581, Export Administration Act of 2001.

The Committee also continued hearings on the fiscal year 2003 National Defense authorization budget request. Testimony was heard from the following officials of the Department of the Air Force, Department of Defense: James G. Roche, Secretary; and Gen. John P. Jumper, USAF, Chief of Staff.

Hearings continue March 14.

DOD ACQUISITION PROGRAMS RECOMMENDATIONS

Committee on Armed Services: Subcommittee on Military Procurement and the Subcommittee on Military Research and Development held a joint hearing on recommendations on the Department of Defense acquisition programs. Testimony was heard from the following officials of the Department of Defense: E.C. Aldridge, Under Secretary (Acquisition, Technology and Logistics), Claude M. Bolton, Jr., Assistant Secretary, (Acquisition, Logistics and Technology), USA., John J. Young, Jr., Assistant Secretary (Research, Development and Acquisition), USN., and Marvin R. Sambur Assistant Secretary, (Acquisition), USAF.

USDA BUDGET PRIORITIES

Committee on the Budget: Held a hearing on the Department of Agriculture Budget Priorities Fiscal Year 2003. Testimony was heard from Ann M. Veneman, Secretary of Agriculture.

MISCELLANEOUS MEASURES

Committee on Education and the Workforce: Subcommittee on Select Education approved for full Committee action the following bills: H.R. 3784, Museum and Libraries Services Act of 2002; and H.R. 3839, amended, Keeping Children and Families Safe Act of 2002.

FAIR LABOR STANDARDS ACT—DOES IT ACCOMMODATE TODAY'S WORKERS?

Committee on Education and the Workforce: Subcommittee on Workforce Protections held a hearing on "Flexibility in the Workforce: Does the Fair Labor Standards Act Accommodate Today's Workers?" Testimony was heard from public witnesses.

PRESCRIPTION DRUG USER FEE ACT REAUTHORIZE

Committee on Energy and Commerce: Subcommittee on Health held a hearing titled "Reauthorization of the Prescription Drug User Fee Act." Testimony was heard from Lester Crawford, Deputy Commissioner, FDA, Department of Health and Human Services; and public witnesses.

BROWNFIELDS REDEVELOPMENT ENHANCEMENT ACT

Committee on Financial Services: Subcommittee on Housing and Community Opportunity held a hearing on H.R. 2941, Brownfields Redevelopment Enhancement Act. Testimony was heard from Roy Bernardi, Assistant Secretary, Community Planning and Development, Department of Housing and Urban Development; Lydia Reid, Mayor, Mansfield, State of Ohio; Frederick M. Kalisz, Jr., Mayor, New Bedford, Massachusetts; and public witnesses.

GOVERNMENT INFORMATION SECURITY REFORM ACT—LESSONS LEARNED

Committee on Government Reform: Subcommittee on Government Efficiency, Financial Management, and Intergovernmental Affairs held a hearing on "Lessons Learned from the Government Information Security Reform Act of 2000." Testimony was heard from Representative Tom Davis of Virginia; Robert F. Dacey, Director, Information Security, GAO; Mark A. Forman, Associate Director, Office of Information Technology and E-Government, OMB; Arden L. Bement, Jr., Director, National Institute of Standards and Technology, Department of Commerce; Robert G. Gorrie, Deputy Staff Director, Defense-

wide Information, Assurance Program Office, Assistant Secretary, Command, Control, Communications and Intelligence, Department of Defense; Karen S. Evans, Chief Information Officer, Department of Energy; and Roberta L. Gross, former Inspector General, NASA.

REVIEW—HUMAN RIGHTS REPORTS

Committee on International Relations: Subcommittee on International Operations and Human Rights held a hearing on a Review of the Department of State's Human Rights Reports from the Victim's Perspective. Testimony was heard from Lorne W. Craner, Assistant Secretary, Bureau of Democracy, Human Rights, and Labor, Department of State; and public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported, as amended, H.R. 2146, Two Strikes and You're Out Child Protection Act.

The Committee also began markup of H.R. 2341, Class Action Fairness Act of 2001.

Will continue tomorrow.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law approved for full Committee action the following bills: H.R. 2054, amended, to give the consent of Congress to an agreement or compact between Utah and Nevada regarding a change in the boundaries of those States; H.R. 3180, to consent to certain amendments to the New Hampshire-Vermont Interstate School Compact; and H.R. 1448, amended, to clarify the tax treatment of bonds and other obligations issued by the Government of American Samoa.

Prior to this action, the Subcommittee held a hearing on these measures. Testimony was heard from Representatives Hansen and Bass.

OVERSIGHT

Committee on Resources: Held an oversight hearing on Canada Lynx Interagency National Survey and Endangered Species Data Collection. Testimony was heard from Ronald Malfi, Acting Managing Director, Office of Special Investigations, GAO; the following officials of the USDA: Mark Rey, Under Secretary, Natural Resources and Environment; and Kevin McKelvey, Research Ecologists, Forest Service; Steven A. Williams, Director, U.S. Fish and Wildlife Service; and public witnesses.

ECONOMIC SECURITY AND RECOVERY ACT; MOTION TO CONCUR IN SENATE AMENDMENT WITH AN AMENDMENT

Committee on Rules: Granted, by voice vote, a rule providing for a single motion offered by the chairman of the Committee on Ways and Means or his designee that the House concur in the Senate amendment with an amendment printed in the report of the Committee on Rules accompanying the resolution. The rule waives all points of order against consideration of the motion to concur in the Senate amendment with an amendment to H.R. 3090, Economic Security and Recovery Act of 2001. The rule provides one hour of debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. Finally, the rule provides that the previous question shall be considered as ordered on the motion to final adoption without intervening motion. Testimony was heard from Chairman Thomas and Representative Gekas.

LEARNING FROM 9/11—UNDERSTANDING WORLD TRADE CENTER COLLAPSE

Committee on Science: Held a hearing on Learning from 9/11—Understanding the Collapse of the World Trade Center. Testimony was heard from Robert Shea, Acting Administrator, Federal Insurance and Mitigation Administration, FEMA; Arden Bement, Director, National Institute of Standards and Technology, Department of Commerce; and public witnesses.

SBREFA COMPLIANCE

Committee on Small Business: Held a hearing entitled "SBREFA Compliance: Is it the Same Old Story." Testimony was heard from Thomas Sullivan, Chief Counsel, Advocacy, SBA; Victor Rezendes, Managing Director, GAO; and public witnesses.

NATIONAL AVIATION CAPACITY EXPANSION ACT

Committee on Transportation and Infrastructure: Subcommittee on Aviation held a hearing on H.R. 3479, National Aviation Capacity Expansion Act. Testimony was heard from Representatives Hyde, Visclosky, Manzullo, Weller and Jackson of Illinois; the following officials of the State of Illinois; George H. Ryan, Governor; and Richard M. Daley, Mayor, Chicago; and a public witness.

AMTRAK STATUS

Committee on Transportation and Infrastructure: Subcommittee on Railroads held a hearing on Amtrak Status: Successes and Failures of Amtrak and of the Amtrak Reform and Accountability Act of 1997.

Testimony was heard from Allan Rutter, Administrator, Federal Railroad Administration, Department of Transportation; George Warrington, CEO, Amtrak; Joseph Boardman, Commissioner, Department of Transportation, State of New York; Jeff Morales, Director, Department of Transportation, State of California; and public witnesses.

SOCIAL SECURITY IMPROVEMENTS—WOMEN, SENIORS, AND WORKING MOTHERS

Committee on Ways and Means: Subcommittee on Social Security continued hearings on Social Security Improvement for Women, Seniors, and Working Americans. Testimony was heard from Representatives Armey, McDermott, Dunn, Pomeroy, Stenholm, Kolbe, DeFazio. Nadler, Smith of Michigan, Foley, Jones of North Carolina, Etheridge, Rodriguez, DeMint, Schakowsky and Langevin.

COUNTERTERRORISM SUPPLEMENTAL

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Fiscal Year 2002 Counterterrorism Supplemental. Testimony was heard from departmental witnesses.

NSA COUNTERTERRORISM

Permanent Select Committee on Intelligence: Subcommittee on Terrorism and Homeland Security met in executive session to hold a hearing on NSA Counterterrorism. Testimony was heard from departmental witnesses.

Joint Meetings

IMF AND WORLD BANK REFORM

Joint Economic Committee: Committee concluded hearings to examine reforms to the International Monetary Fund and the World Bank, focusing on efficiency and effectiveness, after receiving testimony from Allan H. Meltzer, and Adam Lerrick, both of Carnegie Mellon University, Pittsburgh, Pennsylvania, and C. Fred Bergsten, Institute for International Economics, Washington, D.C., all on behalf of the International Financial Institution Advisory Commission (IFIAC).

COMMITTEE MEETINGS FOR THURSDAY, MARCH 7, 2002

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Commerce, Justice, State, and the Judiciary, to hold hearings on proposed budget estimates for fiscal year 2003 for the Securities and Exchange Commission and the Federal Communications Commission, 10 a.m., SR–253.

Subcommittee on Interior, to hold hearings on proposed budget estimates for fiscal year 2003 for the Department of Energy, 10 a.m., SD–124.

Subcommittee on Transportation, to hold hearings to examine the future of Amtrak, 10 a.m., SD–138.

Subcommittee on Labor, Health and Human Services, and Education, to hold hearings on proposed budget estimates for fiscal year 2003 for the Department of Health and Human Services, 11 a.m., SD–192.

Committee on Armed Services: to hold hearings on proposed legislation authorizing funds for fiscal year 2003 for the Department of Defense, and the Future Years Defense Program, 9:30 a.m., SH–216.

Subcommittee on Strategic, to hold hearings on proposed legislation authorizing funds for fiscal year 2003 for the Department of Defense, focusing on the Ballistic Missile Defense program, 2:30 p.m., SR–232A.

Committee on Banking, Housing, and Urban Affairs: to hold oversight hearings to examine the semi-annual report on Monetary Policy of the Federal Reserve, 10 a.m., SD–106.

Committee on Energy and Natural Resources: Subcommittee on National Parks, to hold hearings to examine S. 1069, to amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers from the majority of the trails in the System; S. 213, to amend the National Trails System Act to update the feasibility and suitability studies of 4 national historic trails and provide for possible additions to such trails; H.R. 1384, to amend the National Trails System Act to designate the Navajo Long Walk to Bosque Redondo as a national historic trail; and S. 1946, to amend the National Trails System Act to designate the Old Spanish Trail as a National Historic Trail, 2:30 p.m., SD–366.

Committee on Finance: to hold hearings to examine the President's proposed budget request for fiscal year 2003 for prescription drugs, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine two optional protocols to the Convention on the Rights of the Child, both of which were adopted at New York, May 25, 2000: (1) The Optional Protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflict; and (2) The Optional Protocol to the Conventional on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, signed on July 5, 2000 (Treaty Doc. 106–37), 10:15 a.m., SD–419.

Subcommittee on Near Eastern and South Asian Affairs, to hold hearings to examine the trafficking of persons, focusing on monitoring and combating this practice, 2:30 p.m., SD–419.

Committee on Governmental Affairs: to hold hearings to examine public health and natural resources, focusing on implementation of environmental laws, 9:30 a.m., SD–342.

Committee on Indian Affairs: to resume hearings on the President's proposed budget request for fiscal year 2003 for Indian programs, 10 a.m., SR–485.

Committee on the Judiciary: business meeting to consider S. 1615, to provide for the sharing of certain foreign intelligence information with local law enforcement personnel; S. 1356, to establish a commission to review the facts and circumstances surrounding injustices suffered by European Americans, Europeans Latin Americans, and European refugees during World War II; S. Res. 214, designating March 25, 2002, as ''Greek Independence Day: A National Day of Celebration of Greek and American Democracy''; and certain pending nominations, 10 a.m., SD–226.

Committee on Veterans' Affairs: to hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentations of the Paralyzed Veterans of America, Jewish War Veterans, Blinded Veterans Association, the Non-Commissioned Officers Association, and the Military Order of the Purple Heart, 10 a.m., 345, Cannon Building.

House

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies, on Food, Nutrition and Consumer Services, 9:30 a.m., 2362A Rayburn.

Subcommittee on Commerce, Justice, State and Judiciary, on Federal Judiciary, 10 a.m., H–309 Capitol, and on Immigration and Naturalization Service, 2 p.m., 2359 Rayburn.

Subcommittee on Energy and Water Development, executive, on Department of Energy-National Security Administration, 10 a.m., 2362B Rayburn.

Subcommittee on Foreign Operations, Export Financing and Related Agencies, on Export Financing, 9:30 a.m., 2359 Rayburn.

Subcommittee on Subcommittee on Interior, on Geological Survey, 10 a.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services, and Education, on Health Resources and Services Administration, 9:45 a.m., 2358 Rayburn.

Subcommittee on Military Construction, on Pacific Command, 9:30 a.m., B–300 Rayburn.

Subcommittee on Transportation, on National Highway Traffic Safety Administration, 10 a.m., 2358 Rayburn.

Subcommittee on VA, HUD, and Independent Agencies, on Agency for Toxic Substances and Disease Registry, 10 a.m., and on Neighborhood Reinvestment Corporation, 11 a.m., H–143 Capitol.

Committee on Armed Services, Subcommittee on Military Installations and Facilities, hearing on the fiscal year 2003 National Defense authorization budget request, 2 p.m. 2212 Rayburn.

Subcommittee on Military Personnel and the Subcommittee on Health of the Committee on Veterans' Affairs, joint hearing on health care sharing by the Department of Defense and Department of Veterans Affairs, 11 a.m., 2118 Rayburn.

Subcommittee on Readiness, hearing on the adequacy of the fiscal year 2003 budget request to meet readiness needs, 2:30 p.m., 2118 Rayburn.

Committee on the Budget, hearing on the Department of State Budget Priorities Fiscal Year 2003, 10 a.m., 210 Cannon.

Committee on Education and the Workforce, Subcommittee on Education Reform, to mark up H.R. 3801, Education Sciences Reform Act of 2002, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Telecommunications and the Internet, to mark up H.R. 3833, Dot Kids Implementation and Efficiency Act of 2002, 10 a.m., 2322 Rayburn.

Committee on Financial Services, Subcommittee on Financial Institutions and Consumer Credit, to consider H.R. 3717, Federal Deposit Insurance Reform Act of 2002, 9:30 a.m., 2128 Rayburn.

Committee on Government Reform, to consider the following: Committee Report ''A Citizen's Guide on Using the Freedom of Information Act and the Privacy Act of 1974 to Request Government Records;'' Committee Budget Views and Estimates for Fiscal Year 2003; and the Federal Information Technology Workforce and Acquisition Improvement Act, 10:30 a.m., 2154 Rayburn.

Subcommittee on Technology and Procurement, hearing on the Services Acquisition Reform Act, 2 p.m., 2154 Rayburn.

Committee on International Relations, hearing on U.S. Policy Considerations in Tibet, 11 a.m., 2172 Rayburn.

Committee on the Judiciary, to continue markup of H.R. 2341, Class Action Fairness Act of 2001; and to mark up H.R. 3297, Mychal Judge Police and Fire Chaplains Public Safety Officer's Benefit Act of 2001, 9:30 a.m., 2141 Rayburn.

Subcommittee on the Constitution, oversight hearing on ''HUD's 'Legislative Guidebook' and its Potential Impact on Property Rights and Small Businesses, including Minority-Owned Businesses,'' 1 p.m., 2141 Rayburn.

Subcommittee on Crime, oversight hearing on ''The Office of Justice Programs Part Two—Evaluation of Effectiveness,'' 11 a.m., 2237 Rayburn.

Committee on Resources, Subcommittee on Fisheries Conservation, Wildlife and Oceans, oversight hearing on the U.S. Fish and Wildlife Service, the National Oceanic and Atmospheric Administration, and the National Marine Fisheries Service Budget Requests for Fiscal Year 2003, 2 p.m., 1334 Longworth.

Subcommittee on National Parks, Recreation and Public Lands, to mark up the following measures: H. Res. 261, recognizing the historical significance of the Aquia sandstone quarries of Government Island in Stafford County, Virginia, for their contributions to the construction of the Capital of the United States; H.R. 1462, Harmful Nonnative Weed Control Act of 2001; H.R. 2628, Muscle Shoals National Heritage Area Study Act of 2001; H.R. 2643, Fort Clatsop National Memorial Expansion Act of 2001; H.R. 2937, to provide for the conveyance of certain public land in Clark County; Nevada, for use as a shooting range; H.R. 3421, Yosemite National Park Educational Facilities Improvement Act; H.R. 3425, to direct the Secretary of the Interior to study the suitability and feasibility of establishing Highway 49 in California, known as the ''Golden Chain Highway'', as a

National Heritage Corridor; and a Technical Corrections measure, 10 a.m., 1324 Longworth.

Subcommittee on Water and Power, hearing on the following bills: H.R. 3480, Upper Mississippi River Basin Protection Act of 2001; and H.R. 3606, Wallowa Lake Dam Rehabilitation and Water Management Act of 2001, 10 a.m., 1334 Longworth.

Committee on Science, Subcommittee on Research, hearing on Meeting the Demands of the Knowledge Based Economy: Strengthening Undergraduate Science, Mathematics and Engineering Education, 10:30 a.m., 2325 Rayburn.

Subcommittee on Space and Aeronautics, hearing on A Review of Civil Aeronautics Research and Development, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime Transportation, oversight hearing on the Coast Guard Fiscal Year 2003 Budget, 2 p.m., 2167 Rayburn.

Subcommittee on Water Resources and Environment, oversight hearing on Impacts of a Reduced Corps of Engineers' Budget, 10 a.m., 2167 Rayburn.

Committee on Ways and Means, Subcommittee on Health, hearing on Health Quality and Medical Errors, 11 a.m., 1100 Longworth.

Subcommittee on Human Resources, hearing on Implementation of Welfare Reform Work Requirements and Time Limits, 9:30 a.m., B–318 Rayburn.

Joint Meetings

Joint Meetings: Senate Committee on Veterans' Affairs, to hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentations of the Paralyzed Veterans of America, Jewish War Veterans, Blinded Veterans Association, the Non-Commissioned Officers Association, and the Military Order of the Purple Heart, 10 a.m., 345 Cannon Building.

Next Meeting of the SENATE

10 a.m., Thursday, March 7

Senate Chamber

Program for Thursday: Senate will continue consideration of S. 517, Energy Policy Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, March 7

House Chamber

Program for Thursday: Consideration of a motion to concur in Senate amendment with an amendment to H.R. 3090, Job Creation and Worker Assistance Act of 2002 (closed rule, one hour of general debate).

Extensions of Remarks, as inserted in this issue.

HOUSE

Baca, Joe, Calif., E288
Barr, Bob, Ga., E278, E280
Becerra, Xavier, Calif., E284
Bentsen, Ken, Tex., E289
Bonior, David E., Mich., E273
Boozman, John, Ark., E279, E280
Boucher, Rick, Va., E283
Cardin, Benjamin L., Md., E274
Castle, Michael N., Del., E281
Clyburn, James E., S.C., E279
Crane, Philip M., Ill., E285
Cummings, Elijah E., Md., E282
Deutsch, Peter, Fla., E274, E275
Eshoo, Anna G., Calif., E285
Farr, Sam, Calif., E275, E286
Gillmor, Paul E., Ohio, E279, E281
Granger, Kay, Tex., E284
Graves, Sam, Mo., E275
Hastings, Alcee L., Fla., E289
Hayes, Robin, N.C., E278
Hinojosa, Rubén, Tex., E275
Johnson, Nancy L., Conn., E286
Kildee, Dale E., Mich., E290
Kucinich, Dennis J., Ohio, E282
Lampson, Nick, Tex., E280, E286
Lantos, Tom, Calif., E274
Lowey, Nita M., N.Y., E276, E277
McCarthy, Carolyn, N.Y., E283, E289
McInnis, Scott, Colo., E279, E281, E283, E285, E288
Mascara, Frank, Pa., E284
Ney, Robert W., Ohio, E261
Radanovich, George, Calif., E273, E284
Ross, Mike, Ark., E277, E277
Schaffer, Bob, Colo., E288
Skelton, Ike, Mo., E278, E280
Slaughter, Louise McIntosh, N.Y., E289
Smith, Nick, Mich., E278
Solis, Hilda L., Calif., E275
Tauscher, Ellen O., Calif., E273
Udall, Mark, Colo., E276, E277, E278, E281
Wolf, Frank R., Va., E286

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