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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. DREIER).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 11, 2003.

I hereby appoint the Honorable DAVID DREIER to act as Speaker pro tempore on this day.

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

PRAYER

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

Lord God, a new day of promise has dawned. Bless the important work of Congress which they need to finish before spring recess. May its laws and resolutions make this Nation stronger and its future brighter, especially for the next generation. May the seeds planted today be our contentment and the promise of new life flourish beyond our imagining.

We pray also for the future of Iraq. Put an end to the killing and civil strife. May Your divine Providence guide the cooperation of many diverse peoples to create a new day of freedom built upon truth and justice for all the Iraqi people.

Lord, fulfill in our own day the future vision of the prophet Jeremiah. The man of tears once stood in the rubble of the city he loved and cried aloud for future generations to hear: ''The days are coming, says the Lord, when I will make a new covenant with my people. I will place my law within them and write it upon their hearts. No longer will they need to teach their friends and kinsmen how to know the Lord. I will forgive their evil doing and remember their sin no more.''

May the renewal of this covenant as celebrated in Passover and Easter bring a new understanding and purpose as America prays for the Iraqi people and peace. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. STENHOLM led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 1505. An act to designate the facility of the United States Postal Service located at 2127 Beatties Ford Road in Charlotte, North Carolina, as the ''Jim Richardson Post Office.''

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

S. 538. an Act to amend the Public Health service Act to establish a program to assist family caregivers in accessing affordable and high-quality respite care, and for other purposes.

S. 783. An act to expedite the granting of posthumous citizenship to members of the United States Armed Forces.

S. 870. An act to amend the Richard B. Russell National School Lunch Act to extend the availability of funds to carry out the fruit and vegetable pilot program.

The message also announced that the Senate agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 151) ''An Act to amend title 18, United States Code, with respect to the sexual exploitation of children''.

The message also announced that pursuant to Public Law 85–874, as amended, the Chair, on behalf of the President of the Senate, appoints the Senator from Texas (Mrs. HUTCHISON) to the Board of Trustees of the John F. Kennedy Center for the Performing Arts, vice the Senator from Nevada (Mr. REID).

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 5 one-minutes on each side.

COMMEMORATION AND REMEMBRANCE OF THE ARMENIAN GENOCIDE

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

Mr. RADANOVICH. Mr. Speaker, I rise to announce the introduction of H. Res. 193, legislation that enjoys the support of over 64 bipartisan original cosponsors and commemorates the 15th anniversary of the United States implementation of the Genocide Convention.

The month of April marks the commemoration of one of the saddest chapters in world history, the Armenian genocide. We join with Armenian Americans across the Nation to mourn the loss of so many innocent lives. This important human rights legislation

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will put Members of Congress on record as recognizing the Armenian genocide. Silence either out of indifference or as the result of political pressure only serves to encourage others who would again use ethnic cleansing as a tool of government.

As the anniversary of the horrific genocide in Armenia approaches, I wish the people of Armenia success in their effort to bring about the lasting peace and prosperity that they deserve, and I ask for Members' support in commemorating the Armenian genocide by cosponsoring this important legislation.

HONORING ROWAN COUNTY, NORTH CAROLINA ON ITS 250TH ANNIVERSARY

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

Mr. WATT. Mr. Speaker, I rise today to honor the residents of Rowan County, North Carolina, part of which is located in my congressional district, as they celebrate the 250th anniversary of the founding of their county. Rowan County was founded in 1753, more than 20 years before the American Revolution. Today Rowan County has around 135,000 residents and is a thriving part of North Carolina's Piedmont. Salisbury, the county seat, is known as the hometown of the Food Lion grocery store chain, Cheerwine soft drinks and my new colleague in the Senate, Senator ELIZABETH DOLE. I always look forward to visiting Rowan County and was planning to ride in their parade this afternoon had the House schedule allowed that to happen.

I wish all the best to the Rowan County residents as they gather this weekend to celebrate the Rowan 250 Fest, with the theme of ''History's Crossroads''—looking back at Rowan County's rich history and looking forward to a bright future.

PARALYZED VETERANS OF AMERICA AWARENESS WEEK

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

Mr. MCCOTTER. Mr. Speaker, since its founding in 1946, members of the Paralyzed Veterans of America have visited public forums ranging from the halls of Congress to high schools and scout troops to relate their personal experiences and raise the public's awareness of their cause. In sum, the PVA's efforts ever remind us human suffering is the horror of war and no one more intensely experienced this horror more than our citizen-soldiers who uniquely endure its pains. Thus we, who are free because of these brave citizen-soldiers' sacrifices, must do everything in our power to alleviate and accommodate the pain they bore, and bear, for us.

Mr. Speaker, members of the PVA like my constituent Michael Harris have been grievously wounded during their armed service for our country, yet still they nobly continue their altruistic service to our country. They are a source of pride and inspiration to our entire Nation. Let us, therefore, join with my home State of Michigan and the PVA and commemorate the week of April 13–19 as Paralyzed Veterans of America Awareness Week. They deserve much more but certainly no less.

HONORING HARDIN SIMMONS UNIVERSITY WOMEN'S BASKETBALL TEAM

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

Mr. STENHOLM. Mr. Speaker, I rise today to honor the Hardin Simmons University women's basketball team from Abilene, Texas, who have achieved an incredible record including their first undefeated regular season in school history, a fifth straight American Southwest Conference tournament title, and a strong finish in the NCAA Division III tournament. The university community knew this team had a winning chemistry when the Cowgirls won all 24 of their regular season games and their fifth straight ASC tournament title which earned them a spot in the coveted NCAA Division III basketball championship and a number-one ranking in the Nation of the Women's Basketball Coaches Association.

None of these victories could have been achieved without the incredible teamwork that these 15 young women have demonstrated. One player in particular, Kendra Anderson, has been named the Division III national player of the year, the American Southwest Conference most valuable player for the third straight year, the tournament most valuable player for the fourth straight year and the first-team all-American and all-South Region for the third year. Coach Briggs brings out the best from her players, sharpens their strengths and improves their weaknesses.

Mr. Speaker, I am proud to recognize my constituents from Hardin Simmons University.

THE FACTS ON ETHANOL

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

Mr. OSBORNE. Mr. Speaker, during last night's debate, there was a great deal said about renewable fuels and particularly about ethanol. Much of this was uninformed and inaccurate. I think some of it was due to the fact that it was based on old research.

One of the comments that was made was that ethanol is not energy efficient, that it takes a lot more energy to produce than what it actually yields. Actually for every Btu of fossil fuel used, ethanol yields 1.4 Btus of energy. Gasoline for every Btu of energy used yields .8 Btu. MTBE yields about .7 Btu. It is the most energy efficient fuel that we have going at the present time.

Also, ethanol reduces farm payments by $5.9 billion over 10 years and it adds $51 billion to the farm economy. It reduces the trade deficit by $34 billion over 10 years which certainly helps the economy as well, and in 2002 removed 4 million tons of carbon dioxide from the air.

MARKING ANNIVERSARY OF SINKING OF THE ''SULTANA'', AMERICA'S GREATEST MARITIME DISASTER

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

Mr. SNYDER. Mr. Speaker, during our Easter recess, we will pass the anniversary of a tragic historic event in America. We are all familiar with the sinking of the *Titanic* and its loss of 1,522 lives. In fact the greatest American maritime disaster, April 27, 1865, was the sinking of the *Sultana* in a photograph here shown loaded with former POWs on the Mississippi River. One of the boilers on the *Sultana* blew, it sank and lost probably 1,800 mostly Union soldiers that had been released from prisoner of war camps deep in the South.

This tragedy was combined with illegality. This ship was supposed to hold less than 400 people. It was overloaded in violation of law. It pushed out of the Mississippi River at 2 a.m., a boiler blew, it caught on fire as shown in this drawing, and experienced tremendous winds shortly thereafter. Here we can see the thing flips around and the fire pushes people off the other end of the boat. These men were all emaciated former POWs. It was with great, great loss of life. There are two books on the subject, ''Disaster on the Mississippi'' and ''The *Sultana* Tragedy.''

Its anniversary was April 27, 1865.

HONORING SERGEANT GEORGE E. BUGGS

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

Mr. WILSON of South Carolina. Mr. Speaker, I rise today to honor the life of Sergeant George E. Buggs. This young man grew up in the South Carolina town of Barnwell. After graduating from his local high school in 1990, he decided to become part of something larger than himself by joining the U.S. Army to defend our Nation.

On Saturday, the Pentagon announced that Sergeant Buggs made the ultimate sacrifice for his country during Operation Iraqi Freedom. His body was discovered during the rescue of Private Jessica Lynch along with eight

other fallen Americans. We do not yet know if Sergeant Buggs was killed in an ambush or later suffered torture. Yet we do know that Sergeant Buggs did not die in vain. He gave his life so that we could remain safe from Saddam Hussein's weapons of mass destruction and so that the citizens of Iraq could be free from oppression.

Our prayers go out to the family and friends of Sergeant Buggs, especially his 12-year-old son, and we ask for God to bless our troops still fighting to protect our freedom.

ON YESTERDAY'S COMMENTS BY THE DEMOCRATIC LEADER

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

Mrs. MILLER of Michigan. Mr. Speaker, the comments yesterday from the Democratic Party's leader in the House should not surprise us. In case Members missed it, she said about Operation Iraqi Freedom, ''We could probably have brought down that statue for a lot less.''

It seems that the Democrats' political philosophy has been reduced to a collection of publicity gimmicks. Why should we expect their Washington leader to understand the deeper meaning of Operation Iraqi Freedom? The American people seem to understand what the Democratic leader apparently does not. This was not about a statue. To trivialize the suffering of our troops and the joyous liberation of our friends, the Iraqi people, is a sickening offense.

Politicians in Washington can have a tendency to be cynical, I suppose, but I would have thought the joy in the faces of the men and the women and the children of Iraq as they trampled on the image of their tormentor would cut through the most pessimistic cynic.

Mr. Speaker, the minority leader's comments were shocking and truly appalling.

ENERGY POLICY ACT OF 2003

The SPEAKER pro tempore. Pursuant to House Resolution 189 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 6.

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IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 6) to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, and for other purposes, with Mr. LAHOOD (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on the legislative day of Thursday, April 10, 2003, amendment No. 17 printed in House Report 108–69 by the gentleman from Oregon (Mr. WU) had been disposed of.

It is now in order to consider amendment No. 18 printed in House Report 108–69.

AMENDMENT NO. 18 OFFERED BY MRS. CAPPS

Mrs. CAPPS. Mr. Chairman, I offer an amendment.

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

The text of the amendment is as follows:

Amendment No. 18 offered by Mrs. CAPPS: Strike section 30220.

The CHAIRMAN pro tempore. Pursuant to House Resolution 189, the gentlewoman from California (Mrs. CAPPS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from California (Mrs. CAPPS).

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

I understand that Chairman Pombo has agreed to accept this amendment. I want to express my gratitude for his support. I will be brief and submit my full statement for the RECORD, but I do want to explain the purpose of this amendment to the House. This amendment would strike the bill's language requiring the Secretary of the Interior to inventory the oil and gas resources of the entire Outer Continental Shelf, including those areas now off-limits to new drilling. This would undermine current protections for sensitive coastal areas. President George H.W. Bush initiated, and President Clinton extended, moratorium protections for these coastal waters. And, of course, Congress has had a moratorium on new drilling in these areas for 20 years.

This section of H.R. 6 pushes to open these fragile coastal waters to the possibility of new drilling. There is widespread bipartisan support both nationally and locally against new drilling in these areas. Those of us who represent vibrant coastal communities like the gentleman from Florida (Mr. MILLER) and the gentleman from Florida (Mr. DAVIS), cosponsors of my amendment, know that our coastlines are too economically viable to risk more drilling. I want to thank my colleagues from Florida who have worked for years in a bipartisan manner on this issue. The gentleman from Florida (Mr. GOSS), the gentleman from Florida (Mr. YOUNG), and other members of the Florida delegation have been extremely helpful with this amendment.

Finally, I would like to thank the gentleman from California (Mr. POMBO) for his support of this bipartisan amendment and the gentleman from California (Mr. DREIER) for helping get my amendment made in order.

Mr. Chairman, I urge my colleagues to support this commonsense amendment.

Mr. Chairman, I am offering this bipartisan amendment, with Mr. MILLER and Mr. DAVIS of Florida, to strike Section 30220 from the bill.

This section contains provisions that would seriously undermine current protections for sensitive coastal areas.

Section 30220 would circumvent the longstanding, bipartisan moratoria on new oil and gas drilling in particular areas of the Outer Continental Shelf.

In 1990, President George H.W. Bush signed an executive moratorium ending new drilling off the entire U.S. West Coast, East Coast, Southwestern Florida, and Alaska's Bristol Bay.

This action was met with acclaim by the coastal communities it encompassed and, indeed, all of America.

In 1998, President Clinton extended President Bush's executive memorandum protections to 2012.

And, of course, Congress has had a moratorium on new drilling in these areas for twenty years. President George W. Bush endorsed the Congressional moratoria in his FY04 budget.

State officials—including Florida Governor Jeb Bush, California Governor Gray Davis and former New Jersey Governor Christine Whitman—have endorsed the moratoria.

The bill, however, lays the groundwork to reverse this broad bipartisan consensus by promoting activities—including exploratory drilling and seismic studies—in the OCS, including the areas that have been off limits to new oil and gas drilling for years.

Supporters of Section 30220 argue that it only calls for taking inventories and studying available resources on the OCS.

But I must ask . . . what is the purpose of this provision if not to open up the OCS areas to new oil and gas drilling in the future?

What is it we would do with this taxpayer funded ''information gathering,'' if not use it to pursue new drilling?

In fact, the bill requires the Secretary of Interior to make, and I quote, ''recommendations . . . that would lead to additional OCS leasing and development . . .''.

Mr. Chairman, we already know that large reserves of oil and gas are located in federal waters of the central and western Gulf of Mexico, which are currently open to oil and gas leasing.

According to the Department of Interior's Minerals Management Service, this area contains between 60 and 80 percent of the nation's economically recoverable oil and gas available in the entire OCS off the United States.

So, the protection of sensitive coastal areas through the longstanding moratoria still leaves the vast majority of the nation's oil and gas located on the OCS available to industry.

Section 30220 would also examine how laws, regulations, or programs might ''restrict or impede'' development of resources identified in the study.

In addition to determining how the OCS moratoria protections constrain development, this bill would erode the legitimate rights of coastal states and local governments to have a say in offshore and onshore development as embodied in the Coastal Zone Management Act (CZMA).

The CZMA is a critically important law that allows the state to weigh in on projects that may effect the state's coastal zone. Oil drilling is just such an activity.

The CZMA is the very law that the State of California recently used to halt the development of 36 undeveloped leases off my district in Central California.

California's right under CZMA to review the development plans was upheld in Federal court last year.

This affirmation of CZMA's importance led to the Bush Administration's recent decision to stop pursuing the development of the 36 leases and to instead pursue a negotiated termination of the leases.

Section 30220 would weaken a state's right under CZMA.

This section also disregards the adverse economic impacts proposed oil and gas activities would have on coastal states and local coastal communities and it fails to consider the effect of these activities on the environment and living marine resources.

Moratoria areas should not be compromised by controversial seismic surveys and other invasive technologies, like exploratory drilling.

These technologies are inappropriate within moratoria waters and would undermine the longstanding congressional oversight of these areas.

For example, high-decibel geophysical activities using sharp seismic pulses have been shown to damage fish stocks and to interfere with marine mammals.

Under the OCS Lands Act, existing uses of the sea and seabed and oil and gas development are required to be balanced. Unfortunately, the bill before us does not meet that goal.

Mr. Chairman, despite the overwhelming support of the moratorium on new oil and gas drilling in the OCS, H.R. 6 pushes to open fragile coastal waters with the provisions in Section 30220.

Coastal communities have spoken repeatedly—in strong bipartisan voices—to protect their state's sensitive coastal resources and productive coastal economies.

These coastal areas are just too economically valuable to risk more oil drilling.

It only takes one accident or spill to devastate the local marine environment and economy.

Finally, the House of Representatives has voted twice in recent years to stop new drilling in the waters off Florida and California.

Last year, 67 Republicans and 184 Democrats voted for my amendment to the Interior Appropriations bill to end new drilling off Central California.

The House spoke in a strong, clear voice against the developoment of those 36 leases.

In that vote, the House demonstrated its commitment to protecting our vital coastal communities.

A vote for the Capps-Miller-Davis amendment to HR 6 is a vote for the same principle—a vote to protect environmentally and economically valuable coastal areas from new drilling.

Mr. Chairman, we need to reject these attempts to weaken existing protections for our coastal waters and communities.

By adopting this amendment, we continue to preserve America's most treasured coastal areas and we honor and support the protections afforded to the Outer Continental Shelf and our coastal communities through the longstanding moratoria.

I urge support for the Capps-Miller-Davis amendment.

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

The CHAIRMAN pro tempore. Does the gentleman from California seek the time in opposition?

Mr. POMBO. Yes, I do, Mr. Chairman.

The CHAIRMAN pro tempore. Without objection, the gentleman is recognized for 10 minutes.

There was no objection.

Mr. POMBO. Mr. Chairman, I yield myself such time as I may consume. While I will not oppose the amendment by the gentlewoman from California this morning, I do think that there were some valuable provisions in the underlying language that are going to be struck out, and I think at some point we are going to have to work this out between all of us as to exactly how we go about inventorying and updating our process that we are going to use. I do realize that some of the language that was in the underlying provisions caused a lot of concern. I agree with my colleague from California that this is an issue that we need to work on further, but at this time I have agreed that we will strip these provisions out of the underlying bill. I think that this is a helpful amendment at this time in order for us to move forward with a balanced energy policy for the future.

Mr. DAVIS of Florida. Mr. Chairman, will the gentleman yield?

Mr. POMBO. I yield to the gentleman from Florida.

Mr. DAVIS of Florida. I thank the gentleman for yielding, and I thank him for expressing his attention and his cooperation and good faith on this. There are legitimate concerns that the gentleman has referred to about the prerogative of Congress to direct the inventory to proceed with the non-moratorium areas. That may have been the point he was making. My question to the gentleman is, It is not his intention to encourage as part of the conference committee process the reinsertion of the inventory language with respect to the moratoria areas, is it?

Mr. POMBO. Reclaiming my time, no, we have no intention whatsoever of doing that.

Mr. DAVIS of Florida. I thank the gentleman.

Mr. POMBO. Mr. Chairman, I yield such time as he may consume to the gentleman from Louisiana (Mr. TAUZIN).

Mr. TAUZIN. I thank the gentleman for yielding. I, too, will not object, Mr. Chairman; but let me hopefully make some points that are critical as we go forward not only in this conference committee to construct a comprehensive energy policy for our country but to continue the work of the Committee on Resources in developing the 5-year leasing plans of our government and the ability of the coastal States to work with the Federal Government and the consultation process that is required under those 5-year plans.

I want to remind my friends who may not have been here back when, in the early days of the Reagan administration, his own Interior Secretary appeared before the Committee on Resources on the 5-year plan and explained the question of moratorium to the committee. What that Interior Secretary did, Mr. Chairman, was to define for us a process by which the Interior Department divided areas of potential coastal development and/or protection in several categories.

On the one hand, there were categories of areas that were highly environmentally sensitive and very low in potential hydrocarbon content or potential. On the other hand, there were areas of very high hydrocarbon potential and very low environmental sensitivity, in other words, areas that could easily produce oil and gas for America in ways that had very little consequences or concerns for damage to the environment. That was a pretty logical way of dividing the universe of areas off the coast of the United States that might be subject to production.

He went on to say that what we have tried to do as an Interior Department is to recommend for moratoria, no activity, those areas of low hydrocarbon potential and high-environmental concern and to recommend instead for production and development those areas of low environmental consequence concerns and high hydrocarbon potential for the country. We accepted that logical analysis, only to find out that there were a number of areas that had been listed for moratorium, for no activity whatsoever, that were in fact high hydrocarbon areas and very low in environmental consequence potential.

So we asked him, what is the deal here? You told us you had a pretty logical way of figuring this out. Yet you have set down for moratorium areas that really should be over here in this category. Why did you do that? His answer was, ''Politics.'' His answer was politics, that I do not want to get in the face of the politics of the State of California in that case because they do not want to drill those areas; and, therefore, we are just going to list them as moratorium areas.

Politics was making the decision. We saw some politics on the floor last night when it came to ANWR and the fight over whether or not we ought to produce the high potential of a small area, tiny little area, less than one-tenth of 1 percent of that vast area of the Arctic National Wildlife Refuge, high in hydrocarbon potential. We had a fight over that last night. In the conference work last year with the Senate, JOHN BREAUX asked the question that was enormously, I thought, profound. As we were debating with Senators who were saying no to the question of any kind of production, he said, if we reduce the area down to 1 acre, would you still oppose, and they said absolutely. One acre was too much. He said, well, if you won't let the people who live in ANWR produce their own private property, wouldn't you let them at least have a two-acre footprint to get a pipeline to get their own product out to market? And they said no. He even suggested building a pipeline like the St. Louis arch, way up in the air, way down where they would not have any footprint, would they at least let

them do that. No, no. It was like some kind of a religious shrine instead of a logical argument. That is the problem with the way in which much of the process of the discussions over what can and what cannot be developed for our Nation's good has gone. Politics intervenes all the time.

And so we offered in the Committee on Resources a simple proposition: Let us at least inventory. Let us at least know. If you want to put areas off-limits, for political reasons, other than logical reasons, we at least ought to know what we are giving up for America, what kind of vulnerabilities we are creating for our country because we will not produce in areas we could produce in. We at least ought to know. We ought to have a right to know as a people what we have and what we do not have in this country in terms of resources. And so that is why this language was written in the Committee on Resources. But lo and behold we are met with an argument that we should not know, we should not inventory, we should not even look, we should not even think about the question of whether or not we made wise decisions.

And so this amendment comes. We are going to accept it; we are not going to have a fight over it. But where is the symmetry? Where is the symmetry here? If we had areas under development that had environmental concern for you, would you not want to inventory those environmental concerns? I would. I want to know just how well those 100 wells are producing in Mandalay National Wildlife Reserve in Louisiana. I would want to know if there is any consequences to those natural resources that we have to protect against harm. I would want to know everything I could know about that. And if you offered an amendment to say we need a national inventory to find out what those wildlife reserves look like and resources look like, I would support that. I think it is a good idea. We ought to know. We ought to make wise decisions about conservation protection and development in America.

But how do you make wise decisions if you close both eyes and you shut both ears? You will not listen, you will not look, you will not learn. You do not want to know. I think you make unwise decisions when you do that. In a country, a free country like ours where we prize free speech and information, an information society where knowledge is power, where we make good decisions because we know more, not less, this is a strange amendment.

And so, Mr. Chairman, I will not object, because my chairman of Resources has asked us not to object and to accept this amendment, but as we go forward with 5-year leasing plans in the future, I am going to continue to press this question upon all of you. What have you got to hide? What are you afraid to know? Why do you want to act in the dark? Why would you rather make decisions without the facts instead of making decisions with the facts? And if you would rather make decisions in the dark, do you not see that one day we are going to all be in the dark? We are going to be without power. We are going to have parts of this country that suffer the way California did one day. Do you not think that at least we ought to know what is coming and we ought to make wise decisions?

I thought the gentleman from California (Mr. POMBO) was very statesmanlike last night when he talked about ANWR and he talked about his own trips there. I have been there, too, as the gentleman knows. It is a fascinating place. It ought to be protected in whatever we do there. That was a very statesmanlike statement, knowing, seeing, understanding and then making wise decisions. That is the way we ought to proceed, not sticking our head in the sand and refusing to know the facts.

So we will accept this amendment, but I want to put everybody on notice that I am not through with this debate. I think we need to continue talking in the 5-year plans of this country about what we know and what we do not know and what we ought to know and what we do not know in terms of all resources development of this country.

Mrs. CAPPS. Mr. Chairman, I would point out that those of us speaking for this amendment represent a bicoastal, bipartisan consensus on its behalf.

Mr. Chairman, I am now pleased to yield 3 minutes to the gentleman from Florida (Mr. MILLER).

Mr. MILLER of Florida. Mr. Chairman, I thank my colleague from California for yielding me this time and I do want to associate myself with the chairman of the Committee on Energy and Commerce because I also believe we need an inventory. However, I am a cosponsor of this amendment for two different reasons. One in particular was addressed in a letter that was sent to the leadership of this body and to the body of the Senate. It has been signed by the Governor of the State of Florida, both United States Senators, and all but one of the members of the Florida delegation.

One of the issues that has not been discussed on the floor this morning, Mr. Chairman, though, is a concern that is shared by the United States military. With the closure of Vieques in Puerto Rico, the United States has been heavily dependent on the 724-square mile testing range at Eglin Air Force Base. It is a complex of land with quite a bit of testing ranges. Also, though, there are 86,500 square miles of water ranges off the coast of Florida that stretches from the panhandle all the way down to the Florida Keys. Drilling in the eastern Gulf of Mexico will generate frequent civilian supply flights as well as create additional maritime traffic in the area. This will in turn prevent much of this airspace from being used for live fire tests of new weapons systems as well as limit the U.S. Navy from conducting carrier battle group flight operations. This long-term mission will be undermined and military training exercises will be hindered if petroleum companies were allowed to explore the area. Now more than ever is absolutely the worst time to hamstring our United States military.

Mr. Chairman, I appreciate the gentleman from California (Mr. POMBO) agreeing to accept this amendment and again I would say that I do support the energy bill, including drilling in ANWR. However, I have for the State of Florida and the other coastal areas a unique interest in this particular amendment.

CONGRESS OF THE UNITED STATES,
Washington, DC, April 9, 2003.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, U.S. Capitol, Washington, DC

Hon. WILLIAM FRIST,
Majority Leader, U.S. Senate, U.S. Capitol, Washington, DC.

Hon. THOMAS DASCHLE,
Minority Leader, U.S. Senate, U.S. Capitol, Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives, U.S. Capitol, Washington, DC.

DEAR SPEAKER HASTERT, SENATE MAJORITY LEADER FRIST, SENATE MINORITY LEADER DASCHLE AND HOUSE MINORITY LEADER PELOSI: We are writing to express our strong concerns regarding provisions being considered in the House and Senate omnibus energy legislation that may ease the moratorium on drilling off the eastern Gulf of Mexico. The provisions in the current versions of the Energy bill allow companies to participate in ''exploratory drilling'' and ''seismic measurements''.

Several references in these bills may undermine the moratorium banning new leasing off the coast of Florida. You may recall, last year, an agreement was reached between the White House and the State of Florida, buying back offshore drilling leases within the Destin Dome, just a few miles off the coast of Florida.

The majority of Floridians oppose drilling in the Gulf of Mexico because of the threat to the tourism industry, which is vital to the state's economy. If an accident were to occur, causing an oil spill to wash ashore on Florida's beaches, the damage would be devastating and would cripple the state. It would only take ONE spill to ruin our economy for years, putting yet another tough burden on the tourism industry.

This threat is not limited to the tourism industry. Since the closing of the ranges in Vieques, Puerto Rico, the Gulf of Mexico is home to a number of training ranges for the United States military. If petroleum companies were allowed to begin to explore and inventory the area, potential impediments to our military training exercises would be created. Now is not the time to be hamstringing our military interests.

There has been a strong effort by many in Congress in the last few years to stop new drilling off the coast of Florida. We urge you once again to protect Florida's coastline by ensuring these provisions are not included in any omnibus energy legislation.

We appreciate your consideration to this matter.

Sincerely,

Jeff Miller; Jim Davis; Jeb Bush; Bob Graham; Bill Nelson; Ric Keller; Robert Wexler; Porter Goss; Kendrick

Meek; Mike Bilirakis; Dave Weldon; Katherine Harris; Ander Crenshaw; Allen Boyd; Ginny Brown-Waite; Cliff Stearns; Peter Duetsch; E. Clay Shaw, Jr., Lincoln Diaz-Balart; Mario Diaz-Balart; Adam Putnam; Mark Foley; Corrine Brown; Alcee Hastings; Tom Feeney; Bill Young; Ileana Ros-Lehtinen.

Mrs. CAPPS. Mr. Chairman, it is my pleasure to yield 4½ minutes to the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Chairman, I thank the gentlewoman for yielding me this time. I want to start by responding to some of the legitimate points that were raised by the gentleman from Louisiana (Mr. TAUZIN), the chairman of the Committee on Energy and Commerce. In particular, the one point he said that I most strongly disagree with, the gentleman from Louisiana made the point that this is about knowing things we do not know; that the purpose of the inventory language is to find out things we do not know about the level of supply that exists in the shores right off the coast of Florida or California or others. I respectfully disagree.

We know the level of supplies out there. These areas have all been previously inventoried. There is no doubt as to the supply, or in the case of the waters right off the coast of Florida, I would say the lack of supply. And so this is not about fear of the unknown. What this is about is whether to proceed with predrilling activity. This is about whether to proceed with going out into the Gulf of Mexico and other parts of the country and moving the dirt around and taking all the steps that would be taken towards proceeding with drilling.

I think because it is the will of the House not to proceed with drilling in violation of the moratorium, there is a much-appreciated consensus today in support of the amendment. What it is fair to say is not known is what happens if the drilling proceeds in these areas close to coasts like Florida, my home, and the level of risk as far as environmental impact in Pensacola, the home of the gentleman from Florida (Mr. MILLER), or the Tampa Bay area, my home.

This is a risk that we as Floridians do not choose to accept. If it is characterized as politics, and I hope politics is not infesting this energy bill, but if it is characterized as politics, what it really is about is the fact that a single oil spill off the coast of Florida or many of these coasts would be incredibly destructive not just to the precious environment that attracts us to Florida and keeps us in Florida but to our economy. It would be a threat to the entire coastline of Florida, because news and the facts of a spill on the coast of Florida would be a tragedy for the entire coast of Florida, both the west and east coast.

The gentleman from Louisiana referred to the history. I think it is important to bring up the history. In 1982, long before I got to Congress, the Congress started with putting the moratorium in place we are discussing today. It is very important to point out that never in the history of the Congress since 1982 have we proceeded to inventory, to do predrilling activity in moratorium areas. It is a wise decision today not to reverse that course. This moratorium that we are talking about has been in place in part because of an executive order that in 1982 was put into place. This moratorium has continued through Democratic and Republican administrations. There is no reason not to honor that today.

Let me also mention a little bit more about the eastern Gulf of Mexico. The eastern Gulf of Mexico, we do know the facts about supply. The supply that has been previously inventoried is very minimal in relation to the central and western parts of the gulf where I think the chairman has and will continue to understandably support drilling. The supply in those areas approaches almost 20 billion barrels of oil in the central gulf, 12 billion barrels of oil in the western gulf, 1 billion in the eastern gulf. We know the supply in the eastern Gulf of Mexico is very minimal; and we further know that the risk to Florida's beaches, which are enjoyed not just by Floridians but by people all over the United States and all over the world, is significant and there is a small supply of oil involved. It is very credible for the chairman to talk about what the facts are and those are the facts.

I would like to close by simply asking the gentleman from Louisiana a question. My question to the gentleman which was the same question I directed to the chairman of the Committee on Resources is, Mr. Chairman, as I understand your statement earlier, it is not your intention in the conference committee to support the reinsertion of the language that is being removed today by this amendment?

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

Mr. DAVIS of Florida. I yield to the gentleman from Louisiana.

Mr. TAUZIN. It is not my intention to recommend the reinsertion of this language, no. I will say again, though, it is my intention to continue this debate with you on every 5-year plan, leasing plan, every discussion we have at Interior about how and what we know and do not know about resource development of this country, just as it is to help you find out everything we can about our environmental resources.

Mr. DAVIS of Florida. I just want to close by pledging to the chairman my support to continue the drilling in the central and western part of the gulf where there is ample supply and apparently a different standard about environmental degradation with respect to that coastline.

Mr. TAUZIN. I just want to make the point, my State contributes 25 percent of the oil and 25 percent of most of the gas that this country uses. We do it with some consequence. We benefit in the economy, but it also affects our lives dramatically. I am just telling you, there is a limit to the willingness of anyone like the people of my State to continue doing it for the country when others refuse. Just understand that, please.

Mrs. CAPPS. Mr. Chairman, I include for the RECORD a letter from 67 of our colleagues in the House of Representatives with a strong statement opposing the language in the underlying bill and in support of this amendment.

CONGRESS OF THE UNITED STATES,
Washington, DC, April 8, 2003.

Hon. WILLIAM FRIST,
U.S. Senate, Majority Leader, U.S. Capitol, Washington, DC.

Hon. THOMAS DASCHLE,
U.S. Senate, Minority Leader, U.S. Capitol, Washington, DC.

Hon. J. DENNIS HASTERT,
House of Representatives, Speaker, U.S. Capitol, Washington, DC.

Hon. NANCY PELOSI,
House of Representatives, Minority Leader, U.S. Capitol, Washington, DC.

DEAR SENATE MAJORITY LEADER FRIST, SENATE MINORITY LEADER DASCHLE, SPEAKER HASTERT, AND HOUSE MINORITY LEADER PELOSI: We are writing to express our strong concerns regarding Outer Continental Shelf (OCS) provisions contained in energy legislation currently pending before the House and Senate.

These bills contain several provisions that would seriously undermine the longstanding bipartisan legislative moratorium on new mineral leasing activity on submerged lands of the OCS that have been included in every annual Interior Appropriations bill since 1982. The legislative moratorium language has always prohibited the use of federal funds for offshore leasing, pre-leasing, and other oil and gas drilling-related activities in moratoria areas, enhancing protection of these areas from offshore oil and gas development. These moratoria areas include northern, central and southern California, the North Atlantic, the Mid-Atlantic and South Atlantic planning areas, Washington and Oregon, and the eastern Gulf of Mexico.

As you know, in 1990 President George H. W. Bush signed an executive memorandum placing a ten-year moratorium on new leasing on the OCS. In 1998, this moratorium was renewed by President Bill Clinton and extended until 2012. Moreover, the provisions contained in the energy bill drafts contradict the moratorium contained in the President's Fiscal Year 2004 budget to enable continued protection of the OCS. These actions have all been met with public acclaim and as necessary steps to preserve the economic and environmental value of our nation's coasts.

Tourism is a major industry for coastal states and a staple of their coastal economies. The money spent by tourists pay the bills and put food on the table for the people living in these communities. Offshore oil and gas drilling directly threatens this economic engine and the people of these communities know it. That is why the House has voted twice in recent years to stop new drilling in the waters off Florida and California.

Rep. Lois Capps, Rep. Jeff Miller, Rep. Frank Pallone Jr., Rep. Anna Eshoo, Rep. Mike Thompson, Rep. Carolyn McCarthy, Rep. Jane Harman, Rep. Corrine Brown, Rep. Jim Davis, Rep. Frank A. LoBiondo, Rep. Peter Stark, Rep. Robert Wexler, Rep. Zoe Lofgren, Rep. Adam B. Schiff, Rep. Maurice Hinchey, Rep. Earl Blumenauer.

Rep. Peter Deutsch, Rep. Barney Frank, Rep. George Miller, Rep. Lynn Woolsey, Rep. Tom Lantos, Rep. Ed Markey, Rep. Ellen Tauscher, Rep. Susan Davis, Rep. William Delahunt, Rep. Grace F. Napolitano, Rep. Maxine Waters, Rep. Howard L. Berman, Rep. Rosa DeLauro, Rep. Eliot L. Engel, Rep. Alcee L. Hastings, Rep. Peter DeFazio, Rep. Brad Sherman, Rep. Sam Farr, Rep. Loretta Sanchez, Rep. Barbara Lee.

Rep. Mike Honda, Rep. Hilda L. Solis, Rep. Luis Gutierrez, Rep. Tom Allen, Rep. Bill Pascrell, Jr., Rep. Juanita Millender-McDonald, Rep. Chris Van Hollen, Rep. Jim McDermott, Rep. Rush Holt, Rep. Mike Bilirakis, Rep. Raul M. Grijalva, Rep. Randy ''Duke'' Cunningham, Rep. Henry A. Waxman, Rep. Ed Case, Rep. Bob Etheridge, Rep. Brad Miller, Rep. Xavier Becerra, Rep. David Wu, Rep. John Larson, Rep. Chris Smith.

Rep. Bart Stupak, Rep. Lucille Roybal-Allard, Rep. Bob Filner, Rep. Adam Smith, Rep. Linda T. Sanchez, Rep. Brian Baird, Rep. Jerrold Nadler, Rep. Robert T. Matsui, Rep. Jim McGovern, Rep. Diana E. Watson, Rep. Stephen Lynch.

Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Wisconsin (Mr. KIND), my colleague from the Committee on Resources.

Mr. KIND. Mr. Chairman, I thank the gentlewoman for yielding me this time. I am the ranking member on the Subcommittee on Energy that has jurisdiction over this provision. I rise in support of the amendment. With all due respect to our friend, the chairman of the Committee on Energy and Commerce, we on this side also believe in accumulating information and free speech and making informed decisions, but we also believe in the democratic process; and it has been clearly stated in a bipartisan fashion that the will of the people in these areas do not want leasing off their shore.

Referencing former Interior Secretary Watt for being the savior for the moratoriums a while back is a little revisionist history. It was mainly because of his zeal and his aggressiveness to increase leasing potential off the coasts of California and down in Florida that led to a political backlash, a bipartisan backlash which led to the moratoriums. So what we are doing is basically respecting the process and the will of our democracy, because people in these States have determined that they do not want to see the drilling offshore. So why would we then use their tax dollars to do a study for the same drilling that has already been prohibited? I commend my friend for this amendment.

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

In closing, I thank again the cosponsors of this amendment, the gentleman from Florida (Mr. MILLER) and the gentleman from Florida (Mr. DAVIS). I thank the chair of the Committee on Resources for the support.

The CHAIRMAN pro tempore (Mr. CULBERSON). The question is on the amendment offered by the gentlewoman from California (Mrs. CAPPS).

The amendment was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 19 printed in House Report 108–69.

AMENDMENT NO. 19 OFFERED BY MR. KIND

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

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

The text of the amendment is as follows:

Amendment No. 19 offered by Mr. KIND:
In division C, strike title II.

The CHAIRMAN pro tempore. Pursuant to House Resolution 189, the gentleman from Wisconsin (Mr. KIND) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. KIND).

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

Mr. Chairman, as ranking member of the Subcommittee on Energy of the Committee on Resources, we have put in a lot of time and a lot of energy in trying to produce a bipartisan piece of legislation. However, today I must rise and strongly object to one of the titles that is being offered in the base bill, title II. My amendment would strike title II, the oil and gas title, which would open the door to more drilling with fewer safeguards and less public input while granting giveaways to profitable companies that will cost taxpayers hundreds of millions of dollars over the next 10 years. It is a little surreal that in light of the budget resolution that passed yesterday, Mr. Chairman, that calls for an increase in the debt ceiling by $984 billion in the next fiscal year and an increase in the debt ceiling to $12 trillion over the next 10 years, we have a title in this energy bill which is not offset, it is not paid for and which will cost the American taxpayer hundreds of millions of dollars by creating some false economic incentives to do more drilling on public lands.

Today, Mr. Chairman, we still have brave U.S. troops fighting in Iraq, in part because of the strategic importance that region has, due to our addiction to their oil. The question before us then today is, what are we going to do about it? The answer is not that we can produce our way out of that dependence. We only possess 2 percent of the world's oil reserves. Yet this bill tries to create the illusion under title II that we can produce our way out. Even if we pass this bill today, we will remain hooked on Middle East oil for two reasons: OPEC skillfully keeps the price low to maintain our addiction, and we lack the political will today to do what is necessary to reduce our dependence on oil.

In the last thousand years, Mr. Chairman, we have had a half a degree increase in the world temperature. Today most of the scientists project that over the next 100 years, we will see a 2-degree increase in the world temperature, along with the consequences that it will bring, primarily due to the burning of fossil fuels. The rest of the world gets this. Why can we not? The solution I believe is self-evident. We need to change our energy paradigm. I believe we can do it within the context of economic growth by emphasizing more conservation practices, as well as the technologies of the 21st century, alternative and renewable fuels, wind, solar, geothermal, biofuels and the energy source of the 21st century, hydrogen power. We just lack the political will to do it.

My amendment strikes title II because it is based, I believe, on two false premises, that we can produce our way out of our dependence on foreign oil and that we should do it at taxpayers' expense and at our environment's expense. A great deal of attention during this debate has been devoted to drilling in the Arctic National Wildlife Refuge. I also oppose that. Why would we take a Monet off the wall and burn it for short-term heating needs? Yet that is what is being proposed in this whole debate to open up the Arctic National Wildlife Refuge. But there are other sections of title II that, standing alone, make this a bad bill, such as the royalties-in-kind provision that is contained in it, granting broad authority to the Secretary of the Department of the Interior for permitting alternative energy-related uses on the Outer Continental Shelf without specifying the types of places to be avoided; and reimbursing oil and gas companies for doing the environmental impact studies that are required under law.

Mr. Chairman, one of the most egregious sections of this bill is what is being called royalty relief for some of our Nation's largest oil companies. This provision waives Federal royalty collections on huge amounts of publicly owned lands. Simply put, title II will put hundreds of millions of dollars of taxpayer money into the already deep pockets of many of our oil companies. Who are some of these beneficiaries?

Mr. Chairman, this is the recent Forbes magazine list of the Fortune 500 companies. Coming in at number three, Exxon Mobil with $183 billion of annual revenues and over $1.5 billion in profits last year alone. Chevron Texaco, $92 billion in annual revenues, over $1 billion in profits. These are some of the companies that will be receiving this windfall and subsidy payments from the American taxpayer when we are currently running unprecedented budget deficits and jeopardizing our children's future.

Amazingly, during the 2000 Presidential campaign, one of the candidates stood up and adamantly opposed royalty relief. He stated, and I quote, ''Giving major oil companies a huge tax break is not the right thing to do.'' Interestingly, though, this was not Vice President Al Gore. This was then-candidate George W. Bush. If it is good enough to stand on policy in order to convince the people to elect you, it should be good policy then when you

are elected to pursue it and to see it enforced. Unfortunately, that is not what is being done with this energy bill.

I know those who support this provision will say that we need to continue to encourage the development of domestic oil and gas resources from our public lands so our Nation can become more energy independent. I agree. But we do not need to create more generous subsidies to get them to do so. I submit that these companies would continue to develop these sources without being subsidized because it is in their economic interest to do so. A couple of years ago when this was being proposed, it was being sold because of the low oil prices in order to get them to do it. Now we have high oil prices, and it is being sold to do it because of the high prices. I am beginning to wonder whether there is any economic rationale at all, or whether this is merely taking care of friends in this energy bill.

Another problem with the royalty holiday proposal is that the royalties the Federal Government does not collect will starve the Land and Water Conservation Fund of critical financial resources. The Land and Water Conservation Fund provides special protection for some of our most precious habitats and national parks. It has been doing it for nearly 40 years. Title II would significantly diminish funding for these conservation measures on our public lands for water resources, wildlife and fish habitat, scenic landscapes. That is why a number of sporting and fishing groups such as the National Rifle Association, Trout Unlimited, the Izaak Walton League have opposed similar types of provisions in the past.

Mr. Chairman, title II in this energy bill really does beg the question, Where are our priorities? We have historically high budget deficits today and a budget resolution that passed last night that will raise the national debt ceiling to $12 trillion over the next 10 years. Yet we are going to offer these royalty-in-kind and royalty relief provisions, giving some of the most profitable companies in our Nation hundreds of millions of dollars of windfall subsidies at the taxpayers' expense on the public lands. I think we can do better. I would encourage my colleagues to support my amendment.

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

The CHAIRMAN pro tempore. Who seeks time in opposition to the amendment?

Mr. POMBO. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN pro tempore. The gentleman from California (Mr. POMBO) is recognized for 10 minutes.

Mr. POMBO. Mr. Chairman, I yield 4 minutes to the gentlewoman from Wyoming (Mrs. CUBIN).

Mrs. CUBIN. Mr. Chairman, I rise in strong opposition today to the Kind amendment. This amendment will do nothing to enhance our national energy security. In fact, it will just preserve the insecurity that we are going through today. The gentleman from Wisconsin is correct, these are unsettling and dangerous times. We are at war in the Middle East and many of the oil-producing nations in the world are either openly hostile toward the United States or are undergoing political turmoil. This turmoil has driven oil prices up, and meanwhile at home we are suffering a natural gas supply crisis. This winter natural gas prices reached the highest levels in history. These prices hurt American consumers, especially the elderly and the poor; and they hurt the economy.

The gentleman from Wisconsin's amendment would allow unreasonable delays to continue by allowing the bureaucracy to continue its inefficient, ineffective methods of permitting. This title helps limit the time that can be involved so that we can get energy online faster, while at the same time providing environmentally healthy gas production. This is a good title in the bill.

In the oil and gas title of the energy bill, we hold Federal agencies accountable for their leasing and permitting processes. The amendment does nothing to cut bureaucratic red tape on supplies that we already have, and it does nothing to keep energy flowing to America. In the oil and gas title, we also provide royalty relief for marginal wells on Federal lands so that these wells will not be shut in permanently when prices are prohibitively low. A marginal well is one that has almost reached the end of its productive life. Marginal wells can contain, say, 70 percent of the oil that was originally in the formation when the life of the well is depleted. It is very expensive to develop these marginal wells because you have to use tertiary production procedures. It is more expensive to produce marginal wells than it is large wells.

And so these wells would be closed in permanently, forever, leaving 70 percent of the oil in there if we did not grant these incentives to marginal well lessees. Individually, marginal wells produce very little but collectively they produce one-third of our oil supply, of our gas supply, and almost as much oil as we import from Saudi Arabia. Critics of responsible oil and gas development are always saying that production of these wells is of no particular significance, but that is absolutely wrong. Also, the poster that he was using that said that the people who benefit from these oil and gas relief measures are the major oil companies, that is simply not the case. In reality, marginal wells are so prohibitively expensive that without these incentives the majors do not produce marginal wells. They sell the marginal leases to mom-and-pop organizations. Practically every single producer in my State is an independent producer. It is that way across the country. We are not talking about billions of dollars to Exxon, Texaco, Mobil and so on. We are talking about mom-and-pop operations that keep the oil, 33 percent, flowing to this country from marginal wells.

This oil and gas title addresses the critical problems that are causing our supply crisis, but the gentleman from Wisconsin chooses to ignore reality and pretend that at some point this problem will just go away, that renewables and conservation will take care of it. Mr. Chairman, that is simply not the case. I ask my colleagues to defeat the Kind amendment.

Mr. KIND. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Chairman, I rise in strong support of the Kind amendment and in opposition to H.R. 6. We need an energy policy that takes us forwards, not backwards. The Republican bill is not an energy policy. It does little to reduce America's dependence on oil, it weakens consumer and environmental protections, and it fails to include renewable alternative energy sources and robs the American people and the Treasury of oil and gas royalties.

The Kind amendment strikes the damaging oil and gas development programs which are heavily subsidized by the taxpayer. In particular, I support a provision that strikes section 30201, which I submitted as a separate, standalone amendment. Regrettably it was not put in order. The royalty-in-kind program, which requires the government to market and sell through an agent its percentage of oil and gas, is an anti-taxpayer, pro-industry provision that is a bad deal for taxpayers and a generous gift to the oil and gas industry. In an era of increasing budget deficits, we cannot afford to give away publicly owned resources to the oil and gas industry. Yet this section gives the Secretary of the Interior permanent ability to barter our oil and gas royalties instead of collecting cash that can go for programs in education and health care and to reduce our deficit.

Most of the world, even the former Soviet Union, is moving toward a free market system. Yet with this program in this bill, we are moving to a government-controlled system. In this system, the GAO report is so startling, it says there is no oversight, it will cost us money, and it says in this, the government relies on the oil companies to tell them what the worth of their oil is coming from government-owned, taxpayer-owned land. They can set the price. So it is not surprising the industry supports this so much. It gives them free rein.

Mr. Chairman, I include for the RECORD an editorial from the USA Today and the GAO report documenting the cost to the taxpayer for this program.

[From USA Today, Apr. 6, 2001]

MORE PUBLIC DRILLING? SET LET'S COLLECT BILLS FIRST

Bush administration plans to drill for oil and gas on public lands will fuel environmental debate for months. But a related

issue is being overlooked. Energy companies are cheating the public on the oil they pump now.

Why give them new resources until they pay up?

So far the administration hasn't addressed the issue, but by doing so it could burnish its quickly blackening image as a poor steward of public resources.

USA TODAY disclosed Thursday an administration draft recommendation to open millions of acres of public land for drilling. That would add to existing drilling on federal, state and Indian-owned land that accounts for more than one-third of the USA's oil and gas operations.

By assorted estimates, the industry has shorted the government on oil-royalty payments alone by about $100 million a year, through a variety of price-fixing and record-fiddling games. That's almost 10% of the government's $1.1 billion annual collections.

What has made this possible is a system that allowed industry to decide on its own what it would pay the government for the oil it pumped.

Imagine going to a filling station and being allowed to bring your own pump and gauge to figure what you've purchased—and how much it's worth. That's essentially how the industry has been allowed to account for oil and gas taken from public land.

In case after case, sworn evidence shows companies falsifying prices, using phony bills of sale and deliberately misclassifying high-quality oil as low quality in order to pay less.

After years of denials, stonewalling and evasion, more than a dozen companies have agreed in recent months to settlements totalling nearly a half-billion dollars in suits brought by whistle blowers and government attorneys. Thus they avoided defending themselves against daunting evidence of persistently cheating the public. Shell Oil alone is paying $110 million.

In one case that did go to trial, an Alabama jury recently ordered Exxon Mobil to pay $87.7 million in overdue royalties on oil taken from state property. The jury added a whopping $3.42 billion in punitive damages.

Still more claims are pending in other state courts. And similar questions are being raised about gas taken from public property.

A new oil-royalty system adopted last summer is designed to force the industry's payments to reflect more closely true market prices. It is expected to boost revenues by $70 million a year or more.

But now the industry is trying to force the government to accept payment in oil instead of cash. Its proposal would put extra costs on the taxpayer totaling more than $300 million a year, according to government estimates.

There's good reason to think the industry will get its way. Oil and gas groups and individuals gave $9 million to the Bush campaign and the Republican National Committee for the 2000 campaign, more than $20 million to GOP causes generally. Another $6 million went to Democrats.

Additional drilling on public land may be useful to meet the country's long-term energy needs. But if the nation's mineral patrimony is to be sold off, the Bush administration and Congress need to make sure it's for full price: without private discounts for politicians' patrons in the oil business.

Mr. POMBO. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana (Mr. JOHN).

Mr. JOHN. Mr. Chairman, a ''no'' vote on this amendment is a ''yes'' vote for energy security and the families of America. Mr. Chairman, high natural gas prices are hurting consumers and businesses all over America. As Members know, natural gas is increasingly becoming the fuel of choice for both home heating and for electricity generation. This winter, natural gas prices reached their highest levels of all time. High natural gas prices are hurting working families. They are hardest on the poor in this country. Natural gas prices are also hurting our manufacturing companies, our chemical manufacturers, and our fertilizer makers. Our farmers are closing businesses. One single manufacturer in my district said that the high natural gas prices which he could not pass on cost him $10 million this year. How could he keep his doors open? Family farms are also suffering. As we well know, natural gas is a very important component in the creation of fertilizer.

The reason we are facing these high natural gas prices, Mr. Chairman, is very simple. It is very simple. It is not rocket science. Supply is not keeping up with demand. We can talk about conservation and efficiencies. I am for that. But there is a space between where we are today and where we can go. We have ample supplies of natural gas in reserves in the United States. The vast majority of the future of gas supplies will come from Federal lands, including the offshore around the United States. This amendment if enacted ignores the natural gas supply demand that we have. I urge my colleagues to vote ''no'' on this amendment.

Mr. POMBO. Mr. Chairman, I yield 3½ minutes to the gentleman from Louisiana (Mr. TAUZIN).

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

Mr. Chairman, this un-Kind amendment is typical of the reaction we get from the other side when we try to produce a comprehensive, balanced energy bill for America. We are asked to include efficiency titles and conservation titles and renewable fuel titles and alternative fuel titles and we do.

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Then we have one title to help maintain pro-production in this country, the vital fuels, the hydrocarbon fuels, the oil, the gas. It is critical to keep electric plants working to keep this economy going, to keep people warm in the winter and cool in the summer, and we get an amendment like this to strike that part of the bill, to totally unbalance it, so it does not have the pro-production features that a balanced energy policy ought to have.

The President, in asking us to pass this bill, did a study of the Nation's needs in natural gas alone. He predicted we needed 1,600 new major electric plants in this country to supply this country with energy, and most of those plants were going to be natural gas plants because it is the environmental fuel of choice in America to produce electricity.

Where is that gas going to come from? Do my colleagues think it comes from the sky? Do they think it comes out of the wall? I mean, they did a survey in California. Believe it or not, a huge percentage of people in California, when asked where electricity comes from, they said, the wall; and when asked who put it there, they said, the contractor put it there. They had no idea that there was somebody out there drilling an oil well, producing gas, putting it in a pipeline, putting in an electric power plant to make electricity for American families.

This amendment would shut the pipeline down. This amendment would say, let us not put any more gas in the pipeline to fuel those power plants. This amendment would shut off the incentive program that Bill Clinton signed into law, the royalty relief program that Bill Clinton executed during his time in office, the program that Bill Clinton put in that was predicted, if it worked, to produce $400 to $500 million for the United States Treasury.

Do my colleagues know what it produced? It is now predicted to produce $7 billion in new royalties that would never have been obtained, but for the deep-water drilling that occurred because Bill Clinton had the wisdom to sign the act we passed in Congress on deep-water drilling.

This bill contains a similar incentive for deep-well drilling in the shallow fields, and the only place in America that most of my colleagues will allow us to drill is the offshore of Louisiana, Texas and Alabama. This bill is likely to produce enough natural gas to double the production of natural gas that the whole OCS produces in America.

This amendment would shut it down. This amendment would say, let us not produce any more natural gas for America from these exotic fields below 20,000 feet. That would never get produced without this incentive, and even Bill Clinton understood that and signed a bill and executed it into law. And the $7 billion that produces, by the way, includes $1 billion that goes into the Land and Water Conservation Fund that goes into historic preservation in this country, money that would not be available for these environmental causes but for the deep-water drilling program that Bill Clinton signed into law. This bill extends further into authorization and extends into the deep drilling of the shallow fields.

If we think natural gas and oil only powers power plants, think again. The liquids that come from these fuels, the propylenes, the ethylenes, the chemical building blocks that build most of the products we in our kitchen, shut them down, shut down American kitchens as well, shut down the entire chemical processes. That is what the un-Kind amendment does. We need to defeat it.

Mr. POMBO. Mr. Chairman, I yield myself the balance of my time.

I rise in opposition to what I believe is probably the most extreme amendment that we will face in this entire energy bill. We set off to produce a balanced energy policy for this country.

We included alternative energy, wind, solar, fuel cells, but as part of it, we also had to address today's needs which are oil and gas.

This amendment strips out everything that we put into this bill to deal with the needs of today. So I believe it is extremely important for our future that we vote against this particular amendment.

Mr. RAHALL. Mr. Chairman, I rise in support of the amendment being offered by the gentleman from Wisconsin, RON KIND, the Ranking Member on the Subcommittee on Energy and Mineral Resources.

There is no reason, no reason whatsoever, for Congress to be mandating OCS royalty relief.

The fact of the matter is that Secretary Norton apparently already has discretionary authority to grant royalty relief and is in fact promulgating regulations on this matter.

There is simply no need for this Committee to now mandate, and perhaps hamstring, Secretary Norton on the matter of granting royalty holidays.

The issue of Royalty-in-Kind deserves some attention. This stuff comes right out of the pages of the Communist Manifesto.

It is being proposed that we socialize the Federal oil and gas royalty process. That companies would send Federal bureaucrats the actual oil and gas, rather than cash payments, to meet their royalty obligations.

Then, these Federal bureaucrats would be expected to market the oil and gas, to compete with Exxon and Royal Dutch Shell, in order for the taxpayers to actually recoup the royalty proceeds. Incredible. Simply incredible.

Both of these provisions are drains on the Treasury and are simply not needed to enhance America's energy security.

And to top it off, to top it off, provisions of the bill which Mr. KIND is seeking to strike would have the taxpayer foot part of the bill for oil and gas companies to comply with NEPA.

The taxpayer is actually being called upon the pay these companies for their privilege to drill on Federal lands. At a time of soaring gasoline prices.

Suffice it to say, these provisions have not redeeming value to our energy security and should be stricken from H.R. 6.

I urge all Members to support the Kind amendment.

Mr. PETRI. Mr. Chairman, I rise this evening in support of the Kind amendment to H.R. 6, the Energy Policy Act of 2003.

This amendment will strike title II of Division C of this bill. This title addresses various aspects of oil and gas production from Federal lease lands, both onshore and offshore. It reportedly seeks to provide greater incentives and royalty relief to oil and gas producers to encourage exploration and development in these areas.

However, these incentives are far too generous. They are not in the public interest. they will not provide for a secure energy future.

Because of this, I urge my colleagues to support the Kind amendment.

The CHAIRMAN pro tempore (Mr. CULBERSON). The question is on the amendment offered by the gentleman from Wisconsin (Mr. KIND).

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

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

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin (Mr. KIND) will be postponed.

It is now in order to consider Amendment No. 20 printed in House Report 108–69.

AMENDMENT NO. 20 OFFERED BY MR. RAHALL

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

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

The text of the amendment is as follows:

Amendment No. 20 offered by Mr. RAHALL: In division C, strike title VII.

The CHAIRMAN pro tempore. Pursuant to House Resolution 189, the gentleman from West Virginia (Mr. RAHALL) and a Member opposed to the amendment each will control 10 minutes of this debate.

The Chair recognizes the gentleman from West Virginia (Mr. RAHALL).

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

Mr. Chairman, this amendment would strike from the bill provisions which would give rise to a monopoly controlling Federal coal leases, primarily in Wyoming's Powder River Basin. These provisions are anticompetitive, anticonsumer and against the interest of the majority of coal miners in this country.

It is important to understand that the Federal Government owns one-third of the Nation's coal, mostly in the Western States, with a high concentration in Wyoming's Powder River Basin. This coal is made available for production under a competitive leasing program. The taxpayers receive a return in the form of bids made to secure the leases and in the form of a production royalty.

Provisions of H.R. 6 would change all of this. These provisions would allow coal producers with Federal leases to seize unlimited additional Federal coal lands without competitive bidding and be relieved of paying royalties owed to the American taxpayer under certain circumstances.

Just imagine that these producers would be in the driver's seat. They could gobble up unlimited acreage of publicly owned coal lands without competition.

The net effect of these provisions would be the creation of a Federal coal-producing monopoly in the Powder River Basin, with ramifications to electricity consumers throughout the West and Midwest and to the detriment of coal producers and coal laborers in the Appalachian and Midwestern States, and the American taxpayer, the American taxpayer, the owners of the lands, would be robbed of their share of the bonus bids and royalty payments.

This map displays in red the States which lose under these provisions. These are States which either consume Powder River Basin coal or have coal producers which compete against this coal.

As United Mine Workers of America President Cecil Roberts recently wrote: ''The bill constitutes a serious threat to coal miner jobs and coal community families. If enacted, the bill would provide a huge windfall to a few, while shifting significant costs and risks to the American public.''

As it stands, electric utility companies have filed with the Surface Transportation Board, already, several cases challenging the reasonableness of coal rates involving Powder River Basin coal. These utility companies already filing suit, among them Northern State Power, Public Service Company of Colorado, West Texas Utility Company, Texas Municipal Power Agency and Wisconsin Power and Light, these utilities are alleging that the delivered price of Powder River Basin coal is already unreasonable.

The Federal coal leasing provisions of H.R. 6 would add insult to injury.

I would add that these are not by any means the only utility companies which purchase Powder River Basin coal. Whether it is the Arizona Public Service Company, the Cajun Electric Power Co-op, Detroit Edison, Nebraska Public Power, Oklahoma Gas and Electric, or Public Service Company of Colorado, the consumers of all these utilities stand to lose with the creation of a monopoly in their supplier of coal to these utilities.

It is absurd in the name of national energy security to artificially inflate the cost of delivered power to electric utility consumers. The Federal coal-leasing provisions also represent a direct assault against coal producers in States which compete with the Powder River Basin coal for electric utility markets. I make no bones about it, yes, that includes my home State of West Virginia. It also includes States such as Pennsylvania, Kentucky and Tennessee. Coal producers in Ohio, Indiana and Illinois would be harmed as well.

This amendment transcends partisan politics. Members representing States which either consume or compete against Powder River Basin coal all stand to lose if the provisions in question stay in this legislation.

I urge my colleagues to look at this map and determine how this provision adversely affects their consumers, and I urge the adoption of my amendment to strike.

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

The CHAIRMAN pro tempore. Who seeks time in opposition?

Mrs. CUBIN. Mr. Chairman, I seek time in opposition to the amendment.

The CHAIRMAN pro tempore. The gentlewoman from Wyoming (Mrs. CUBIN) is recognized for 10 minutes.

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

I am sorry that the color of the State of Wyoming was not in bright yellow on the chart that the gentleman from West Virginia (Mr. RAHALL) just

showed the body. It should be in bright yellow because the Powder River Basin produces so much coal that all of those States that use cheap Wyoming coal have a lot of light in their lives because of that.

Despite what my colleagues have heard from the sponsor about this amendment, the coal-leasing provisions are not about giving breaks to coal companies or creating monopolies that control Federal coal leases. In fact, the amendment creates an atmosphere that guarantees monopolies will exist in the coal industry.

He has not given an explanation of exactly the way the situation is. The current law artificially raises the cost of bidding on Federal coal leases to the point that only the largest corporations in the world can afford to mine them, and what the energy bill does is, right now, when he says that there is no competition on these leases, he is actually misrepresenting, well he is representing his perspective, but I would aver that it is wrong.

What happens is, people bid on the leases, and then if they cannot develop those leases, what he would have us do, because of financial costs, what he would have us do is not be able to ever develop those leases. So it would be leaving coal still in the ground. When prices are low on the world market, it is not cost-productive to produce those huge amounts of coal, so delays are necessary to produce the coal when the demand is high.

That is exactly what the amendment does. The current law gives coal operators the option of either shutting down their operation or dumping coal at bargain-basement prices onto markets that are shared with all the other producers in the East, including West Virginia, and what happens when the coal companies have to dump this cheap coal is, the Federal Government gets fewer revenues, the State governments get fewer revenues.

I just want to refer to the lawsuits that the gentleman from West Virginia (Mr. RAHALL) was discussing. The lawsuits that the gentleman brought forward are against the railroads. They are not against the coal companies. They are against the railroads because the railroads, some say, are charging monopolistic prices to transport the coal.

As a matter of fact, coal in the Powder River Basin on the spot market is selling at $6 a ton; the Appalachian areas are selling for $27 to $35 a ton. Historically, northern and central Appalachia spot prices sell about $20 to $30 per ton higher than Powder River Basin coal.

The bill before us is in no way, and will in no way, encourage monopolies, and most importantly of all, it will help America's small coal operators. It will help coal miners.

I am very worried about miners' jobs. We have a huge mining population that mine in my State. I am very worried about that. I am doing everything I can to protect their jobs. This will protect their jobs because they will be able to produce all the coal, and it will not be left.

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

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

In response to the gentlewoman from Wyoming and her assertion that the lawsuits that I mentioned in my opening comments are filed against the rail companies, I do not dispute that; that is true. They are filed over already high rates concerning coal coming out of the Powder River Basin. So this anticompetitive provision in this legislation would only further add to the high cost of coal coming out of that area and, therefore, yield even further lawsuits.

Mr. Chairman, on March 17 Mountaineer Coal in Mingo County in my district began laying off 460 people. These workers are among hundreds of others in southern West Virginia and eastern Kentucky to have gone out of work in the past year and a half. Meanwhile, the once hustling former B&O Railroad coal lines in part of my State are now recreational trails. The track has been pulled up.

Over the years, we have suffered as we have lost critical electric utility markets to Federal coal production in the Powder River Basin of Wyoming to the detriment of our employment base and regional economies.

The provisions in H.R. 6 that I seek to strike would provide that Powder River Basin coal production with an artificially created, additional competitive edge to the additional detriment of our employment base and our regional economies.

I say to my colleagues from coal-producing regions in the Midwest and in Appalachia, we once had a saying in the coal fields from which I held, Which side are you on? Which side are you on?

I stand for the coal miner and our coal communities, and today, this effort of mine is all about fighting for the heart and soul of Appalachia. To fiscal conservatives in this body, Democrat and Republican alike, I appeal to my colleagues on this amendment. Is it reasonable to make public resources available without benefit of competition and to not require a proper return for their disposition? Is this a proper stewardship of public lands in this country? I think not.

□ 1115

That is also why I am seeking to strike these provisions from H.R. 6.

And to those of my colleagues who represent electric utilities which buy Powder River Basin coal, I appeal to you as well. Stand for your consumers against potential monopolistic pricing practices. And to those of you who may not care one iota about coal, I appeal to you for a sense of fairness. There is no justifiable reason why the Federal Government, which owns over one-third of the coal in this country, should be deployed in an anti-competitive fashion against industries, workers and consumers. This is not the American way.

I urge the support of my amendment.

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

Mrs. CUBIN. Mr. Chairman, I recognize myself for 10 seconds.

Mr. Chairman, I neglected to say in my opening comments that, by the way, the royalties are paid on this coal even though it is not produced. So the royalties are paid in advance to the Federal Government and to the State governments under this proposal that is in the bill.

Mr. Chairman, I yield 3 minutes to the gentleman from Nevada (Mr. GIBBONS).

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

Mr. GIBBONS. Mr. Chairman, I thank the gentlewoman from Wyoming for yielding me this time, and I rise in opposition to the Rahall amendment.

Despite what my colleagues have heard from the sponsor of this amendment, the coal leasing provisions in the underlying bill are not about giving breaks to western coal companies and they are not about creating monopolies and controlling Federal coal leases. The underlying bill is about modernizing and improving current law to allow the Federal Government and the Federal coal lessees on Federal ground the ability to protect the environment and to optimize the recovery of Federal coal, coal which they have already paid for with fair market value.

This amendment will delete the provisions that will prevent the wasting, the wasting of America's most abundant and reliable energy resource; and it will delete provisions that maximize Federal and State revenues in the form of royalties and taxes.

Now, a recent letter sent by the amendment's sponsor mistakenly attempts to tie this bill, with the coal leasing provisions, to the electric utility cases filed before the Surface Transportation Board. Those cases involve the railroad transportation costs and have absolutely nothing to do with coal production. There is no relationship between the coal producers and the railroad rates as represented in that letter.

The current law gives coal operators only two options, and that is to shut down mining operations after they have reached an arbitrary time limit or surface area, or the alternative of dumping coal at bargain basement prices, as we have heard from the gentlewoman from Wyoming previously. Current policies artificially raise the cost of bidding on Federal coal leases so high that only the largest, best capitalized corporations in the world can afford to mine the abundant coal resources.

The Rahall amendment encourages monopolies; it does not prevent them.

The current law forces coal producers to leave Federal coal in the ground forever by not allowing them to buy the coal located just across the line of the lease. If this amendment passes, this coal will never be mined and America will lose this important energy resource.

Mr. Chairman, the Federal coal leases are located on Federal lands that have been designated for coal production and have passed stringent environmental tests regarding the suitability of coal for production. The Surface Mining Act that the gentleman from West Virginia wrote in 1977 ensures the environmental integrity of these coal operations is met. However, this is not really an environmental issue; it is one of maximizing the public's interest in coal resources on public land. It is simply a matter of giving the Federal Government the same flexibility that private lessors have to maximize their return on investment while ensuring a strong energy future for America.

Who will pay the price if the Rahall amendment passes? Millions of Americans across the Southwest who pay nearly double the electricity rate will pay the price. Small coal operators, America's coal miners, and America's energy losers will all be denied America's largest domestic energy source. The Federal Treasury will be denied revenues, and they will be denied royalties and taxes from them.

No one wins with the Rahall amendment. I urge a ''no'' vote on the amendment.

Mr. RAHALL. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Wisconsin (Mr. KIND), the ranking member on our Subcommittee on Energy and Mineral Resources.

Mr. KIND. Mr. Chairman, I thank my friend, the ranking member on the Committee on Resources, for yielding me this time; and I rise in strong support of his amendment here today.

Mr. Chairman, I believe this is a necessary step in order to restore the competitive bidding process in the coal industry. I mean, that is what our free economy is all about, after all. I think the provisions that have been included in this energy bill are a serious rollback in that competitive process. But no one has to sit here today and listen to the ranking member on the Committee on Resources or the ranking member on the Subcommittee on Energy and Mineral Resources to believe what we are saying. A few out outside organizations have weighed in on this very important issue, not the least of which is the Western Organization of Resource Councils.

Mr. Chairman, this is not an anti-mining group or an anti-development group or a group that fights for further development on our public lands for mining purposes. They have been supportive of that. But they are also supportive of what the gentleman from West Virginia (Mr. RAHALL) is trying to accomplish today.

In a letter in regards to this issue, they state, and I quote, ''The Coal Leasing Amendments Act of 2003,'' that the gentleman from West Virginia (Mr. RAHALL) here would like to strike with this amendment, ''would grant unjustified gifts to the western coal industry at the expense of the U.S. Treasury and diligent development of the people's coal resource. This title would eliminate existing statutory protections that require timely development and limit speculative purchase and holding of Federal coal leases, promote competitive bidding for Federal coal leases, and provide a fair return to the U.S. Treasury for the Federal coal they are taking.''

They also state this is a bad deal for the States who are virtually all under severe financial difficulties today. They go on to state that ''since half of all bonus bids and royalties actually go to the States, any reductions in the Federal coal production, the royalties or bonus bid payments, will adversely have an effect on these coal-producing States.''

Finally, Mr. Chairman, the President of the United Mine Workers of America, Mr. Cecil Roberts, has weighed in in support of this amendment in opposition to the title in the energy bill. And let me just quote the concluding paragraph in which he wrote, ''In closing, this title is nothing more than a wish list for a few selected coal companies. By eliminating competition for Federal coal leases, consolidating more Federal coal resources in the hands of a few select companies, and allowing leases to be held indefinitely without production, it constitutes a serious threat to coal miner jobs and coal community families.''

I think, Mr. Chairman, that says it all. I encourage my colleagues to support the Rahall amendment.

Mr. Chairman, I submit for the RECORD the letter from the United Mine Workers of America.

UNITED MINE WORKERS OF AMERICA,
Fairfax, VA, March 18, 2003.

Hon. RICHARD W. POMBO,
Chairman, Committee on Resources, Longworth House Office Building, Washington, DC.

Hon. NICK J. RAHALL,
Ranking Member, Committee on Resources, Longworth House Office Building, Washington, DC.

DEAR SIRS: As President of the United Mine Workers of America, I am writing to notify you of the UMWA's opposition to H.R. 794, the Coal Leasing Amendment Act of 2003. H.R. 794 would adversely revise or eliminate long standing federal coal leasing policies that were designed to encourage competition and new investment in coal mines on federal lands and ensure that the federal government on behalf of the American taxpayer maximizes its return from this resource.

In particular, H.R. 794, would enable coal companies to consolidate even larger amounts of public lands into a few active mining operations without competing for additional acreage by repealing the 160 acre lease modification limitation. The bill would also allow large coal companies to hold federal leases for indefinite periods of time without the benefit of production by giving the Secretary of the Interior the authority to forgive the payment of ''advance royalties,'' payments made when mines close down for extended periods of time. In addition, H.R. 794 would also prevent the Bureau of Land Management from requiring coal lessees to post a surety bond, a bond that guarantees payment of coal company's bonus bid for a coal lease, thereby transferring the risk of nonpayment to the American taxpayer and putting at risk millions of dollars due in deferred bonus payments.

In closing, H.R. 794 is nothing more than a wish list for a few selected coal companies. By eliminating competition for federal coal leases, consolidating more federal coal resources into the hands of a select few companies, and allowing leases to be held indefinitely without production, H.R. 794 constitutes a serious threat to coal miner jobs and coal community families. If enacted, H.R. 794 would provide a huge windfall to a few while shifting significant costs and risks to the American public. H.R. 794 should be rejected.

Sincerely,

CECIL E. ROBERTS,
International President.

Mrs. CUBIN. Mr. Chairman, may I inquire how much time is remaining on both sides.

The CHAIRMAN pro tempore (Mr. CULBERSON). The gentlewoman from Wyoming (Mrs. CUBIN) has 3½ minutes remaining, and the gentleman from West Virginia (Mr. RAHALL) has 1 minute remaining.

Mrs. CUBIN. Mr. Chairman, I yield 2½ minutes to the gentleman from Utah (Mr. CANNON).

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

Mr. CANNON. Mr. Chairman, I thank the gentlewoman for yielding me this time, and I rise in opposition to the Rahall amendment.

Few people realize how significant coal is in the everyday lives of Americans. Only a small portion of the population appreciates that nearly one-third of the United States' primary energy production is from coal. In addition, domestically produced coal is the most affordable and reliable electricity generation source.

The reason why this is so significant is that an estimated 60 percent of GDP, gross domestic product, is due to enterprises that use electricity as their front-end energy. Without coal, our economy would be about as robust as the Iraqi regime is today.

Credible studies project the United States will need 54 percent more power by 2025, and that power has to come from somewhere. Most experts agree the growth is most likely to come from coal and natural gas that is located on Federal lands. Mr. Chairman, the coal provisions we are discussing here today will help facilitate and expedite this necessary increase in coal production.

For example, by adjusting the existing 160-acre life-of-lease modifications, we will be moving away from regulations that waste coal reserves and which confine the use of modern mining technology and toward a more rational coal policy. In addition, the 40-

year mine-out requirement causes premature closure and results in bypassing nearby coal reserves. This bill gives the Secretary the needed discretion to allow the consolidation of leased coal reserves.

There has been some discussion about fair competition and pricing, and the suggestion has been that somehow we have higher priced coal out of the West. The problem that the people who are mining coal in the East have is that we have abundant supplies that are relatively easy to produce and are being produced at a much lower cost to consumers. So consumers today are the people who are benefiting. The American families are the people who are benefiting from this low-cost coal that this amendment would undermine.

This amendment, if passed, would cause significant increases in electricity for most Americans, or many Americans. So, Mr. Chairman, I urge my colleagues to oppose this amendment.

Mr. RAHALL. Mr. Chairman, do I reserve the right to close?

The CHAIRMAN pro tempore. The gentlewoman in opposition has the right to close.

Mrs. CUBIN. Mr. Chairman, I reserve the right to close.

Mr. RAHALL. Mr. Chairman, I yield myself the balance of my time.

In conclusion, let me wrap up the debate on this amendment by saying that it is a pro-mining amendment. It is a pro-consumer amendment. It is a pro-fairness-for-American-taxpayer amendment.

The coal that is mined in the Powder River Basin for the most part is Federal coal. This is coal that has as the owner of the deed on that land all the American taxpayers. They have a right to get a fair return for the disposition of their resources. We have, as public policymakers, the obligation to ensure that the American taxpayer gets a fair return and that this coal that is mined on Federal coal leases in the Powder River Basin is leased on a competitive basis. That helps the consumer, and that helps all of America.

Those of us in the east and other States, where of course the majority of the coal that is mined is on private lands, this amendment ensures that that production will continue in a very fair and environmentally sound manner. It ensures that there is an equal balance in the distribution of our coal supplies across this country; and it means that the American taxpayer, in the long run, is the beneficiary of my amendment to strike this anti-competitive provision.

Mrs. CUBIN. Mr. Chairman, I yield myself the balance of my time.

This amendment is not about monopolies. This amendment is about a Member promoting his own district, and that is a very admirable thing to do. But what we have to do as Members of this body is protect our resources and not waste a precious resource. We have to protect the workers, and we have to protect the Federal Treasury and the State treasuries.

Current law forces coal operators to either shut down their operation or abandon coal in place. We cannot waste the resource. It is too precious. We cannot have miners out of jobs because they have to shut down the operation.

Powder River Basin coal sells for about $6 a ton. The lawsuits that the gentleman spoke to are about rate cases of utilities. Coal is sold in contracts. It is not regulated by the Surface Transportation Board, and that is what those lawsuits were about.

These royalties are paid in advance. The Federal Treasury will lose no money. Please defeat the Rahall amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from West Virginia (Mr. RAHALL).

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

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

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from West Virginia (Mr. RAHALL) will be postponed.

It is now in order to consider amendment No. 21 printed in House Report 108–69.

AMENDMENT NO. 21 OFFERED BY MR. CANTOR

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

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

The text of the amendment is as follows:

Amendment No. 21 offered by Mr. CANTOR: Strike Section 42011.

The CHAIRMAN pro tempore. Pursuant to House Resolution 189, the gentleman from Virginia (Mr. CANTOR) and a Member opposed each will control 5 minutes of this debate.

Mr. RAHALL. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, even though I strongly support the amendment.

The CHAIRMAN pro tempore. Without objection, the gentleman from West Virginia (Mr. RAHALL) will be recognized in opposition to the amendment.

There was no objection.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Virginia (Mr. CANTOR).

□ 1130

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

Mr. Chairman, I rise in support of the amendment which strikes section 42011, which would allow the prepayment of premium liability for coal industry health benefits.

It is my belief that this language made good sense and will ultimately improve the financial viability of the Coal Act funds and help ensure health care benefits for coal workers and their dependents. However, there are colleagues of mine in this House who differ with this opinion. In the interest of allowing the energy bill to move forward to passage, I ask that the House support this amendment striking this language.

Mr. Chairman, I yield 1 minute to the gentlewoman from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Mr. Chairman, I rise in support of this amendment and would like to express my sincere appreciation for the importance of coal industry health care benefits. I would like to remind my colleagues that while my own State of West Virginia has roughly 15,000 retirees and dependents in the combined benefit fund, the overall plan covers nearly 50,000 retirees with total benefits paid out last year of over $368 million.

The viability of this health care program is extremely important to those of us in the body who represent the countless hard-working men and women in coal country who have helped provide this country's energy needs for so many years.

In addition, I would like to express my gratitude and support for recognizing the significance of clean coal tax provisions that are going to be placed back into the bill. These incentives will allow the coal industry to invest in cleaner coal technology, and ensure the country continues to have affordable and reliable energy for our homes, hospitals, schools and factories.

I support this amendment because this makes a bold statement to our coal miners that we support them not only while they are working with their health benefits, but in their retired years.

Mr. CANTOR. Mr. Chairman, I yield the balance of my time to the gentleman from Louisiana (Mr. TAUZIN).

Mr. TAUZIN. Mr. Chairman, I thank the gentleman from Virginia (Mr. CANTOR) and would like to enter into several colloquies with Members.

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

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

Mr. GOODLATTE. Mr. Chairman, the State of Virginia recently enacted a law to delay our utilities from joining a regional transmission organization until July 2004. There is great concern in my State that the benefit that our consumers enjoy, low-price electricity, will not stay in our State if our utilities join an RTO. We have had discussions about the possibility of placing an amendment here in the bill which would resolve this problem. Unfortunately, we have not been able to accomplish that. At this time, I would ask the chairman if he can assist me.

Mr. TAUZIN. Mr. Chairman, it has come to our attention that the gentleman has very serious concerns that residents of the State of Virginia may not benefit from certain provisions in the electricity title of H.R. 6, and it is for that reason we have this colloquy;

and I want to give the gentleman certain assurances today.

Mr. GOODLATTE. Mr. Chairman, I thank the gentleman.

There is concern among those in my State that the savings clause language in the Native Load provision of the bill, section 16023, will not give our consumers the protection of that provision as we transition to an RTO.

Mr. TAUZIN. Mr. Chairman, I recognize and acknowledge that we will need to work further on the specific language in the savings clause of the Native Load provisions to address the gentleman's concerns.

The exemption of this bill may have unintended consequences in States and regions of the country which are transitioning to RTOs and ISOs. I intend to continue to work on that language to ensure that any load-serving entity that wishes to avail itself of the statutory provision is able to do so.

Mr. GOODLATTE. Mr. Chairman, I thank the gentleman from Louisiana (Mr. TAUZIN).

I would like to further elaborate on a colloquy with the Chairman of the Energy and Commerce Committee to clarify the intent of the Commerce Committee with regards to addressing the concerns of the Virginia delegation about a unique situation in our state regarding native-load protection.

Under FERC's proposed standard market design rulemaking, state authority to protect so-called native-load customers—buyers of electricity who have been guaranteed reliable supplies of power at fixed prices—could be supplanted. This proposal deeply concerned Virginia's State Corporation Commission (SCC), Virginia's regulatory agency which has oversight over the state's utility industry. The SCC was not assured that under this proposal my state would be subject to spiraling costs. As you may know, my constituents pay some of the lowest electric rates in the nation.

Because of the SCC's concerns, the Virginia General Assembly recently passed legislation to delay full implementation of FERC's proposed language to allow the state to examine the full consequences of restructuring. Virginia is the only state to have passed such legislation, putting it in a unique position with regard to the protection of native loads. Many Virginians could end up paying more for electricity if one of my utilities joins an RTO because the transfer of control of transmission lines may threaten the state's ability to assure reliable service at the stable and reasonable rates many customers are currently enjoying. If the power to protect transmission lines is lost, consumers will no longer be protected from escalating rates. The SCC and the General Assembly have acted to protect native-loads, but if their actions are ignored by FERC, Virginia's electricity prices could sour, and service could become unreliable.

When the Energy and Air Quality Subcommittee approved the Energy Bill several weeks ago, Congressman NORWOOD included language to protect state-regulated markets that favor native-load customers. However, Congressman BARTON included a savings clause that would exempt certain RTOs from the underlying Norwood provision. Given the unique situation that my state is in, if utilities in Virginia were to join one of these exempted RTOs, I am concerned about the protection of their native-loads.

In light of the fact that language protecting native-load preferences in my state has not been included in the Energy Bill, I would like to have the assurances of both the Chairman of the Full Committee and the Subcommittee that they will work with me as this bill moves to conference and in conference to address the unique situation and concern of the Commonwealth of Virginia in protecting native-loads. It is my understanding that Chairman TAUZIN and Chairman BARTON intend to work with me to include language in the bill that will protect native-load preferences in my state that will help ensure that Virginia gets the full benefit of the native-load preferences in the underlying bill.

Mr. TAUZIN. Mr. Chairman, I thank the gentleman from Virginia (Mr. GOODLATTE), and would now enter into a colloquy with the gentleman from Kentucky (Mr. WHITFIELD).

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

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

Mr. WHITFIELD. Mr. Chairman, I am delighted that we are making such progress on this energy bill.

Mr. Chairman, as part of the legislative activity that preceded the introduction on H.R. 6, the Committee of Energy and Commerce reported legislation which authorized $200 million per year for 9 years for clean coal projects at new and existing plants. The legislation was based, in part, on H.R. 1213, legislation that I introduced with my colleague and our friend the gentleman from Virginia (Mr. BOUCHER).

The Clean Coal Power Initiative, contained in both the Committee on Energy and Commerce bill and H.R. 6, is a vital and necessary part of the effort to provide cleaner and more efficient electricity from coal-fired power plants. However, this initiative must be complemented by tax incentives that will encourage the successful completion and operation of clean coal projects.

As was noted during the preceding colloquy yesterday by the gentleman from California (Mr. THOMAS) and the gentleman from Kentucky (Mr. LEWIS), H.R. 6 does not contain such tax incentives. I would ask the chairman whether he would lend his support to the adoption of such incentives in conference with the Senate.

Mr. TAUZIN. First, let me acknowledge the great work of the gentleman and others like the gentlewoman from West Virginia (Mrs. CAPITO) for their support and the enactment into this bill of the Clean Coal Power Initiative that is contained in the underlying bill.

However, I believe, as the gentleman does, that the vital role of coal in our Nation's future will continue to grow and expand. At this juncture it is not possible to predict the precise tax measures that will be adopted by the full Senate. I certainly favor enactment of tax incentives for clean coal to complement the work we have done in our title on the clean coal technology programs.

The gentleman can be sure that I will work with the gentleman and with our colleagues on the Committee on Ways and Means as this matter is considered in conference with the Senate.

Mr. WHITFIELD. Mr. Chairman, I thank the gentleman.

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

Mr. Chairman, I rise in strong support of the amendment that originally was to be offered by the distinguished chairman of the Committee on Ways and Means now being offered by the author of the relevant provision in the legislation, the gentleman from Virginia (Mr. CANTOR).

In light of the fact that I had filed the very same amendment with the Committee on Rules, which is now being considered, despite all of the rhetoric we heard previously, we are back to the main amendment, which is the amendment involving health care for our retired coal miners.

In light of the fact that I was going to offer that same amendment on behalf of some 50,000 retired coal miners and their widows, I do want to thank the gentleman from California (Mr. THOMAS), who was originally supposed to offer this amendment. I thank the gentleman from Virginia (Mr. CANTOR) for offering this amendment, and the Committee on Rules for making it in order.

I would like to thank the gentleman from California (Mr. POMBO), chairman of the Committee on Resources, for allowing the amendment to be made in order. I thank the gentleman from Pennsylvania (Mr. MURTHA) on my side of the aisle and several members from the coal-producing States that have retired coal miners in their districts. I certainly have some of the largest numbers in my congressional district.

I thank all of these gentlemen for making this amendment in order. I thank the gentleman from California (Mr. THOMAS) again, because he has personally discussed this amendment with me and realized the adverse effect the original provision would have had on our Nation's coal miners.

Indeed, the legislation as originally presented to this body before this amendment would have allowed certain coal companies to be relieved of their contractual obligations to fully fund health care for their former employees. Rather than pay the annual health care premiums based on the current cost of coverage under the original language, the provisions would allow these companies to prefund their ability at what they determine are their obligations and then walk away without any further responsibility.

As the old adage goes, that would have been like the fox guarding the henhouse. Obviously, these companies are not going to ante up the true cost of providing long-term health care when they get to determine how much they pay. So it was more than fair that

this provision come out of this legislation.

This, after all, is a commitment that our Federal Government has made to our Nation's retired coal miners and their widows, which goes back to the days of President Truman and when John L. Lewis was the president of the United Mine Workers of America. It is a promise that our Federal Government has made to retired coal miners, which has been reaffirmed by administration after administration, regardless of party, in the ensuing years.

That is what we are doing in this legislation, making sure that the Energy Policy Act of 2003 does not rob, or have the possible potential to rob, these 50,000 retired coal miners and their widows of the health care coverage they deserve.

I thank the gentleman for offering this amendment, and urge adoption of the amendment.

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

The CHAIRMAN pro tempore (Mr. ISAKSON). The question is on the amendment offered by the gentleman from Virginia (Mr. CANTOR).

The amendment was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 22 printed in House Report 108–69.

AMENDMENT NO. 22 OFFERED BY MR. REYNOLDS

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

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

The text of the amendment is as follows:

Amendment No. 22 offered by Mr. REYNOLDS:

At the end of the bill add the following:

DIVISION—MISCELLANEOUS PROVISIONS

SEC. 01. ENCOURAGING PROHIBITION OF OFF-SHORE DRILLING IN THE GREAT LAKES.

(a) FINDINGS.—The Congress finds that—

(1) the water resources of the Great Lakes Basin are precious public natural resources, shared and held in trust by the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin, and the Canadian Province of Ontario;

(2) the environmental dangers associated with off-shore drilling in the Great Lakes for oil and gas outweigh the potential benefits of such drilling;

(3) in accordance with the Submerged Lands Act (43 U.S.C. 1301 et seq.), each State that borders any of the Great Lakes has authority over the area between that State's coastline and the boundary of Canada or another State;

(4) the States of Illinois, Michigan, New York, Pennsylvania, and Wisconsin each have a statutory prohibition of off-shore drilling in the Great Lakes for oil and gas;

(5) the States of Indiana, Minnesota, and Ohio do not have such a prohibition; and

(6) the Canadian Province of Ontario does not have such a prohibition, and drilling for and production of gas occurs in the Canadian portion of Lake Erie.

(b) ENCOURAGEMENT OF PROHIBITIONS ON OFF-SHORE DRILLING.—The Congress encourages—

(1) the States of Illinois, Michigan, New York, Pennsylvania, and Wisconsin to continue to prohibit off-shore drilling in the Great Lakes for oil and gas;

(2) the States of Indiana, Minnesota, and Ohio and the Canadian Province of Ontario to enact a prohibition of such drilling; and

(3) the Canadian Province of Ontario to require the cessation of any such drilling and any production resulting from such drilling.

The CHAIRMAN pro tempore. Pursuant to House Resolution 189, the gentleman from New York (Mr. REYNOLDS) and a Member opposed each will control 5 minutes.

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

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

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

Mr. REYNOLDS. Mr. Chairman, along with the gentleman from Michigan (Mr. ROGERS), I am offering an amendment that was passed overwhelmingly by this body 2 years ago.

The 94,000 square miles of the Great Lakes system constitutes some of this Nation's most precious resources. Lake Superior, Michigan, Huron, Erie and Ontario are the largest system of fresh water on the face of the Earth, and comprise one-fifth of the world's entire drinking supply.

For the 30 million people residing in the region and the millions more who visit its shores each and every year, the Great Lakes are also a recreational playground, an enormous fishery and wildlife breeding ground, a vital transportation link, and an important resource for agriculture and business, making untold contributions to our Nation's economy and our way of life.

Most of all, the Great Lakes are binational treasures and a vital natural resource. To protect the natural resources of the five Great Lakes, and with them, 20 percent of the world's drinking water, most in the region agree that oil and gas drilling should not be allowed within the Great Lakes. In fact, several States have enacted statutory prohibitions on offshore drilling in the Great Lakes.

In respecting the provisions of the Submerged Lands Act, which gives each State that borders the Great Lakes authority over between the State's coastline and the boundary of Canada or another State, this amendment expresses a sense of Congress for continued support for the ban on drilling.

Mr. Chairman, I believe the States and Canadian provinces are the wisest stewards of the Great Lakes resources, ensuring their effective use and sound conservation. As such, actions to protect the Great Lakes work best when all of the States and provinces work together.

At this time, not all States and provinces have equivalent nondrilling policies. Through this amendment, the States and provinces will be advised of this Congress' support for efforts that protect the world's largest fresh water supply by encouraging them to prohibit offshore drilling.

Mr. Chairman, I urge Members to support the State's right to protect the Great Lakes.

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

Mr. POMBO. Mr. Chairman, I claim the time in opposition to this amendment.

The CHAIRMAN pro tempore (Mr. CULBERSON). The gentleman from California (Mr. POMBO) is recognized for 5 minutes.

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

Mr. Chairman, I will not oppose the amendment. I believe this is a matter of States' rights. I believe the Great Lakes States have the ability to determine this on their own. I will tell Members, we have no desire to go after their gas and oil. However, we would like to run a pipe to the Great Lakes to take their water for California.

Mr. Chairman, I would like at this time to pay special tribute to the staff that worked so hard on this bill over the past several months and, in fact, the past several years to bring it to fruition. We shortly will vote on the amendments that are still pending, and then we will move on to final passage. I wanted to especially thank them for the hard work that they have put into it.

I would also like to wish a happy birthday to Dan Kish, one of the head staffers who has worked so hard on this bill for so many years.

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

Mr. POMBO. I yield to the gentleman from Louisiana.

Mr. TAUZIN. Mr. Chairman, I thank the gentleman for yielding. This is the final amendment which has been authorized by the Committee on Rules for consideration on the comprehensive energy package, and so, with the adoption of this amendment, which we will support as it is, by the way, the same amendment that was adopted on the House floor that was offered by the gentleman from Michigan (Mr. ROGERS) last year on a 345–85 vote, we will accept this amendment.

But I wanted to join in, first of all, thanking my friends and colleagues, the chairman of the Committee on Resources, the chairman of the Committee on Ways and Means, the chairman of the Committee on Science, as well as the chairmen and members of the Committee on Transportation and Infrastructure, Committee on the Judiciary, Committee on Agriculture, and Committee on Financial Services, all of whom worked with us in a cooperative fashion, so many committees, to develop a comprehensive energy policy for our country.

And as the gentleman from California (Mr. POMBO) indicated, there is an awful lot of staff, too many to name because we would miss someone, and I do not want to do that, but so many staffers who spent so many late hours. Members cannot imagine the hours these staffers have put in.

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I do not know if they are appreciated enough by the people of this country. These young people who could do much better in the outside world and earn greater salaries, but they come because of their love of this work and love of this institution and who devote so many hours in helping us do the right thing and in a way that is accurate and, again, advances the cause of our great Nation. To all the staffers I want to say a big broad thank you, Mr. Chairman, for the great help they give to all the Members of Congress as we try to do this work.

We will shortly adopt this amendment, and then we will go back into the full House; and it is my understanding that the minority will offer a motion to recommit which we will oppose and we hope the House will reject that motion to recommit, and we will move on to pass, I believe, the most important energy bill in the past 50 years, the most comprehensive and far-reaching statement of American energy policy that will advance not only national security but begin the process of rebuilding this incredible American economy. So to the gentleman from California (Mr. POMBO) and everyone, again, I thank them so much for their cooperation. Mr. Chairman, for all of the chairmen who sat in that chair during these long and arduous hours, I thank them and their staffs and everyone who has participated.

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

Mr. REYNOLDS. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Mr. Chairman, I want to thank the gentleman from New York (Mr. REYNOLDS) for working with me on this important issue to the Great Lakes. Twenty percent of the world's freshwater is to be found there. And what we have found in this important debate on energy and where we are going in America and getting to conservation and getting away from foreign dependence is science tells us there are places that we should be drilling for oil and natural gas to become less dependent. This is not one of them. What we see here is Mr. Chris and we will find it on Lake Erie. This is a tugboat with an attitude; 550 wells on the water, on the freshwater today on the Canadian side of Lake Erie. They are looking to do 40 more. Science tells us this: we should not be on the Great Lakes poking a hole in the bottom to get oil or natural gas. Not the way to do it.

We are standing here today to tell our good friends, the Canadians, to straighten up their act. Neighbors do not do this to each other. This is not a healthy way, an environmentally friendly way, a sensible way, a logical way to extract those resources. There is a way that they can do it that does not jeopardize 20 percent of the world's fresh drinking water.

Today I stand with my friend from New York to say please to our friends from Canada to do the right thing, to stand up for the future of this country and the future of the environmental safety of those Great Lakes. We are blessed with those Great Lakes in the Midwest, and I would hope that we could stand together today and send a very clear message to our Canadian friends to cease and desist and take Mr. Chris and send him back to the docks.

And to the gentleman from California (Mr. POMBO), who wants to stick a straw and slurp up those Great Lakes, I will say to him that I will challenge him every day. If he wants to have some of that Great Lakes water, he has got to live in Michigan in February.

The CHAIRMAN pro tempore (Mr. CULBERSON). The gentleman from New York (Mr. REYNOLDS) has 1 minute remaining. The gentleman from California (Mr. POMBO) has 1½ minutes remaining.

Mr. REYNOLDS. Mr. Chairman, I urge adoption of this amendment and I yield the balance of my time to the gentleman from Texas (Mr. BARTON), the Chair of the Subcommittee on Energy and a vital link to seeing the success of this bill today.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Chairman, I thank the gentleman from New York (Mr. REYNOLDS) for yielding me this time.

Obviously, I rise in support of this Reynolds amendment, but I am really standing to just say in closing in the overall energy debate this is the most comprehensive energy legislation that has been on the floor of the House, I would argue, in the last 30 or 40 years. It is not an energy bill for Republicans or an energy bill for Democrats. It is an energy bill for all Americans. We have a broad-based bill. We do something to try to help coal, to try to help oil and natural gas, to try to help nuclear, to try to help renewable, to try to help electricity. We are for biomass and natural gas and will be for sassafras if it helps provide the energy resources for this great Nation.

We have the lowest-cost energy resource base in the world, and we have it because we believe in free markets and individuals working together in an entrepreneurial fashion to provide the goods and services in the energy sector that help makes us the most powerful and greatest Nation in the world. I hope that we would vote for this bill in a bipartisan fashion when it comes to final passage.

I want to thank the gentleman from Louisiana (Mr. TAUZIN), the full committee chairman, who has done just an absolutely outstanding job; and if we had the Chamber full of people, I would ask that we all stand and give him a round of applause. This is a good bill for America.

Mr. Chairman, as the Chairman of the Energy and Commerce Subcommittee of Energy and Air Quality, the subcommittee of primary jurisdiction of H.R. 6, I recognize and acknowledge we will need to work further on some of the specifics in the bill.

Next, I want to clarify section 16023, the ''native load'' section. We will want to clarify that the term ''equivalent transmission rights'' should be read to include ''firm, financial, and tradable transmission rights'', as that is our intent. I also acknowledge that the native load provisions may have unintended consequences in the region covered the Midwest Independent System Operator, and I want to continue to work to improve the savings clause so that does not undo the development of markets in that region to date.

I note that we may need to clear up the electricity title (Title VI) of Division A. Among the technical changes needed may be inaccurate references to the Electric Reliability Council of Texas (ERCOT) and ERCOT utilities, as described in the Federal Power Act.

Finally, I have not completed work with Members on a potential addition to Division E regarding Clean Coal. I will want to discuss with Members of the conference committee a potential provision on Clean Coal General Programs. This Congress has a great opportunity to expand the clean coal title to further promote and deploy new technologies that allow coal to be used as a power source for dramatically lower emissions.

The CHAIRMAN pro tempore. The gentleman from California still has 1½ minutes remaining in this debate.

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

I had had one additional request for time, but I will conclude by thanking my fellow chairman who worked so hard on this legislation, the ranking members who worked in a cooperative manner to bring this bill to the floor.

We have labored for many years to produce a balanced energy policy for this country, and I believe that this bill represents that. It is not everything I wanted. It is not everything that the gentleman from Louisiana (Mr. TAUZIN) wanted, nor is it everything that the ranking members wanted; but I do believe that it is a good compromise. It is a balanced approach, a balanced energy policy for the future. I urge my colleagues to support our energy policy for the future on the final passage.

Ms. KIPATRICK. Mr. Chairman, it is imperative that we impose a permanent ban on offshore oil and gas drilling in the Great Lakes. While considering the Energy Policy Act, the Leadership had an opportunity to make a substantive change and instead chose to accept a watered-down substitute. The amendment that I co-authored with Representatives Stupak and LaTourette would have made permanent the ban on Great Lakes off-shore oil and gas drilling which is currently effective only through 2005.

Michigan has no greater natural resource than the Great Lakes. 95% of all the fresh water in this country and 20% of the freshwater in the world comes out of the Great Lakes and its connecting waterways; we cannot afford to put that resource at risk.

Drilling poses direct threats to the safety and well being of our citizens. Drilling under the Great Lakes is a venture that has serious implications for the overall health and use of

the lake by its communities. Drinking water could be contaminated and oil could wash up onto our shores. Hydrogen sulfide, a lethal poisonous gas known to be present in the oil and gas reserves under Lake Michigan, could be released into the air and water.

Pollution from oil and gas production not only threatens public health, but also degrades habitat and surface water. Ninety percent of the approximately 200 fish species in the Great Lakes depend directly on wetlands for some part of their life cycle. Impacts from an oil leak to highly productive valuable wetlands would be severe because so many different species rely on them.

The Reynolds amendment is weak and shifts responsibility from Congress back to the States. I am disappoint that instead of enacting legislation that is proactive in preventing unnecessary environmental damage and fiscal burden, the leadership has chose legislation that is purely ornamental.

Mr. OBERSTAR. Mr. Chairman, I support the amendment offered by my colleagues, the gentleman from New York (Mr. REYNOLDS) and the gentleman from Michigan (Mr. ROGERS). This important ''Sense of the Congress'' amendment reaffirms the commitment of Congress in opposition to off-shore drilling in the Great Lakes.

The Great Lakes are a national and international treasure, serving both as the Nation's largest fresh water resource and one of the largest systems of fresh water on Earth—containing nearly 20 percent of the world's supply. Formed by the melting and retreat of mile-thick glaciers 10 to 12 thousand years ago, the Great Lakes contain 5,500 cubic miles of water and cover 94,000 square miles. In fact, if the six quadrillion gallons of water in the Lakes were poured over the continental United States, the entire landmass of the lower 48 states would be covered to a depth of nearly 10 feet.

The Great Lakes Basin is also of critical importance to the economy of two nations. The Basin is home to more than one-tenth of the U.S. population and one-quarter of the Canadian population. One of the world's largest concentrations of economic capacity is located in the Basin—some one-fifth of U.S. industrial jobs and one-quarter of Canadian agricultural production.

As a lifetime resident of the Great lakes community, I am keenly aware of the importance of the Great lakes to the surrounding region and the need to protect this vital resource for current and future generations. This great natural treasure deserves long-term protection from shortsighted exploitation.

I support the amendment offered by my colleagues that encourages the States surrounding the Great lakes to either enact a ban on, or to continue to prohibit, off-shore drilling in the Great Lakes for oil and gas deposits.

Off-shore drilling poses a serious environmental and economic risk to the Great lakes community. A large-scale spill, fire, or gas leak could despoil miles of beaches and fragile wetlands, pollute the ecosystem, and render the water unfit for drinking. It has been said that a single quart of oil can foul two million gallons of drinking water; imagine the potential impact of a massive oil or gas leak on a waterbody that currently provides drinking water to more than 10 million people. For a waterbody that takes more than 200 years to completely renew itself, such environmental risks are simply unacceptable.

In addition, most scientific estimates show that extracting all of the oil and gas reserves under the Great Lakes would have little or no impact on the nation's energy supplies or prices.

Mr. Chairman, this is not the first time Congress has spoken on the issue of oil and gas drilling under the Great Lakes. In 2001, and again earlier this year, Congress passed, and the president signed a prohibition on Federal or State permits or leases for new oil and gas drilling activities in or under the Great Lakes. This amendment takes the next step to encourage those States bordering the Lakes to either continue to prohibit this practice, or to enact similar provisions to protect the Great Lakes from further environmental degradation.

On March 27, 2003, I, together with 18 Democratic colleagues on the Transportation and Infrastructure Committee, introduced H.R. 1491, the Securing Transportation Energy Efficiency for Tomorrow Act of 2003. That bill included a provision almost identical to the Reynolds/Rogers amendment.

I urge my colleagues to support this amendment.

Mr. GILLMOR. Mr. Chairman, I rise today in strong support of an amendment expressing the sense of Congress encouraging the prohibition of offshore oil and gas drilling in the Great Lakes. I applaud my colleagues from New York and Michigan for offering such language as part of H.R. 6, a comprehensive energy package.

Over the years, an overwhelming majority of Northwest Ohio boaters, water-skiers, and Lake Erie Islands area residents have consistently expressed their opposition to drilling for oil and gas in the Great Lakes by citing potential risks to land, water, and their communities. I too, am opposed to this practice as Ohio families frequent Lake Erie year-round. I should also point out that a number of Ohio state and federal officials agree.

Last session of Congress, I supported an amendment to the Fiscal Year 2002 Energy and Water Development Appropriations measure that would ban drilling for gas and oil under the Great Lakes for two years while the U.S. Army Corps of Engineers study potential environmental impacts. Just last February, with the vote on the Fiscal Year 2003 Omnibus Appropriations bill, the ban was extended through 2005.

Mr. Chairman, protecting and restoring the Great Lakes remains vital to our region's economy, environment, and human health. I ask my colleagues to join me in supporting this amendment.

Mr. KILDEE. Mr. Chairman, while I vote in favor of the Reynolds/Rogers Amendment today in support of a continued prohibition on Great Lakes offshore oil and gas drilling, I strongly believe that an outright ban on these activities is necessary.

I am concerned that the Rules Committee would not allow into order a stronger amendment protecting our Great Lakes to be voted on by the House. Last year, I joined 2264 of my colleagues in supporting an amendment to the Energy and Water Development Appropriations Act that would have banned any U.S. Army Corps of Engineers funds from being used to process or approve permits for drilling in or under the Great Lakes. This is the kind of positive action that is needed to ensure these treasures remain safe for future generations.

While I support the Reynolds/Rogers Amendment to the Energy Policy Act of 2003, I believe much stronger action needs to be taken to protect the Great Lakes.

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

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New York (Mr. REYNOLDS).

The amendment was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: amendment No. 16 by the gentlewoman from Illinois (Ms. SCHAKOWSKY), amendment No. 19 by the gentleman from Wisconsin (Mr. KIND), and amendment No. 20 by the gentleman from West Virginia (Mr. RAHALL).

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

AMENDMENT NO. 16 OFFERED BY MS. SCHAKOWSKY

The CHAIRMAN pro tempore. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Illinois (Ms. SCHAKOWSKY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 16 offered by Ms. SCHAKOWSKY:

In division B, at the end of title II, insert the following new section:

SEC. 22003. SENSE OF CONGRESS.

It is the sense of the Congress that—

(1) the Secretary of Energy should develop and implement more stringent procurement and inventory controls, including controls on the purchase card program, to prevent waste, fraud, and abuse of taxpayer funds by employees and contractors of the Department of Energy; and

(2) the Department's Inspector General should continue to closely review purchase card purchases and other procurement and inventory practices at the Department.

The CHAIRMAN pro tempore. A recorded vote has been demanded.

An insufficient number has arisen.

A recorded vote was refused.

So the amendment was agreed to.

AMENDMENT NO. 19 OFFERED BY MR. KIND

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Wisconsin (Mr. KIND) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 171, noes 251, not voting 12, as follows:

[Roll No. 142]

AYES—171

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldwin
Ballance
Becerra
Berkley
Berman
Bishop (NY)
Boswell
Boucher
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Carson (IN)
Case
Clay
Clyburn
Conyers
Cooper
Costello
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Doyle
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Grijalva
Gutierrez
Harman
Hastings (FL)
Hinchey
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kirk
Kleczka
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lynch
Majette
Maloney
Markey
Marshall
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Petri
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Rodriguez
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Scott (VA)
Sensenbrenner
Serrano
Shays
Sherman
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Tierney
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Weiner
Wexler
Woolsey
Wu

NOES—251

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

NOT VOTING—12

Blumenauer
Combest
Fattah
Gephardt
Houghton
McCarthy (MO)
Paul
Quinn
Reyes
Towns
Waxman
Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. CULBERSON) (during the vote). Members are advised there are 2 minutes remaining on this vote.

□ 1214

Messrs. OSBORNE, BOEHNER, NUSSLE, BONILLA, SCOTT of Georgia, and SAM JOHNSON of Texas, and Ms. GINNY BROWN-WAITE of Florida changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, the remainder of the votes in this series will be conducted as 5-minute votes.

AMENDMENT NO. 20 OFFERED BY MR. RAHALL

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment No. 20 offered by the gentleman from West Virginia (Mr. RAHALL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 208, noes 212, not voting 14, as follows:

[Roll No. 143]

AYES—208

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

NOES—212

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Barton (TX)
Bass
Beauprez

Bereuter
Berkley
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boyd
Bradley (NH)
Brady (TX)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Chabot
Chocola
Coble
Cole
Collins
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (AL)
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goss
Granger
Graves
Green (TX)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Janklow
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Lewis (CA)
Linder
Lucas (OK)
Manzullo
Matheson
McCotter
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Nethercutt
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Pearce
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Putnam
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Sandlin
Schrock
Sessions
Shadegg
Shaw
Shimkus
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner (OH)
Turner (TX)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wolf
Young (FL)

NOT VOTING—14

Blumenauer
Combest
Fattah
Gephardt
Houghton
McCarthy (MO)
Paul
Quinn
Radanovich
Reyes
Shuster
Towns
Waxman
Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (during the vote). Members are advised they have 2 minutes remaining in which to cast their votes.

□ 1224

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. SHUSTER. Mr. Chairman, on rollcall No. 143 I was inadvertently detained. Had I been present, I would have voted ''no.''

Mr. MOORE. Mr. Chairman, we must reduce our nation's dependence on foreign oil. And while I believe our nation needs a comprehensive energy policy as a matter of national security, we also have an obligation to ensure that this need is met in a manner that does not jeopardize our financial security. This bill takes a balanced approach to meeting our nation's energy security needs. But, it fails to pay for any of these proposals, which have a cost of $18.8 billion.

H.R. 6 contains numerous provisions that I have supported in the past and will continue to support in the future under fiscally responsible circumstances. In fact, H.R. 6 includes a provision based upon a bill that I introduced during the last three Congresses that would extend the section 29 tax credit for the production of unconventional fuels such as coalbed methane. My version of this legislation [H.R. 1331] was modified and included in the Ways and Means portion of H.R. 6. I have worked for months to ensure H.R. 1331's inclusion in a comprehensive energy measure. And, while I would like to be able to vote for this provision, I cannot in good conscience support final passage of a bill that includes $18.8 billion in tax expenditures that are not offset with comparable spending reductions. This is fiscally irresponsible. Such action threatens to spend money from both the Social Security and Medicare Trust funds on which the seniors in my district rely.

Further, as a member of the House Renewable Energy Caucus, I have supported measures to encourage and increase the use of renewable and alternative energy sources. This bill includes tax incentives for energy efficiency programs and renewable energy sources such as wind and solar production that I would like to vote for, and I would support if these incentives were paid for and handled in a fiscally responsible manner. As well, H.R. 6 contains tax incentives for domestic production from marginal wells that I have supported in the past that would increase our national energy supply. As a co-chair of the Biofuels Fuels Caucus, I also support the renewable fuels standard which I have promoted to decrease our dependency on foreign oil, help U.S. farmers and protect the environment.

I cannot, however, support provisions in this legislation that do nothing to safeguard electricity consumers from unscrupulous utility companies that abuse market power and manipulate electricity prices. Rather than holding these electricity companies accountable, this bill would weaken consumer protections regarding electricity. I also find it impossible to support provisions that would protect former U.S. corporations that moved offshore to tax havens in order to avoid U.S. income taxes. This legislation continues tax benefits to companies that have already moved offshore.

I also support many aspects of Representative JOHN DINGELL'S electricity title substitute, and would have supported it had it been an amendment. As a substitute to the title rather than an amendment, however, it strikes many useful and important provisions in the electricity title without providing any alternate.

Last night, the House considered the conference report on the budget resolution which increases deficits and debt and passes these pressures onto future generations. Instead of developing a sound fiscal strategy to face the challenges that will come with the increased risks from terrorism and the impending retirement of the baby boom generation, the budget will result in over $3 trillion in additional debt that creates a long-term ''debt-tax'' for working American families.

If Congress adopts this new policy of borrow and spend it not only endangers the Medicare and Social Security surpluses, it places us back on the road to deficit spending. We must not travel down this road again.

It is time we made some tough choices. This Congress made a commitment to the American people that we would not vote to spend one single penny of the Medicare and Social Security Trust Funds. We must honor that commitment. Spending restraint, fiscal responsibility, and honoring our commitments do not come about by good intentions, but by resolute actions.

Today, I reluctantly vote against this energy package because it fails to provide any offsets to pay for its provisions. This is a particularly difficult vote for me because this bill contains a proposal I authored, as well as many other good provisions.

In an effort to honor our commitments to ensure financial responsibility, I will adhere to the levels in the budget resolution enacted by a majority of this Congress. I will oppose any efforts that reduce revenues without offsets.

The expenditures contained in H.R. 6 are not accounted for in the budget resolution and, despite the sound energy policy this bill promotes, it busts the budget and threatens the Social Security and Medicare Trust funds. I urge my colleagues to honor their commitment to preserve this country's integrity; I urge my colleagues to either find a way to pay for these tax cuts or to vote no on H.R. 6.

Mr. WICKER. Mr. Chairman, I rise to specifically support section 16023 of H.R. 6, which clarifies state and federal jurisdiction over the regulation of electricity.

When Congress enacted the Federal Power Act in 1935, it limited federal regulatory authority over electricity in section 201(a) of that Act to ''the transmission of electric energy in interstate commerce and the sale of such energy at wholesale in interstate commerce.'' It further stated in that section that ''Federal regulation . . . [shall] extend only to those matters which are not subject to regulation by the States.''

Bundled retail sales of electric service, including the transmission component of such service, is a matter that was subject to regulation by the states in 1935 (and well before), and is still a matter regulated by many states today. Yet despite the clear language of the statute, and the clearly established fact of state regulation, the Federal Energy Regulatory Commission (FERC) is proposing under its ''standard market design'' (SMD) proposal to regulate the transmission component of bundled retail sales of electricity in place of the states.

One can only assume that FERC's apparent legal theory for proposing such action is that section 206 of the Federal Power Act requires it to remedy any ''unduly discriminatory or preferential'' practice ''affecting [a] rate, charge, or classification'' subject to the jurisdiction of the Commission. After decades of states granting to local utility customers a ''native load'' priority that allows these customers to use utility resources before other customers, thereby ensuring low-cost and reliable service, the FERC in its SMD proposal now finds such a priority unduly discriminatory. This sudden and stunning change of policy by the FERC is a serious threat to retail customers in places that have opted not to risk restructuring of their electric service like my home state of Mississippi.

Section 16023 clarifies that native load priority is not an unduly discriminatory practice, and therefore that the FERC does not have a basis for reaching into the jurisdiction of the states over bundled retail sales and their components. The intent of Congress to strongly differentiate areas of regulatory jurisdiction between states and the FERC is clear and unambiguous. Congress has provided explicit direction to FERC that it should stay out of bundled retail sales and bundled retail transmission service. I hope FERC will get this message and go back to the drawing board with its SMD proposal.

Mr. STARK. Mr. Chairman, I rise in opposition to this blatantly flawed energy bill. This bill isn't sound policy. It isn't forward thinking. It is a flat-out giveaway to the big energy companies. It puts industry profits ahead of the interests of consumers and the environment.

It's no secret that the President and Republicans have held closed, backroom meetings with their friends in the big oil and gas industry. The result is no surprise. They've crafted an energy policy that promotes fossil fuel consumption above all else. Now, they say they want to free us from dependence on foreign oil. But, oil dependence is exactly what this bill promotes.

Consider the consequences. This bill grants tax cuts to the most polluting industries while providing a pittance for renewable resources, clean technologies and energy efficiency. Solar, wind and geothermal power take a back seat to oil drilling in pristine wilderness areas and off our coasts. This bill will turn the coastal plain of Arctic National Wildlife Refuge into an oil field. It will lift the ban on drilling off California's Coast. I strongly oppose these efforts!

At the same time, Republicans won't raise fuel efficiency standards for gas guzzling SUVs. But, they will cut the royalties the big oil companies have to pay to the American people for drilling on our lands. Republicans will even allow these polluting industries to get out from under paying their share of taxes by moving into tax havens overseas.

Now, for those energy market profiteers, the Republicans leave the door wide open for unfair competition and price manipulation. Clearly, Republicans don't want consumers and small public utilities to pay a fair price for their power. They want to allow the Enrons of the world to skim huge profits while wreaking havoc on the electricity market. Well, we know how well that policy worked in California.

For their final act of irresponsibility, the Republicans want to exempt the cancer causing fuel additive MTBE from product liability protections. MTBE has caused wide spread groundwater contamination and remains a significant public health risk. Yet, if this bill passes, polluters will get off scot-free while the taxpayers get stuck with the high cost of clean up.

I urge my colleagues to take a stand for consumers and the environment and vote no on this bill. It is time Republicans put a long-term, sustainable energy policy ahead of pandering to their short sighted special interests.

Mr. UDALL of Colorado. Mr. Chairman, I regret that I cannot support this legislation.

I am glad we have had the opportunity to debate these issues—for the second time in nearly as many years—and I am glad that legislation I've initiated is being considered as part of this bill.

We all know that this country is overly dependent on a single energy source—fossil fuels—to the detriment of our environment, our national security, and our economy. To lessen this dependence and to protect our environment, we must pass a bill that helps us balance our energy portfolio and increase the contributions of alternative energy sources to our energy mix.

Unfortunately, this bill doesn't provide that balance.

I am pleased with most of what was included in the Science Committee part of this bill, and I commend Chairman BOEHLERT for his bipartisan approach.

In particular, I'm pleased that the Science Committee bill included generous authorization levels for renewable energy and energy efficiency R&D. As Co-chair of the Renewable Energy and Energy Efficiency Caucus, this funding is very important to me.

I am also pleased that this bill includes the Clean Green School Bus Act, a bill that Chairman BOEHLERT and I drafted that authorizes grants to help school districts replace aging diesel vehicles with clean, alternative fuel buses.

H.R. 6 also includes provisions from my bill, the Distributed Power Hybrid Energy Act, which would direct the Secretary of Energy to develop and implement a strategy for research, development, and demonstration of distributed power hybrid energy systems. It makes sense to focus our R&D priorities on distributed power hybrid systems that can both help improve power reliability and affordability and bring more efficiency and cleaner energy resources into the mix.

The bill also includes the Federal Laboratory Educational Partners Act of 2003, a bill I introduced with my colleague Representative BEAUPREZ that would permit the National Renewable Energy Laboratory and other Department of Energy laboratories to use revenue from their inventions to support science education activities.

Unfortunately, though, this bill—like the one we debated two years ago—is very reminiscent of that old Western movie—''The Good, the Bad, and the Ugly.'' And, regrettably, some of the worst provisions are in the part of the bill developed by the Resources Committee—which is why I voted against them in that Committee.

Worst of all, of course, is the provision that would open to drilling the coastal plain of the Arctic National Wildlife Refuge.

On that question, Congress is being asked to gamble on finding oil there. So, we first must decide what stakes we are willing to risk, and then weigh the odds. The stakes are the coastal plain. The U.S. Fish and Wildlife Service says it ''is critically important to the ecological integrity of the whole Arctic Refuge'' which is ''America's finest example of an intact, naturally functioning community of arctic/subarctic ecosystems.''

What are the odds? Well, the best estimate is by the U.S. Geological Survey (USGS). In 1998 they estimated that if the price of oil drops to less than $16 per barrel (as it did a few years ago) there would be no economically recoverable oil in the coastal plain. At $24 per barrel, USGS estimated there is a 95 percent chance of finding 1.9 billion barrels of economically recoverable oil in the refuge's coastal plain and a 50 percent chance of finding 5.3 billion barrels. But Americans use 19 million barrels of oil each day, or 7 billion barrels of oil per year. So, USGS is saying that at $24 per barrel, there is a 50 percent chance of finding several months' supply of oil in the coastal plain.

There is one 100 percent sure bet—drilling will change everything on the coastal plain forever. It will never be wilderness again. We do not need to take that bet. There are less-sensitive places to drill—and even better alternatives, including conserving energy and more use of renewable resources.

But the idea of opening the refuge is only one example of misplaced priorities or flawed policies concerning energy.

I tried to improve the Resources Committee's provisions with two amendments—one dealing with the biomass provisions and the other with something just as important as energy—water.

I am a supporter of biomass, and I think the biomass provision is one of the better parts of the Resources Committee's work. But I think it should be more tightly focused—and that is what my amendment would have done.

That part of the bill authorizes cash grants to people who own or operate biomass plants, and says they can use the money to buy material removed from the forests in order to reduce the risk of forest fires. My amendment would have narrowed that by providing that the grants could only be used to buy material taken from the areas of highest priority—the so-called ''wildland-urban interface,'' or as we say in Colorado, the ''red zones.'' These are the parts of the forests that are nearest to communities, the places where people's lives and property are most at risk. That means they should have the very highest priority for thinning out brush and little trees, so that smaller fires are less likely to become big, runaway fires. In Colorado alone, the ''red zones'' cover some 6 million acres—and there are millions of acres more in other states. There is lots of thinning work to be done in those areas—and lots of material that may be useful for biomass. So, my amendment would not have been an obstacle to biomass development. But it would focus the program where it ought to be focused.

And, to make things clear, my amendment used a definition of the term ''wildland-urban interface'' that was essentially the same as the one that was in H.R. 5319, Chairman MCINNIS's bill, as reported by the Resources Committee last year.

One of the reasons I supported that bill was because of the priority it put on thinning projects in these ''red zone'' areas. I thought the House should follow that example by adopting my amendment, and regret that the Rules Committee did not allow it to be offered.

My second amendment dealt with water. In Colorado, we are blessed with rich mineral resources—we have lots of coal, oil, and gas. but in Colorado, and in the other states in the arid west, water is scarce and very precious. So, as we work to develop our energy resources, it is vital that we make sure that we protect our water. And this is just what this amendment would have done.

The amendment would have required people who develop federal oil or gas—including coalbed methane—to do what is necessary to make sure their activities do not harm water resources. The amendment said that if oil or gas drilling damages a water source by contaminating it, by reducing it, or by interrupting

it—the energy developer would have to provide replacement water.

Sometimes water that is produced in connection with oil or gas drilling is injected back into the ground. The amendment said that has to be done in a way that will not reduce the quality of any aquifer. It also said that if that water is not reinjected, it has to be dealt with in ways that comply with all Federal and State requirements.

And, because water is so important, it said that developers need to make protecting water part of their plans from the very beginning. It would have done that by requiring applications for oil or gas leases to include details of the way the developer will protect water quality and quantity and also protect the rights of water users.

These are not onerous requirements, but they are very important—particularly with the great increase in drilling for coalbed methane and other energy resources in Colorado, Wyoming, Montana, and other western states. When the amendment was considered in the Committee, it was suggested that it might interfere with State laws relating to water. That was not my intent, and I am confident that the amendment I offered in the committee would not have had that effect. However, to remove any doubt, I modified the amendment to specifically say that it would not affect any state's authority over water or affect any interstate compact related to water.

We do need to develop our energy resources—especially relatively clean-burning ones like natural gas and coalbed methane. But we need to do it in the right way, with balance. And that's what this amendment was all about. Again, I regret that the Rules Committee did not permit the House to consider it.

Without my amendments, and without other amendments that were rejected by the Committee, the Resources Committee's part of this bill puts too much emphasis on unnecessary subsidies to industry and not enough on anything else.

In conclusion, Mr. Chairman, we need a plan in place to increase our energy security. Thirteen percent of the twenty million barrels of oil we consume each day comes from the Persian Gulf. In fact, fully 30 percent of the world's oil supply comes from this same volatile and politically unstable region of the world. Yet with only 3 percent of the world's known oil reserves, we are not in a position to solve our energy vulnerability by drilling at home.

This bill does nothing to tackle this fundamental problem. For every step it takes to move us away from our oil/carbon-based economy, it takes two in the opposite direction. I only wish my colleagues in the House could understand that a vision of a clean energy future is not radical science fiction but is instead based on science and technology that exists today.

In much the same way that America set about unlocking the secrets of the atom with the ''Manhattan Project'' or placing a man on the moon with the Apollo program, we can surely put more public investment behind new energy sources that will free us from our dependence on oil.

But this bill would merely continue our addiction to finite and politically unstable energy resources. For that reason, Mr. Chairman, I cannot support it.

Mr. BLUMENAUER. Mr. Chairman, the Energy Policy Act of 2003 (H.R. 6) falls terribly short in preparing the United States for the future in terms of fiscal responsibility, environmental stewardship, and meeting our nation's energy needs. The bill mortgages our environmental future in order to meet short term energy challenges.

This bill is a missed opportunity. Any national energy policy for the 21st century should take steps to reduce our dependence on outdated and polluting sources of energy such as oil, gas, and coal. The United States has less than 3 percent of the recoverable supply of the world's oil, much of which is under ecologically important areas of land. We are currently at war with the part of the world that contains 65 percent of the earth's oil reserves: the Middle East. Yet this bill keeps us dependent on oil.

My Republican colleagues claim that American technology and innovation will enable us to meet our energy needs. American innovation and creativity should enable us to rely on renewable sources of energy such as wind, solar, and geothermal. Yet this bill continues the status quo.

The bill provides over $18 billion in tax breaks and royalty relief to oil, electric utilities and nuclear power. The oil and gas industry alone receive 55 percent of the tax breaks in this bill. During a time of war and a struggling economy, Congress should be exercising fiscal discipline. Yet this bill provides cost-of-doing business funding to mature industries.

It is important to note that the oil, gas, coal and offshore drilling industries that receive most of the benefits of this bill have also hand picked people in the administration and agencies to oversee them. Much of the energy development allowed in this bill will take place on lands now regulated by former corporate energy lobbyists.

For example, the Department of the Interior oversees over 30 percent of the total domestic energy production in the United States. Steven Griles, second in command at the Department of the Interior, is a former energy lobbyist. While he was in the private sector he represented the National Mining Association, the American Gas Association, Arch Coal, Chevron and Shell oil companies.

I cannot support an energy bill that reduces environmental protections and allows development in the Arctic National Wildlife Refuge. A few years ago I visited the Arctic and witnessed its fragile beauty. I came away with a profound sense that the American public is right. The Arctic Wildlife Refuge is absolutely the last place we should be exploring for oil, not the first.

A rational national energy policy must place conservation and efficiency at the forefront. Merely ending the fuel efficiency loophole for SUV and light trucks will save more oil than the Arctic Refuge will produce. Our energy habit accounts for 25 percent of the world's consumption—the United States simply cannot produce enough energy to meet its demand. We would do better to use the 10 years it would take to get the oil from the coastal plain of Alaska to improve the energy efficiency of our transportation system, homes and factories, and to increase our renewable energy production.

It is significant to note what this bill does not do. It does not address global climate change, even though the United States is responsible for 25 percent of the world's greenhouse gases. The bill does not increase fuel efficiency for cars, which consume a tenth of the annual global oil production. The bill does nothing to protect consumers from market manipulation such as what we saw from Enron. In fact, the bill repeals important consumer protection laws that have been in place for decades.

Without any of these provisions, I believe this bill is a missed opportunity for the American people.

Mr. STENHOLM. Mr. Chairman, the time is long overdue for Congress to enact a balanced energy policy that ensures reliable and affordable energy for all Americans. Our nation's citizens deserve a comprehensive energy plan that ensures the short-term availability of the energy supplies they need, while addressing long-term goals of increasing our use of renewable and clean sources of energy.

The performance of the energy market of the last several years, with its wide price swings on both the producer and consumer sides, simply illustrates the need for America to take responsibility of our energy future. Congress needs to consider measures to help restore market stability with domestic crude oil and natural gas prices, maintaining a level where domestic producers can compete in a global market and help reduce our dependency on foreign sources of oil.

At the same time, Congress needs to ensure consumer protection measures to guarantee price stability and fuel availability when the demand is high. I truly believe that we can achieve equilibrium in the energy sector, thus creating a situation where prices are not so low that producers are put out of business but also not so high that they hurt consumers and threaten the economy.

America can no longer sustain a situation where this nation imports almost 60 percent of its oil from foreign sources—putting our economic and national security at risk.

I have been a long time supporter of domestic energy production in all arenas including: oil, natural gas, hydro-electric, wind, solar, geothermal, biomass and the many others. I am certainly glad to see that H.R. 6, ''The Energy Policy Act of 2003'', includes provisions to insure further domestic production of these resources.

However, these production incentives come at a cost and must be accounted for. It is entirely unacceptable to simply write off the cost of this bill and add it to the current deficit that America is facing. In fact, we are already expecting a $361 billion deficit this year, even prior to considering the costs of this bill, the Iraq war, prescription drugs, new tax curt or any other expenses being debated currently. This is a remarkable contrast from the $250 billion surplus that last occurred in fiscal year 2000.

I cannot understand how my colleagues on the other side of the aisle continue their efforts to expedite tax cuts and not address Americas' financial health. The cost of this war could be well over $100 billion, yet we continue to promote over $1.5 trillion in tax cuts over the next decade.

And this week the spending continues. This energy bill comes at a cost of $18.7 billion dollars and includes no provision to offset these costs. I have long championed for: Increased access to capital for domestic oil and gas production; more research in alternative fuels such as nuclear energy; advanced clean coal

technology; a sound commitment to renewable energy, including a renewable fuels standards; and improved energy efficiency and environmental standards.

As Ranking Member on the House Agriculture Committee, I was especially pleased to see the Renewable Fuels Standard increasing the required use of ethanol, made from corn, as a fuel additive by gasoline refineries to 5 billion gallons by 2015.

There is no doubt I am glad to see these provisions in H.R. 6, but I am very disappointed that my colleagues on the other side made no attempts to offset some of the costs of this bill. This energy bill continues down the path of more deficit spending and makes no realistic attempt to justify this spending.

America deserves a balanced and forward looking energy policy and therefore I intend to vote for this bill despite my reservations about its cost. It is my sincere hope that Congress will ultimately be responsible and pay for provisions included in the Energy Policy Act of 2003 without burdening our children and grandchildren with continued deficit spending.

Mr. OSE. Mr. Chairman, I regretfully rise to oppose this bill today.

When President Bush introduced the National Energy Policy in 2001, I applauded the plan. The President laid out a comprehensive, balanced policy to address our nation's energy needs. I supported the President energy policy and voted for the House version, H.R. 4, in the 107th Congress.

The bill we have before us today includes much of the beneficial programs embedded in H.R. 4. However, it also includes an ethanol mandate that I am adamantly opposed to. This provision is bad public policy. It is bad for consumers, bad for air quality, and bad for the environment.

Last year, the Government Reform Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs, which I chair, held a hearing to review the concept of an ethanol mandate. One of our expert witnesses predicted that the ethanol mandate would cause reformulated gasoline to raise almost 10 cents per gallon.

On Tuesday, the Energy Information Agency (EIA) predicted that, by the time ethanol is fully integrated in California, the price increase for reformulated gas would be 9 cents per gallon. California has already seen huge price increases this year as refiners attempt to shift from MTBE to ethanol.

For a State like California, or New York, or Connecticut, which uses a large amount of reformulated gasoline, this will represent an income shift of hundreds of millions of dollars from our citizen's pockets to those in ethanol-producing States. Furthermore, when the EPA implements its new 8-hour ozone rule, 155 new counties will have to use reformulated gasoline. I hope my colleagues who represent these counties know that the ethanol mandate will increase their constituents gas prices.

Ethanol will also make it tougher to meet our air quality standards. While the supporters of ethanol love to tell us that ethanol reduces carbon monoxide, they fail to tell us that ethanol use results in higher volatile organic compounds, which contribute to ozone. In fact, ethanol has to get a waiver from the Clean Air Act to be used in the summertime because of its ozone forming qualities.

Ethanol proponents also claim that ethanol will reduce our demand for foreign oil. But a 2002 study published by the Encyclopedia of Physical Sciences and Technology concluded that it takes more energy to produce a gallon of ethanol than that gallon yields. Furthermore, an ethanol mandate that subsidizes corn production will have adverse effects on water quality, as farmers use more and more fertilizer to produce their crops.

No wonder ethanol proponents slipped into the Bill liability protection for ethanol producers. If we find that ethanol does indeed harm our water supply—like we found with MTBE—ethanol manufacturers will get a free ride.

I offered an amendment at the Rules committee—along with my colleague ELLIOT ENGEL—to improve the ethanol mandate. My amendment would have allowed a credit against the ethanol mandate for any refiner that produces clean burning gasoline.

This is the direction our nation's fuel policy should take. Instead of mandating inputs into gasoline, we should set high environmental standards and let oil refiners and automakers meet those standards. California today can produce the cleanest burning gasoline in the nation without ethanol.

The bottom lie is that an ethanol mandate will increase our gasoline prices and harm our air and water quality. And therefore, I cannot vote for this bill.

Mr. FILNER. Mr. Chairman, I rise today to oppose this Energy bill. Rather than emphasizing conservation and renewable energy sources, this bill focuses on destroying our natural resources and using fossil fuels to meet our energy needs.

Supporters of this bill claim it is a consumer friendly bill that increases Americans' access to cheaper energy. Admittedly, there are a few positive aspects of the bill. For example, there are incentives to use cellulosic biomass ethanol. This not only makes gasoline cleaner, but it also creates jobs and other uses for crops such as sugar cane. There are also a few incentives to use renewable fuels such as wind and solar energy.

Unfortunately, the rest of the provisions in this bill show its true colors. It provides monetary incentives for big oil and gas companies that are nearly twice as much as those that are available for conservation and the use of alternative fuels. These measures do not reduce our dependence on foreign oil. Further, by giving big companies incentives to burn fossil fuels it puts our air quality at risk—our tax dollars are funding the polluting of our air. It doesn't stop with our air. It also puts our water at risk by weakening protections of rivers, coastal areas, and drinking water. As if that wasn't enough, this bill opens the Arctic National Wildlife Refuge to gas and oil drilling, destroying one of our last great natural resources.

The final blow is that it weakens consumer protections against companies like Enron from manipulating the energy market. As a Congressman from California, where we suffered through blackouts and sky-high electricity bills because of electricity market abuse, this is unacceptable. This bill rips the blanket of protection off consumers, leaving them with no tools to fend off corporate abuses.

This is not the best way to reduce our dependence on foreign oil; this is not the best use of technology and this is not the best way to protect our health and environment. That is why I cannot support this bill and I urge my colleagues to vote against this bill.

Mr. DELAY. Mr. Chairman, I rise in support of the Energy Policy Act of 2003 and congratulate the leaders of all the Committees involved for reporting a comprehensive, balanced energy plan.

This legislation will begin to free our nation from its dependence on foreign sources of energy, a vital priority for America's national security. The more energy we produce within our borders, the more we know we can rely on, no matter what international circumstances arise. The bill also contains provisions to allow lower-income Americans to pay their energy bills. This is a real benefit to real people, right now.

Finally, the increased production of oil in the United States will help lower America's gas prices, which now are too heavily impacted by the actions of other nations. It has been more than a decade since our nation had a comprehensive energy plan, and quiet frankly, if it were up to the Democrat leadership, we still wouldn't have one.

Instead of engaging the debate with an alternative proposal, they complain. They complain about specific measures and complain about our governing philosophy, yet they refuse to offer their own.

Take ANWR. The estimated daily production from ANWR would exceed the currently daily production of any individual state. As our economy grows, even as Americans conserve more energy, our consumption of it will rise. The larger an economy becomes, the more energy it will require. This is common sense. ANWR represents an opportunity to produce billions and billions of barrels of oil. The ANWR provisions in this legislation permit development of only 2,000 acres out of a designated area the size of Delaware!

The bill answers environmental concerns. Recovery projects under this legislation will either respect the health of local fish and wildlife, or they will be shut down.

The facts, then, are clear. Recovering oil from ANWR will help the national economy. It will reduce our dependence on foreign oil, thus improving our national security. It will preserve local fish and wildlife populations and respect the surrounding environment. And in response to these facts, the other side just says ''NO''. No constructive criticism. No alternative proposals. Just obstruction and obstinacy.

The American people deserve an energy policy, and the Republican Congress has an obligation to give them one. They can lecture. We will lead.

The CHAIRMAN pro tempore. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having resumed the chair, Mr. CULBERSON, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6) to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, and for other purposes, pursuant to House Resolution 189, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. DINGELL. Most vigorously opposed, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Dingell moves to recommit the bill H.R.6 to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with the following amendments:

Strike title III of Division A and insert the following:

TITLE III—HYDROELECTRIC ENERGY

SEC. 13001. ALTERNATIVE CONDITIONS AND FISHWAYS.

(a) ALTERNATIVE MANDATORY CONDITIONS.—Section 4 of the Federal Power Act (16 U.S.C. 797) is amended by adding at the end the following:

''(h)(1) Whenever any person applies for a license for any project works within any reservation of the United States, and the Secretary of the department under whose supervision such reservation falls deems a condition to such license to be necessary under the first proviso of subsection (e), the license applicant or any other party to the licensing proceeding may propose an alternative condition.

''(2) Notwithstanding the first proviso of subsection (e), the Secretary of the department under whose supervision the reservation falls shall accept the proposed alternative condition referred to in paragraph (1), and the Commission shall include in the license such alternative condition, if the Secretary of the appropriate department determines, based on substantial evidence provided by the party proposing such alternative condition, that the alternative condition—

''(A) provides no less protection for the reservation than provided by the condition deemed necessary by the Secretary; and

''(B) will either—

''(i) cost less to implement, or

''(ii) result in improved operation of the project works for electricity production,

as compared to the condition deemed necessary by the Secretary.

''(3) Within 1 year after the enactment of this subsection, each Secretary concerned shall, by rule, establish a process to expeditiously resolve conflicts arising under this subsection.''.

(b) ALTERNATIVE FISHWAYS.—Section 18 of the Federal Power Act (16 U.S.C. 811) is amended by—

(1) inserting ''(a)'' before the first sentence; and

(2) adding at the end the following:

''(b)(1) Whenever the Commission shall require a licensee to construct, maintain, or operate a fishway prescribed by the Secretary of the Interior or the Secretary of Commerce under this section, the licensee or any other party to the proceeding may propose an alternative to such prescription to construct, maintain, or operate a fishway.

''(2) Notwithstanding subsection (a), the Secretary of the Interior or the Secretary of Commerce, as appropriate, shall accept and prescribe, and the Commission shall require, the proposed alternative referred to in paragraph (1), if the Secretary of the appropriate department determines, based on substantial evidence provided by the party proposing such alternative, that the alternative—

''(A) will be no less effective than the fishway initially prescribed by the Secretary, and

''(B) will either—

''(i) cost less to implement, or

''(ii) result in improved operation of the project works for electricity production,

as compared to the fishway initially prescribed by the Secretary.

''(3) Within 1 year after the enactment of this subsection, the Secretary of the Interior and the Secretary of Commerce shall each, by rule, establish a process to expeditiously resolve conflicts arising under this subsection.''.

SEC. 13002. FERC DATA ON HYDROELECTRIC LICENSING.

(a) DATA COLLECTION PROCEDURES.—The Federal Energy Regulatory Commission shall revise its procedures regarding the collection of data in connection with the Commission's consideration of hydroelectric licenses under the Federal Power Act. Such revised data collection procedures shall be designed to provide the Commission with complete and accurate information concerning the time and costs to parties involved in the licensing process. Such data shall be available for each significant stage in the licensing process and shall be designed to identify projects with similar characteristics so that analyses can be made of the time and costs involved in licensing proceedings based upon the different characteristics of those proceedings.

(b) REPORTS.—Within 6 months after the date of the enactment of this Act, the Commission shall notify the Committee on Energy and Commerce of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate of the progress made by the Commission under subsection (a), and within 1 year after such date of the enactment, the Commission shall submit a report to such Committees specifying the measures taken by the Commission pursuant to subsection (a).

□ 1230

Mr. DINGELL (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 5 minutes in support of his motion to recommit.

Mr. DINGELL. Mr. Speaker, the motion to recommit directly addresses major concerns, and that is destruction of fish, wildlife resources and the denial of the ability of this Nation, through its system of hydro licensing and relicensing to protect those fish and wildlife resources and the precious outdoor values that this Nation feels important.

The motion includes reforms contained in the bill which I would have offered or, rather, the amendment which I would have offered with the gentleman from New York (Mr. BOEHLERT) of the Committee on Science. It is necessary to protect the egregious wrongs committed against fish, wildlife and the environment by the outrageous provisions of H.R. 6.

As I pointed out yesterday, all sportsmen, conservationists, hunters, fishermen organizations and all environmentalists support this language.

The amendment which we would have offered was not made available to the House because it was not permitted by the Committee on Rules, and the voices of the conservationists of this country were stilled by that outrageous action.

I want to remind my colleagues of exactly what this legislation does, and I refer to the bill, H.R. 6. It confers superparty status on license applicants by allowing them to propose alternatives to resource protection conditions, giving them special procedural rights that are not granted to other legitimate stakeholders like States, tribes, sportsmen or ordinary citizens.

It dilutes environmental protections included in current law and will overturn over 100 years of fish and wildlife protections which we have given with regard to the rivers and streams of this Nation.

It creates an entirely new and costly subsidy program for a mature industry that does not need, nor does it deserve, the support of taxpayers at a time of enormous deficits. Needless to say, the language we have before us lies in stark contrast to the hydroelectric provisions that were contained in last year's energy bill.

Last year, our work was not only bipartisan in character, but it was supported by the industry as well as the groups that now oppose the provisions of the legislation. Indeed, of all of those who supported the hydroelectric title last year, only one group remains satisfied today, the utilities. A quick reading of the bill explains why.

The bill before us gives the hydropower industry unprecedented advantage during the licensing process at the expense of protections for fish, wildlife and natural resources. The bill before us would do enormous damage to fish passage requirements of current law. It would deny the need for fishways and would afford no ability by sportsmen groups or conservationists or the Indian tribes to insist that such be included in dams so as to facilitate the upward or the downward passage of fish in our great rivers.

This imperils the ability of fish to reach spawning grounds and subjects them to the hideous cruelties of having to pass through hydroelectric turbines to carry out their natural functions.

The bill is strongly opposed by, as I have said, almost all conservation, sportsmen and environmental groups. I will have a list of those people who oppose and the organizations who oppose

available to discuss with any Member who so desires.

The compromise we offer today is identical to the language which the House passed in the last Congress and which my good friend, the distinguished chairman of the committee, joined me in supporting and which involved a compromise not just between the two parties here in the Congress but also a compromise between industry and conservationists.

The motion and the amendment which we have before us protects natural resources, fish and wildlife. The bill does not. The motion allows the license applicant or any other party to a licensing proceeding to propose an alternative to the conditions set by the resource agencies so that the fullest possible discussion of methods for protection of fish and wildlife values in our rivers and waters may be achieved.

I note that the language that we offer in the motion to recommit is exactly the same which I agreed on with my good friend, the gentleman from Louisiana (Mr. TAUZIN). I would note that he described this legislation with me as a bipartisan consensus provision that carefully balances energy and environmental priorities to achieve a significant breakthrough in licensing reform.

I urge my colleagues, in the interest of protecting our natural resources, to vote for the legislation, and let us make this a better bill in the interests of all of us and in the interests of future generations.

Mr. Speaker, I yield back the balance of my time, and I pay my respects to the chairman.

Mr. TAUZIN. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Louisiana is recognized for 5 minutes.

Mr. TAUZIN. Mr. Speaker, let me first thank my friend, the gentleman from Michigan (Mr. DINGELL), and the members of the Committee on Energy and Commerce in particular for the cooperative spirit and civility in which we have passed out of committee and onto the floor this immensely important bill for our Nation's future. And I thank the gentleman from Michigan (Mr. DINGELL) in every way for those courtesies.

Let me, on the other hand, greatly oppose this motion to recommit. There are three great ironies here. Let me first set the stage for my colleagues.

The amendment that the gentleman from Michigan (Mr. DINGELL) offers in the motion to recommit is, in fact, the position the House took last year. It was agreed to as a condition, as part of the package of a bill that the gentleman from Michigan (Mr. DINGELL) agreed to support last year, and we were pleased to get his support for it.

On the other hand, the Democratic Senate passed a hydro provision, and guess what, the provision in our House bill today is nearly identical to the Senate-passed hydro provisions of last year under a Democratic-controlled system. It is nearly identical to the hydro provisions passed out of the Senate committee this week, and it is a much better version of the hydro provisions that we contain in this bill that would get stripped by the Dingell motion to recommit.

Let me tell my colleagues why. Let me tell my colleagues the ironies here. The irony, number one, hydropower is the number one renewable fuel in America. It provides more renewable clean energy than wind, solar, all other renewables combined. One would think we would want to encourage relicensing of hydro plants. It is the cleanest, the safest, most renewable energy in America. Our bill's hydro provisions helps to relicense and continue hydropower in America.

The other great irony of this bill, of the motion to recommit offered by the gentleman from Michigan (Mr. DINGELL) is that while everything the gentleman from Michigan (Mr. DINGELL) will set forth in his motion to recommit some very arbitrary standards, under which the Secretary has to do this relicensing, he actually provides such a limited list of alternatives to the Secretary that if anyone comes up with a better way of protecting fish, that would be illegal.

The greatest irony is that this amendment in the nature of a substitute is offered for fish, and it cuts off alternative designs that would better protect fish and it leads to bureaucrats in the Department to make decisions about what rules to apply on a case-by-case basis when it comes to conditions on the license.

This is not a good hydro provision. The hydro provision the gentleman from Michigan (Mr. DINGELL) offers this House will cripple the relicensing provisions of the bill. It will hurt hydropower. It will make it more difficult for us to have the number one, cleanest renewable fuel in America, and we ought not to adopt that kind of a policy in a good bill.

Let me tell my colleagues the greatest irony. The greatest irony, while I do not have the gentleman from Michigan's (Mr. DINGELL) support on this bill, I have the support of the Alliance of Automobile Manufacturers, the American Farm Bureau, the American Petroleum Institute, the National Mining Association, the Domestic Petroleum Council, the Edison Electric Institute, Large Public Power Council, the National Farmers Union, the Teamsters Union, the Association of American Railroads, the National Gas Vehicle Coalition, the Solar Energy Industries Association, the Renewable Fuels Association, the National Corn Growers Association, the U.S. Chamber of Commerce and on and on and on.

This bill is great for America. This motion to recommit would cripple an important part of renewable, clean energy, and we need to defeat it.

Mr. BARTON of Texas. Mr. Speaker, will the gentleman yield?

Mr. TAUZIN. I yield to the gentleman from Texas.

Mr. BARTON of Texas. Mr. Speaker, I might point out that this is also supported by the National Hydropower Association.

The title on hydro relicensing that is in the bill that is before us does not waive anything of the Endangered Species Act. It does not waive any part of the Safe Water Drinking Act. It does not waive any environmental law that is currently on the books.

What it does do, if a person has an application to relicense a hydro project in this country, and if a Federal agency proposes what is called a mandatory condition to that relicensing, we allow under our bill the applicant to offer an alternative to that mandatory condition; and if that alternative is as effective in protecting the environment and is more cost-effective or energy-efficient, then the agency has to accept the alternative. That is the principal difference between this bill and the bill that we adopted in the last Congress that the gentleman from Michigan (Mr. DINGELL) has in his motion to recommit.

I would urge my colleagues to support the bill. The bill was introduced as a stand-alone hydro relicensing bill with several Democrats as cosponsors, and when we had votes on this in subcommittee and full committee, a fair number of Democrats crossed over to oppose the gentleman from Michigan's (Mr. DINGELL) bill and support what is in our bill.

So let us vote in a bipartisan fashion to oppose the motion to recommit.

Mr. TAUZIN. Mr. Speaker, I thank the gentleman for his comments.

Let us vote this motion to recommit down and let us give America its first good shot in the economic arm. Let us get this country rolling again with national security and economic growth.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. DINGELL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 171, noes 250, not voting 13, as follows:

[Roll No. 144]

AYES—171

Abercrombie	Becerra	Boucher
Ackerman	Berkley	Boyd
Allen	Berman	Brady (PA)
Andrews	Berry	Brown (OH)
Baldwin	Bishop (NY)	Brown, Corrine
Ballance	Boswell	Capps

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

NOES—250

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

NOT VOTING—13

Blumenauer
Combest
Fattah
Gephardt
Houghton
Kaptur
McCarthy (MO)
Miller, George
Paul
Quinn
Reyes
Towns
Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1300

Mr. TANNER changed his vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. TAUZIN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 247, noes 175, not voting 13, as follows:

[Roll No. 145]

AYES—247

Aderholt
Akin
Alexander
Baca
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Bell
Bereuter
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Boozman
Boucher
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Carter
Chabot
Chocola
Coble
Cole
Collins
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (AL)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Dooley (CA)
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goodlatte
Goss
Granger
Graves
Green (TX)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hinojosa
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jackson-Lee (TX)
Janklow
Jefferson
Jenkins
John
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
LaHood
Lampson
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lucas (KY)
Lucas (OK)
Manzullo
Matheson
McCotter
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nethercutt
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Otter
Oxley
Pearce
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Rush
Ryan (WI)
Ryun (KS)
Sandlin
Schrock
Scott (GA)
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (TX)
Souder
Stearns
Stenholm
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Turner (TX)
Upton
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—175

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldwin
Ballance
Bass
Becerra
Berkley
Berman
Berry
Bishop (NY)
Boehlert
Boswell
Boyd
Bradley (NH)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Case
Castle
Clay
Clyburn
Conyers
Cooper
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Filner
Ford
Frank (MA)
Frelinghuysen
Gonzalez
Goode
Gordon
Green (WI)
Grijalva
Gutierrez
Harman
Hastings (FL)
Hill
Hinchey
Hoeffel
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Johnson (CT)
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick

Kind
Kirk
Kleczka
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Lynch
Majette
Maloney
Markey
Marshall
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Moore
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Petri
Price (NC)
Rahall
Rangel
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Scott (VA)
Sensenbrenner
Serrano
Shays
Sherman
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Waters
Watson
Watt
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—13

Blumenauer
Bono
Combest
Fattah
Gephardt
Houghton
McCarthy (MO)
Miller, George
Paul
Quinn
Reyes
Towns
Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1307

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. BONO. Mr. Speaker, on rollcall No. 145 I was inadvertanly detained. Had I been present, I would have voted "aye."

GENERAL LEAVE

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and insert extraneous material on H.R. 6, the bill just passed.

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

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 6, ENERGY POLICY ACT OF 2003

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent that, in the engrossment of the bill, H.R. 6, the Clerk be authorized to correct section numbers, punctuation, and cross-references and to make such other technical and conforming changes as may be necessary to reflect the actions of the House.

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

There was no objection.

CLEAN DIAMOND TRADE ACT

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1584) to implement effective measures to stop trade in conflict diamonds, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Senate Amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Clean Diamond Trade Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Funds derived from the sale of rough diamonds are being used by rebels and state actors to finance military activities, overthrow legitimate governments, subvert international efforts to promote peace and stability, and commit horrifying atrocities against unarmed civilians. During the past decade, more than 6,500,000 people from Sierra Leone, Angola, and the Democratic Republic of the Congo have been driven from their homes by wars waged in large part for control of diamond mining areas. A million of these are refugees eking out a miserable existence in neighboring countries, and tens of thousands have fled to the United States. Approximately 3,700,000 people have died during these wars.

(2) The countries caught in this fighting are home to nearly 70,000,000 people whose societies have been torn apart not only by fighting but also by terrible human rights violations.

(3) Human rights and humanitarian advocates, the diamond trade as represented by the World Diamond Council, and the United States Government have been working to block the trade in conflict diamonds. Their efforts have helped to build a consensus that action is urgently needed to end the trade in conflict diamonds.

(4) The United Nations Security Council has acted at various times under chapter VII of the Charter of the United Nations to address threats to international peace and security posed by conflicts linked to diamonds. Through these actions, it has prohibited all states from exporting weapons to certain countries affected by such conflicts. It has further required all states to prohibit the direct and indirect import of rough diamonds from Sierra Leone unless the diamonds are controlled under specified certificate of origin regimes and to prohibit absolutely the direct and indirect import of rough diamonds from Liberia.

(5) In response, the United States implemented sanctions restricting the importation of rough diamonds from Sierra Leone to those diamonds accompanied by specified certificates of origin and fully prohibiting the importation of rough diamonds from Liberia. The United States is now taking further action against trade in conflict diamonds.

(6) Without effective action to eliminate trade in conflict diamonds, the trade in legitimate diamonds faces the threat of a consumer backlash that could damage the economies of countries not involved in the trade in conflict diamonds and penalize members of the legitimate trade and the people they employ. To prevent that, South Africa and more than 30 other countries are involved in working, through the ''Kimberley Process'', toward devising a solution to this problem. As the consumer of a majority of the world's supply of diamonds, the United States has an obligation to help sever the link between diamonds and conflict and press for implementation of an effective solution.

(7) Failure to curtail the trade in conflict diamonds or to differentiate between the trade in conflict diamonds and the trade in legitimate diamonds could have a severe negative impact on the legitimate diamond trade in countries such as Botswana, Namibia, South Africa, and Tanzania.

(8) Initiatives of the United States seek to resolve the regional conflicts in sub-Saharan Africa which facilitate the trade in conflict diamonds.

(9) The Interlaken Declaration on the Kimberley Process Certification Scheme for Rough Diamonds of November 5, 2002, states that Participants will ensure that measures taken to implement the Kimberley Process Certification Scheme for Rough Diamonds will be consistent with international trade rules.

SEC. 3. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Ways and Means and the Committee on International Relations of the House of Representatives, and the Committee on Finance and the Committee on Foreign Relations of the Senate.

(2) CONTROLLED THROUGH THE KIMBERLEY PROCESS CERTIFICATION SCHEME.—An importation or exportation of rough diamonds is ''controlled through the Kimberley Process Certification Scheme'' if it is an importation from the territory of a Participant or exportation to the territory of a Participant of rough diamonds that is—

(A) carried out in accordance with the Kimberley Process Certification Scheme, as set forth in regulations promulgated by the President; or

(B) controlled under a system determined by the President to meet substantially the standards, practices, and procedures of the Kimberley Process Certification Scheme.

(3) EXPORTING AUTHORITY.—The term ''exporting authority'' means 1 or more entities designated by a Participant from whose territory a shipment of rough diamonds is being exported as having the authority to validate the Kimberley Process Certificate.

(4) IMPORTING AUTHORITY.—The term ''importing authority'' means 1 or more entities designated by a Participant into whose territory a shipment of rough diamonds is imported as having the authority to enforce the laws and regulations of the Participant regulating imports, including the verification of the Kimberley Process Certificate accompanying the shipment.

(5) KIMBERLEY PROCESS CERTIFICATE.—The term ''Kimberley Process Certificate'' means a forgery resistant document of a Participant that demonstrates that an importation or exportation of rough diamonds has been controlled through the Kimberley Process Certification Scheme and contains the minimum elements set forth in Annex I to the Kimberley Process Certification Scheme.

(6) KIMBERLEY PROCESS CERTIFICATION SCHEME.—The term ''Kimberley Process Certification Scheme' means those standards, practices, and procedures of the international certification scheme for rough diamonds presented in the document entitled ''Kimberley Process Certification Scheme'' referred to in the Interlaken Declaration on the Kimberley Process Certification Scheme for Rough Diamonds of November 5, 2002.

(7) PARTICIPANT.—The term ''Participant'' means a state, customs territory, or regional economic integration organization identified by the Secretary of State.

(8) PERSON.—The term ''person'' means an individual or entity.

(9) ROUGH DIAMOND.—The term ''rough diamond'' means any diamond that is unworked or simply sawn, cleaved, or bruted and classifiable

under subheading 7102.10, 7102.21, or 7102.31 of the Harmonized Tariff Schedule of the United States.

(10) UNITED STATES.—The term ''United States'', when used in the geographic sense, means the several States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

(11) UNITED STATES PERSON.—The term ''United States person'' means—

(A) any United States citizen or any alien admitted for permanent residence into the United States;

(B) any entity organized under the laws of the United States or any jurisdiction within the United States (including its foreign branches); and

(C) any person in the United States.—

SEC. 4. MEASURES FOR THE IMPORTATION AND EXPORTATION OF ROUGH DIAMONDS.

(a) PROHIBITION.—The President shall prohibit the importation into, or exportation from, the United States of any rough diamond, from whatever source, that has not been controlled through the Kimberley Process Certification Scheme.

(b) WAIVER.—The President may waive the requirements set forth in subsection (a) with respect to a particular country for periods of not more than 1 year each, if, with respect to each such waiver—

(1) the President determines and reports to the appropriate congressional committees that such country is taking effective steps to implement the Kimberley Process Certification Scheme; or

(2) the President determines that the waiver is in the national interests of the United States, and reports such determination to the appropriate congressional committees, together with the reasons therefor.

SEC. 5. REGULATORY AND OTHER AUTHORITY.

(a) IN GENERAL.—The President is authorized to and shall as necessary issue such proclamations, regulations, licenses, and orders, and conduct such investigations, as may be necessary to carry out this Act.

(b) RECORDKEEPING.—Any United States person seeking to export from or import into the United States any rough diamonds shall keep a full record of, in the form of reports or otherwise, complete information relating to any act or transaction to which any prohibition imposed under section 4(a) applies. The President may require such person to furnish such information under oath, including the production of books of account, records, contracts, letters, memoranda, or other papers, in the custody or control of such person.

(c) OVERSIGHT.—The President shall require the appropriate Government agency to conduct annual reviews of the standards, practices, and procedures of any entity in the United States that issues Kimberley Process Certificates for the exportation from the United States of rough diamonds to determine whether such standards, practices, and procedures are in accordance with the Kimberley Process Certification Scheme. The President shall transmit to the appropriate congressional committees a report on each annual review under this subsection.

SEC. 6. IMPORTING AND EXPORTING AUTHORITIES.

(a) IN THE UNITED STATES.—For purposes of this Act—

(1) the importing authority shall be the United States Bureau of Customs and Border Protection or, in the case of a territory or possession of the United States with its own customs administration, analogous officials; and

(2) the exporting authority shall be the Bureau of the Census.

(b) OF OTHER COUNTRIES.—The President shall publish in the Federal Register a list of all Participants, and all exporting authorities and importing authorities of Participants. The President shall update the list as necessary.

SEC. 7. STATEMENT OF POLICY.

The Congress supports the policy that the President shall take appropriate steps to promote and facilitate the adoption by the international community of the Kimberley Process Certification Scheme implemented under this Act.

SEC. 8. ENFORCEMENT.

(a) IN GENERAL.—In addition to the enforcement provisions set forth in subsection (b)—

(1) a civil penalty of not to exceed $10,000 may be imposed on any person who violates, or attempts to violate, any license, order, or regulation issued under this Act; and

(2) whoever willfully violates, or willfully attempts to violate, any license, order, or regulation issued under this Act shall, upon conviction, be fined not more than $50,000, or, if a natural person, may be imprisoned for not more than 10 years, or both; and any officer, director, or agent of any corporation who willfully participates in such violation may be punished by a like fine, imprisonment, or both.

(b) IMPORT VIOLATIONS.—Those customs laws of the United States, both civil and criminal, including those laws relating to seizure and forfeiture, that apply to articles imported in violation of such laws shall apply with respect to rough diamonds imported in violation of this Act.

(c) AUTHORITY TO ENFORCE.—The United States Bureau of Customs and Border Protection and the United States Bureau of Immigration and Customs Enforcement are authorized, as appropriate, to enforce the provisions of subsection (a) and to enforce the laws and regulations governing exports of rough diamonds, including with respect to the validation of the Kimberley Process Certificate by the exporting authority.

SEC. 9. TECHNICAL ASSISTANCE.

The President may direct the appropriate agencies of the United States Government to make available technical assistance to countries seeking to implement the Kimberley Process Certification Scheme.

SEC. 10. SENSE OF CONGRESS.

(a) ONGOING PROCESS.—It is the sense of the Congress that the Kimberley Process Certification Scheme, officially launched on January 1, 2003, is an ongoing process. The President should work with Participants to strengthen the Kimberley Process Certification Scheme through the adoption of measures for the sharing of statistics on the production of and trade in rough diamonds, and for monitoring the effectiveness of the Kimberley Process Certification Scheme in stemming trade in diamonds the importation or exportation of which is not controlled through the Kimberley Process Certification Scheme.

(b) STATISTICS AND REPORTING.—It is the sense of the Congress that under Annex III to the Kimberley Process Certification Scheme, Participants recognized that reliable and comparable data on the international trade in rough diamonds are an essential tool for the effective implementation of the Kimberley Process Certification Scheme. Therefore, the executive branch should continue to—

(1) keep and publish statistics on imports and exports of rough diamonds under subheadings 7102.10.00, 7102.21, and 7102.31.00 of the Harmonized Tariff Schedule of the United States;

(2) make these statistics available for analysis by interested parties and by Participants; and

(3) take a leadership role in negotiating a standardized methodology among Participants for reporting statistics on imports and exports of rough diamonds.

SEC. 11. KIMBERLEY PROCESS IMPLEMENTATION COORDINATING COMMITTEE.

The President shall establish a Kimberley Process Implementation Coordinating Committee to coordinate the implementation of this Act. The Committee shall be composed of the following individuals or their designees:

(1) The Secretary of the Treasury and the Secretary of State, who shall be co-chairpersons.

(2) The Secretary of Commerce.

(3) The United States Trade Representative.

(4) The Secretary of Homeland Security.

(5) A representative of any other agency the President deems appropriate.

SEC. 12. REPORTS.

(a) ANNUAL REPORTS.—Not later than 1 year after the date of the enactment of this Act and every 12 months thereafter for such period as this Act is in effect, the President shall transmit to the Congress a report—

(1) describing actions taken by countries that have exported rough diamonds to the United States during the preceding 12-month period to control the exportation of the diamonds through the Kimberley Process Certification Scheme;

(2) describing whether there is statistical information or other evidence that would indicate efforts to circumvent the Kimberley Process Certification Scheme, including cutting rough diamonds for the purpose of circumventing the Kimberley Process Certification Scheme;

(3) identifying each country that, during the preceding 12-month period, exported rough diamonds to the United States and was exporting rough diamonds not controlled through the Kimberley Process Certification Scheme, if the failure to do so has significantly increased the likelihood that those diamonds not so controlled are being imported into the United States; and

(4) identifying any problems or obstacles encountered in the implementation of this Act or the Kimberly Process Certification Scheme.

(b) SEMIANNUAL REPORTS.—For each country identified in subsection (a)(3), the President, during such period as this Act is in effect, shall, every 6 months after the initial report in which the country was identified, transmit to the Congress a report that explains what actions have been taken by the United States or such country since the previous report to ensure that diamonds the exportation of which was not controlled through the Kimberley Process Certification Scheme are not being imported from that country into the United States. The requirement to issue a semiannual report with respect to a country under this subsection shall remain in effect until such time as the country is controlling the importation and exportation of rough diamonds through the Kimberley Process Certification Scheme.

SEC. 13. GAO REPORT.

Not later than 24 months after the effective date of this Act, the Comptroller General of the United States shall transmit a report to the Congress on the effectiveness of the provisions of this Act in preventing the importation or exportation of rough diamonds that is prohibited under section 4. The Comptroller General shall include in the report any recommendations on any modifications to this Act that may be necessary.

SEC. 14. DELEGATION OF AUTHORITIES.

The President may delegate the duties and authorities under this Act to such officers, officials, departments, or agencies of the United States Government as the President deems appropriate.

SEC. 15. EFFECTIVE DATE.

This Act shall take effect on the date on which the President certifies to the Congress that—

(1) an applicable waiver that has been granted by the World Trade Organization is in effect; or

(2) an applicable decision in a resolution adopted by the United Nations Security Council pursuant to Chapter VII of the Charter of the United Nations is in effect.

This Act shall thereafter remain in effect during those periods in which, as certified by the President to the Congress, an applicable waiver or decision referred to in paragraph (1) or (2) is in effect.

Mr. THOMAS (during the reading). Mr. Speaker, I ask unanimous consent

that the Senate amendment be considered as read and printed in the RECORD.

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

There was no objection.

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

There was no objection.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, first of all, I am extraordinarily pleased that I found the gentleman from Texas (Mr. DELAY).

Mr. Leader, I would appreciate and I know all Members would: We were here late last night. We have been working hard. I know the conference committee has been working very hard.

If the gentleman would bring us up to date for what he sees as the balance of the day and the balance of the week.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding to me, and I also appreciate being found.

As the gentleman and Members know, a very important conference committee is meeting on the war supplemental. Very intensive discussions are going on. We anticipate, hopefully anticipate that the conference can be wrapped up later on this evening, but there is absolutely no way that we can assure the Members that we can vote on that bill today. We will have no more votes this afternoon, and anticipate coming back to consider the war supplemental tomorrow at noon.

Mr. HOYER. Mr. Leader, it is my understanding there has not been an agreement yet, but if there were an agreement and, from our perspective, if the gentleman from Wisconsin (Mr. OBEY) and our conferees believe that the conference report was something that they could sign off on, it is my understanding that it is possible, if there were agreement, that we would not have to have a vote tomorrow on that piece of legislation; is that correct?

Mr. DELAY. If the gentleman would continue to yield, it would be beneficial to all Members if we could come to some agreement on the bill. I know that the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Florida (Mr. YOUNG) have worked very, very hard to protect the interests of the House and this institution, and they are remaining firm. And we should congratulate the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Florida (Mr. YOUNG) for the work they have done.

If it works to the satisfaction of those two Members and this body, it would be very preferable to work out some sort of agreement that we could voice the vote; but I must warn Members that it does not guarantee that there will not be a vote.

Mr. HOYER. Reclaiming my time, I would reiterate and share the view of the majority leader, but at this point in time, we do not know and cannot guarantee Members that there will not be a vote tomorrow.

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

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

Mr. OBEY. Mr. Speaker, let me simply say that I think it is fair to say that there have been virtually no political differences between either side of the aisle on this side of the Capitol; and I think it is fair to say that the House conferees are virtually unanimous in their view about what has to happen in order for us to get out of here.

I do not know yet whether we are going to get the full cooperation that we are going to need from the other side of the Capitol, but it is certainly our intent on both sides that we come out of here as one. It would be very good for the House if we had a bill that had 100 percent support. We could go home with a feeling of unity, and I know that both sides are going to try to accomplish that.

Mr. HOYER. Reclaiming my time, I want to echo the comments of the majority leader. The gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) have worked diligently not only on the substance of what is in the supplemental, but also in upholding the position of the House as it relates to the balance of power between the executive department and the legislative department as set forth in the Constitution of the United States.

As a matter of fact, when we started our consideration of the supplemental, the first thing the gentleman from Florida (Mr. YOUNG) did was to read article I and appropriate provisions of the Constitution. I think all of us in this body can be appreciative of the fact that the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) have taken the position that I think is appropriate for our institution, as well as for our country, and I share the majority leader's view.

We appreciate their efforts.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Texas.

Mr. DELAY. I appreciate and agree with the gentleman's remarks. I want to tell Members that, as they know, at this point in time in the session it is very difficult to communicate with Members, so I urge Members to stay in touch with their offices because we will be giving all Members updates on an hourly to 2-hour basis as to what is going on with the conference committee and what the future may hold for another session tomorrow.

Mr. HOYER. Mr. Leader, am I correct it would be our hope collectively, both sides of the aisle, to be able to give definitive information to the Members at least by 5 p.m. as to what they might expect for tomorrow?

Mr. DELAY. Mr. Speaker, if the gentleman would continue to yield, I would hope we can give it sooner than that. In talking to the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Florida (Mr. YOUNG), we should have some sort of sense as to what direction the conference will be going in the next hour or two.

Mr. HOYER. Mr. Leader, in the event there is a vote tomorrow, would I be correct in assuming we would give to Members a minimum of an hour's notice and no vote will be held before noon tomorrow? Is that your thought at this point in time?

□ 1315

Mr. DELAY. Of course. And we would like to give them even more notice than that, but at least an hour before we would actually ring the bells and go back into session would we give Members notice.

Mr. HOYER. Mr. Speaker, I am not sure what I am being told, but the gentleman indicated that he may give us, and may be contemplating, more notice than 1 hour. I am not sure what that has to do with the committee, but in any event Members will have a minimum of 1 hour's notice before they would be called back to vote on any legislation tomorrow?

Mr. DELAY. The gentleman is correct.

Mr. HOYER. I thank the gentleman for that. Let me ask the gentleman another question that I was asked by another Member. Am I correct that the only votes, if we have votes tomorrow, would be on the supplemental?

Mr. DELAY. Correct. The only votes we would have, if required, would be on the rules leading up to the supplemental and on the supplemental.

Mr. HOYER. So there may be two votes tomorrow if they were required?

Mr. DELAY. If the gentleman would yield, it could be three. A same-day rule, a rule for the conference report, and the conference report.

Mr. HOYER. Reclaiming my time, in other words, Members should understand that, although we are saying there may be votes tomorrow or there may not be, but there may be multiple votes tomorrow; so it would be more than one vote required. I thank the gentleman.

WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS

Mrs. MYRICK (during consideration of H. Res. 187), from the Committee on Rules, submitted a privileged report

(Rept. No. 108–75) on the resolution (H. Res. 197) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

CONGRATULATING UNIVERSITY OF CONNECTICUT HUSKIES

Mr. SIMMONS. Mr. Speaker, I ask unanimous consent that the Committee on Education and the Workforce be discharged from further consideration of the resolution, (H. Res. 187) congratulating the University of Connecticut Huskies for winning the 2003 National Collegiate Athletic Association Division I women's basketball championship, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 187

Whereas the University of Connecticut Huskies women's basketball team won its third National Collegiate Athletic Association championship in 4 years by defeating the University of Tennessee by the score of 73–68;

Whereas, after losing 4 All-American players to graduation, the Huskies were still able to finish the 2002–2003 season with a nearly perfect 37–1 record, becoming only the 3rd NCAA Division I women's basketball team to repeat as national champions;

Whereas Diana Taurasi was chosen as the consensus national women's Player of the Year and named the Final Four Most Outstanding Player;

Whereas the University of Connecticut Huskies set an NCAA Division I women's record by winning 70 games in a row;

Whereas University of Connecticut Huskies head coach Geno Auriemma was named NCAA Division I women's basketball Coach of the Year, won his 501st game and 4th National Championship;

Whereas the high caliber of the University of Connecticut Huskies in both athletics and academics has significantly advanced the sport of women's basketball and provided inspiration for future generations of young men and women alike; and

Whereas the University of Connecticut Huskies' championship season has rallied Connecticut residents of all ages behind a common purpose and triggered a wave of euphoria across the State: Now, therefore, be it

Resolved, That the House of Representatives commends the University of Connecticut Huskies women's basketball team for winning the 2003 National Collegiate Athletic Association Division I women's basketball championship and for completing the 2002-2003 season with a 37–1 record.

The SPEAKER pro tempore. The gentleman from Connecticut (Mr. SIMMONS) is recognized for 1 hour.

Mr. SIMMONS. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentlewoman from Connecticut (Ms. DELAURO), pending which I yield myself such time as I may consume.

Mr. Speaker, I rise today and to join all of my Connecticut colleagues to honor the 2003 NCAA Women's Basketball Champion, the University of Connecticut Huskies. This resolution congressionally recognizes a group of young women who have excelled both on and off the court. Connecticut is incredibly proud of them.

This is the University of Connecticut's second consecutive basketball championship, only the third time an NCAA women's basketball team has ever repeated as national champions.

Led by the NCAA Player of the Year, Diana Taurasi, the Huskies capped a 37 and 1 season by beating the University of Tennessee Tuesday tonight, 73 to 68. All of the State of Connecticut watched with pride as the Huskies claimed their place as the repeat national champions.

The University of Connecticut was founded in 1881 and has a rich history of providing educational and athletic opportunities to undergraduates of diverse interests, abilities, and backgrounds. It is with great joy, Mr. Speaker, that as a former teaching assistant at the University of Connecticut I take the floor today to say way to go, Huskies.

I wanted to congratulate Diana Taurasi, Maria Conlon, Ann Strother, Jessica Moore, and Barbara Turner. But do not forget the other players on the team who contributed so much to the success and overall efforts of the team: Ashley Battle, Willnet Crocket, Stacey Marron, Nicole Wolff, Ashley Valley, and Morgan Valley. And a special ''way to go'' goes to Head coach Geno Auriemma, associate head coach Chris Dailey, Tonya Cardoza, and Jamelle Elliot, athletic director Lew Perkins, and the parents of all of the members of this national championship team. And finally to my friend, UCONN president Philip Austin, and his administration for fielding such a fine team of scholar-athletes.

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

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

I want to thank the gentleman from Connecticut (Mr. SIMMONS), my colleague from the Connecticut delegation, for introducing this resolution honoring the Huskies for their fourth NCAA women's basketball championship and their third and fourth seasons. An extraordinary group of young women.

This year's victory is especially inspirational because the Huskies overcame incredible odds this year, to repeat with only one starting player returning from last year's championship team. They are the first women's basketball team in history to win a national championship without a single senior on the roster and only the third to win back-to-back championships. With this title victory against the mighty Tennessee Vols, and I might just say to my colleague from Tennessee that we honor today these young women for their competitive spirit and their heart, our Huskies are certain to be remembered as one of the greatest basketball teams in sports history.

The people of Connecticut are tremendously proud of their Huskies, who have set an example for all us with their teamwork and with their standard for perfection. Though this victory was a team effort, as the gentleman from Connecticut (Mr. SIMMONS) has said, and he listed the names of all of the members of the team, I just want to make particular mention of guards Maria Conlon, who is from Derby, Connecticut, and I represent Derby, Connecticut. It is in the third congressional district. And Diana Taurasi, a fellow daughter of Italian immigrants who scored 28 points on her way to being named the Final Four Most Outstanding Player and Consensus National Player of the year. Diana was nothing less than dominating. She scored the third-most points in Division I tournament history, the fourth most-ever in the Final Four, and tied for the second most-ever in a title game. She did this all with an aching back, one good ankle, and a heart whose size is only matched by that of the Huskies' dreams and their determination.

The game of women's basketball has changed since the days when women in my generation played it on only a half court, and I did that for 4 years at the Academy of Our Lady of Mercy Laurelton Hall in Milford, Connecticut. I am sure that in the days when my mother played, and she did, and my mother is 89 years old, but she played in the leagues when they had them in New Haven, Connecticut, women's leagues all those years ago, but no one dreamed at that time that women would one day play before a national audience of millions. The game may have changed, but the need to get young girls involved in sports has not.

Without question, the Huskies have illustrated for us that the results of Congress's commitment and my colleagues' commitment through title IX, that when given the resources, women are just as talented and as exciting to watch as any men's team that is out there. Women now constitute 40 percent of college athletes compared to the 15 percent 30 years ago before title IX became law. As evidenced by the trailblazing UCONN Huskies, the values that women learn from sports participation, leadership, teamwork, discipline, pride and accomplishment are irreplaceable. Today's athletic successes help us to increase our participation in tomorrow's workforce, like the number of business management and ownership positions. In fact, 80 percent of female managers of Fortune 500 companies have a sports background. There may be a future Fortune 500 executive on the Huskies right now.

Either way, one cannot deny that participation in athletics has given women many of the tools they need for

success. Because of their hard work, absolute determination, and a commitment to teamwork on and off the court, these talented young women will be remembered as we debate title IX and its impact on the women in this country. They will be the image in our minds of women reaching for their dreams and succeeding.

The UCONN Huskies have set a new standard of excellence that teams in the future will strive to match. They achieved perfection, and they have inspired all of us.

Mr. Speaker, I congratulate the Huskies on their championship win and on their incredible season. They have once again earned our recognition and respect. Let's go, Huskies.

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

Mr. SIMMONS. Mr. Speaker, I yield 5 minutes to the gentleman from the second district of Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Mr. Speaker, I thank the gentleman from Connecticut (Mr. SIMMONS) for yielding me this time.

I will not take the full 5 minutes, but I do rise in the spirit of good sportsmanship that we see exhibited in our wonderful system of collegiate athletics on almost a daily basis to offer credit where credit is due and congratulate the great women's basketball team at the University of Connecticut on their victory over my own hometown Lady Vols.

I have had the privilege on two occasions of being Pat Summit's honorary assistant coach, and my collegiate coaching record is two and zero, I am proud to say, because Coach Summit has been certainly one of the most outstanding coaches in the history of basketball, having led her teams to six national championships. But certainly our number one rival in women's basketball has been the great teams and program that Coach Geno Auriemma has established and built at the University of Connecticut. And those University of Connecticut women certainly showed in every way that not only were they talented athletes but they were wonderful young women as well and outstanding examples for young people all over this Nation.

□ 1330

Unfortunately, I do wish that I was on the other side of this resolution and that I was offering it, and that my friend the gentleman from Connecticut (Mr. SIMMONS) was up congratulating me. I do now, unfortunately, owe him some Tennessee country ham and some honey, that I will bring following the recess.

Mr. Speaker, I will simply end by saying once again, congratulations to a really outstanding team and also by saying, wait until next year.

Mr. SIMMONS. Mr. Speaker, I want to thank the gentleman for his remarks and to extend our commendations to his team. It was a tough game, it was a tight game, it was an exciting game. I had promised that if we came up short I would give him an evening's supply of our fine Mystic Pizza from Mystic, Connecticut. Fortunately I do not have to do that. But I look forward to getting some of that fine Tennessee ham.

Mr. DUNCAN. Mr. Speaker, if the gentleman will yield further, I did say some good things about Pat Summitt; and I do want to say that I am really very, very proud of my Lady Vols, because coming in second in the entire Nation is really a great, great accomplishment. I wish we were number one, but number two is not bad at all, and I am very, very proud of my hometown Lady Vols.

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

Mr. Speaker, I just say to my colleague from Tennessee, who has an office across from mine in the Rayburn Building, that our staffs had a wager, and they have been gracious in making sure that we were the recipients of the goodness of the State of Tennessee and the district.

As I said in my comments, it is wonderful and marvelous to watch these young women, whether they are the Huskies or the Lady Vols, just play their hearts out. I think it is a tremendous tribute to them and to what they do in terms of their leadership of our country, now and for the future. We are proud of the Lady Vols as well, and I thank my colleague.

Mr. SIMMONS. Mr. Speaker, I yield 10 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Speaker, I appreciate the opportunity to speak on this.

Mr. Speaker, I rise today to pay tribute to the outstanding accomplishments of the University of Connecticut women's basketball team, who defeated the University of Tennessee Volunteers 73 to 68 to win the NCAA tournament on April 8, 2030.

These young women demonstrated throughout their season an ability to focus, to maintain effort even when losing, to work as a team and to hone their individual skills that was truly inspiring, month after month.

That much said, the Lady Vols did a fantastic job as well, and Connecticut admires and respects their skill and ability each year.

I would note that without title IX, none of these young women would have had the opportunity to develop into world class athletes.

I would like to offer, as well, special congratulations to head coach Geno Auriemma, who won his second consecutive national title. After losing four senior starters last year, junior Diana Taurasi took control of the team and led them to victory, scoring 28 points herself.

Mr. Speaker, these extraordinary young women do not need me to tell them they are champions or that their accomplishments are appreciated. This year was supposed to be a year of rebuilding, but the Huskies were not going to rest on their laurels. Over the past years, they have only lost one game.

Mr. Speaker, I rise today to point out that the outstanding achievements of this team offer a fine example to our Nation's young people. We can rise to incredible heights if we are able to combine individual excellence of skill and dedication with the communication and overarching commitment to shared goals that the small word ''teamwork'' denotes.

I applaud the UCONN Huskies for their remarkable achievements, both on and off the court, individually and as a team. We are proud of each one of you, and of our UCONN Huskies.

Ms. DELAURO. Mr. Speaker, I yield such time as he may consume to the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. Mr. Speaker, I thank my dear friend and colleague for yielding me time.

Mr. Speaker, I am amazed that I learn something every time I come to this floor. I have always known of the gentlewoman's great tenacity and ability to put on a full court press, but I had never known that she was a basketball player before, and clearly am astonished to learn that her mom was a basketball player as well, although certainly she was in the center of her life and a point guard in the women's movement in Connecticut.

I am honored, as well, to be joined by my colleagues from Connecticut, and want to especially thank the gentleman from Connecticut (Mr. SIMMONS) for organizing this. The University of Connecticut at Storrs is in the heart of the Second Congressional District. I thank, of course, the gentlewoman from Connecticut (Mrs. JOHNSON) for joining us as well.

The University of Connecticut's women's basketball team is special to the State of Connecticut. They are virtually embraced by all of our citizens, and there has been a love affair in the State of Connecticut with this team. As most of you and everyone knows, throughout the Northeast the winters can get pretty severe, and this was no exception. But the Huskies, both the men's and women's teams, bring extraordinary delight into people's homes all across the State of Connecticut.

We, day in and day out, have the best fans anywhere in the United States, as witnessed by sellout after sellout after sellout of our games, and it is because of the extraordinary program that has been put together at the University of Connecticut.

So, along with the gentleman from Connecticut (Mr. SIMMONS), the gentlewoman from Connecticut (Mrs. JOHNSON) and the gentlewoman from Connecticut (Ms. DELAURO), I want to give the tribute that rightfully belongs to Geno Auriemma and his entire coaching staff, Lew Perkins, and President Austin for the outstanding job they have done at the University of Connecticut.

I would also like to point out that this was a special final four, and, as both the gentlewoman from Connecticut (Ms. DELAURO) and the gentlewoman from Connecticut (Mrs. JOHNSON) have pointed out, underscored by the importance of those that are thinking about changing title IX. So, in many respects, though the University of Connecticut Huskies walked off the court victorious, the real winners were women's athletics and its importance.

I say that because I think that there is a unique purity about this game and those that watch athletic competition. I liken it to baseball in the 1950s and 1960s. For sports enthusiasts and purists who watched the women's final four and got to see Duke and Tennessee and Connecticut and Texas, and then the final game between Connecticut and Tennessee, you saw athleticism, sportsmanship, camaraderie and gamesmanship at its very best, something certainly that we all can be proud of and something that I know, having two girls and a son at home, that by watching that kind of play are inspired and get to dream the big dreams that the Lady Vols and the University of Connecticut Huskies have dreamt.

For UCONN it was a tremendous victory. I sincerely hope that Geno and Kathy and their family get to really live this moment, because for the coach and for Chris Dailey and all of the assistant coaches, a three-peat is already expected of them.

Their accomplishments are legendary. They set a national record for consecutive victories this year by winning 70 games in a row, they won 76 of 77 games on their way to their second national championship, and they beat every ranked team along the way. As was pointed out, this was done for the first time by a team of all underclassmen.

In Connecticut we like to say that the Supremes had Diana Ross, certainly the British had Princess Diana, but in Connecticut, we have D, Diana Taurasi, simply the best basketball player in the country. Throughout this past week people from West Virginia have been coming up to me and talking about how she reminds them of Jerry West; and people from Indiana have been coming up and saying how she reminds them of Larry Byrd. And we had Sue Byrd last year, who was not a bad player either; but Diana Taurasi is in a class of her own.

They say a team is an extension of its coach, and certainly this team is the personification of Geno Auriemma, of his spirit, his style, his manner of coaching. He does so with class. Geno Auriemma won his 500th game against the University of Texas and his 501st against Tennessee, and his remarks on beating Tennessee were a tribute to Pat Summitt and the Lady Vols, saying that they had beat the best women's basketball program in the country, and Tennessee arguably was playing the best basketball of any team in the tournament at that point. Of course, Pat Summitt's credits are legendary as well.

This is a rivalry that has been established and will continue for some time to come, but it is one, I think, that again highlights the importance of making sure that people all across this country get to see women's athletics played out on a national stage with all the excitement, drama and athleticism that this competition has brought to the country.

I would also point out that what makes us so proud of our Huskies is that, as extraordinary as they are on the court, they are equally extraordinary off the court, not only academically, in the classroom, but as ambassadors.

I would be remiss if I did not mention the outstanding success of the Big East throughout this tournament. Our colleagues from New York, of course, are very proud of the Syracuse team that went on to win the national championship; and our men's team, again going to the Sweet 16, and also being joined by three other teams, and, of course, the eventual winner, Syracuse.

I know New York and the gentleman from New York (Mr. MEEKS), if he is still within earshot and is listening, is proud of the great job that St. John's did in winning the NIT; and I know that the gentleman from Pennsylvania (Mr. MURTHA) was somewhat chagrined that Pitt did not make it all the way. But nonetheless, nonetheless, it was a stellar achievement on the part of the Big East. Geno Auriemma, again, pointed that out.

So I am very proud to stand with my colleagues here today and pay tribute to the University of Connecticut and their outstanding women's basketball team. They are a credit to their families, to their university, to our great State of Connecticut and to the entire Nation.

Mr. SIMMONS. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee (Mr. WAMP), a gentleman who is himself a great basketball player and distinguishes himself on the court in congressional play.

Mr. WAMP. Mr. Speaker, certainly I thank the authors of this resolution for coming to the floor today, just a few hours after there was significant rancor and division, to a point of unity here, to recognize the best in college athletics.

□ 1345

There is no doubt that Geno and Diana and the entire UConn team deserve the national championship, one of the greatest games I think in the history of women's basketball, certainly the two most prominent programs in the land. And as a basketball player myself, and I appreciate the compliment, but great is a relative term, and the older I get, the better I used to be. That is the way most of us are.

The best lessons I have learned in my life were in the game of basketball. Sports are very important at every level. Also, I am the chairman of the Congressional Fitness Caucus, and it is important that we promote physical activity and to see the example of these female college athletes, the heart that they have, the dignity that their coach displayed, in victory and, a long time ago, in defeat. It has been a long time since the UConn Lady Huskies have not had a good year. It is really incredible.

I just have to tell my colleagues, I am a Lady Vols fan, rooted for them, so proud of our program. But I tell my colleagues, this was a very special team and a very special year for a great bunch of ladies. And to see Geno, I watched every minute of the game and watched Geno's comments, and for him to even hail the proud Italian heritage that we saw demonstrated in the heart and soul, just the hustle, the determination.

Of course, Tennessee played their hearts out as well: Karen, the Jacksons, incredible female athletes.

This game of women's basketball is one of the fastest moving sports climbs in the history of this country. There is excitement filling up the greatest domes in the country with sports fans and enthusiasts of all shapes and sizes and ages. It is just really good that women's sports are doing so well. And boy, the apex I think of the competition was the University of Connecticut's victory for the national championship.

So I applaud my colleagues. In a time of unity today on the House floor, we can come and praise this dedication. It is just wonderful that physical exercise and athletic competition can bring out the best in people, both physically and mentally, because I think that there is a tremendous respect between Pat Summit and Geno and the greatest coaches in the land in female sports. It is great for women's basketball that these two teams made it all the way to that final game. I do not know what the ratings were, but they had to be high; and I know many of my colleagues were glued to the television that night as they knew the two most successful programs in women's basketball had made it to the final game of the national championship. They played their hearts out, and my hat is off to the Connecticut Huskies. They deserved to win, they deserve to be champions, and they are true champions with dignity. They have the respect of every person, I think, in this country.

So this brings out the best in America where two good teams compete and the best team won. So congratulations, Connecticut. We will see you next year.

Mr. SIMMONS. Mr. Speaker, I thank the gentleman for his comments, for his sportsmanship, and for his encouragement of physical fitness among those of us who serve here in Congress. He is a terrific leader in that regard.

Seeing no further speakers on my side, I would ask my colleague if she would like to close.

Ms. DELAURO. Mr. Speaker, I thank my colleague, and I do have someone else who would like to speak, another colleague. I just want to say to my colleague from Connecticut (Mr. LARSON) I had no idea that he aspired to sports commentary. We have talked about Maryland and Missouri and Texas, but we have to deal with California as well.

But the long and the short of it, I yield such time as he may consume to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Speaker, I would like to thank the gentlewoman from Connecticut for yielding, and I congratulate her and the gentleman from Connecticut (Mr. SIMMONS) for hosting this resolution for congratulations for UConn.

I rise to celebrate the coaches and the rest of the team. But I rise in support of Barbara Turner. Barbara Turner is my constituent. She attended East Technical High School in the 11th Congressional District of Ohio, which is Cleveland. I watched her play basketball in high school. My son Mervyn graduated at the same time she did; he is a basketball player as well, and I wish I could say their school was doing as good as UConn. I cannot. But I am so pleased to join with all of my colleagues in celebrating UConn.

I want to just close with two things. Is it not wonderful to see how well we are doing with this program as a result of the strong support of title IX? It is time for us to stand up and continue to support a successful program. It is time for us to stand up and continue to support another successful program in colleges and universities: affirmative action. I would just ask my colleagues across this country to think about how great those programs are.

Finally, I invite my colleagues to Cleveland, Ohio, in 2007 for the women's NCAA finals. I am the Chair of that event. Come on to Cleveland, and we will celebrate another victory.

Mr. SIMMONS. Mr. Speaker, we have no further speakers, if the gentlewoman wishes to close; and then I will close.

Ms. DELAURO. Mr. Speaker, I will take my colleague up on the trip to Cleveland.

Mr. Speaker, I am reluctant to do this, but my colleague from Connecticut (Mr. LARSON) has asked for a minute, so I yield 1 minute to the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. Mr. Speaker, I thank the gentlewoman for yielding me this time. I would feel remiss, with the gentleman from Tennessee (Mr. WAMP) taking most of the time here, that I did not get an opportunity to mention that the gentleman from Tennessee (Mr. FORD) had also been involved in a wager, far more dramatic, I might point out, I say to the gentleman from Connecticut (Mr. SIMMONS), than the paultry ham that you were able to get. The gentleman from Tennessee (Mr. FORD) had committed that the Tennessee delegation, working through the gentleman from Tennessee (Mr. WAMP), was going to get us a new wing at the University of Connecticut; and we want to greatly thank him for that as well.

Mr. SIMMONS. Mr. Speaker, will the gentleman yield?

Mr. LARSON of Connecticut. I yield to the gentleman from Connecticut.

Mr. SIMMONS. That is not ham. That would be what?

Mr. LARSON of Connecticut. Pork.

Ms. DELAURO. Mr. Speaker, we have a rally going here. I yield 1 minute to the gentleman from Washington State (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, we just wanted, from the State of Washington, from the University of Washington Huskies, to congratulate the Connecticut Huskies on this tremendous achievement. I just want to tell my colleagues, it is a particular personal satisfaction to see women's basketball so successful nationally.

My dad was the athletic director for the Seattle public schools in the 1970s when we were starting to break these barriers to fight the sort of coaches of the boys' team to get them to share the gym. This was a very controversial effort to get some of these old codgers to see the light to share the gym, and it is really satisfying to see this tremendous satisfaction. I hope we can work together to make sure that our title IX continues to protect the wonderful growth of women's athletics. Congratulations.

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

I think it is absolutely clear that we do have to work together and we will work together to make sure that we preserve title IX.

In closing, I want to thank the gentleman from Connecticut (Mr. SIMMONS) for bringing this resolution to the floor. We all wholeheartedly congratulate the number one NCAA women's team in the country, the UConn Huskies.

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

Mr. SIMMONS. Mr. Speaker, I yield myself the remaining time.

In closing, I would like to say that my colleague, the gentleman from Connecticut (Mr. SHAYS), was unavailable for this colloquy and to speak to this resolution because he is chairing a committee at this time; but I suspect he will submit comments for the RECORD.

I would also like to point out that one of the things that I have always admired about the UConn Huskies as a basketball team was the fact that when we look at their jerseys, and I have a T-shirt in front of me that commemorates their great victory this year, but when you look at their jerseys as they play, you will not see the players' names on the jerseys. You will only see the name of UConn, University of Connecticut. I think that that is important because what it shows is that in spite of the tremendous talent of the members of this team and the tremendous talent of all of the members of this team, they play as a team, not as individuals. And even somebody like Diana Taurasi, who is so talented, so gifted, who plays such a marvelous game of basketball, but she plays as part of the team, and the team does so well for those reasons.

Mr. SHAYS. Mr. Speaker, my constituents and all of Connecticut congratulate the University of Connecticut Lady Huskies for winning the 2003 NCAA Women's Basketball Championship.

Last year, I stood on this same floor to congratulate the 2002 championship squad, which I felt was the greatest team in the history of women's college basketball. That 39–0 team never trailed in the second half all season. During the NCAA tournament, they won their six games by an average margin of 27 points.

Going into this season, the Lady Huskies had lost four All-American players to graduation. Without their senior leadership, many questioned whether the team would be able to win a third national championship in just 4 years.

But UConn women's basketball has always been a program rich in tradition and a desire to excel. Quite simply, they would not be denied.

Led by junior Diana Taurasi, the national women's player of the year, a pair of freshmen sensations, Barbara Turner and Ann Strother, and the unyielding dedication of teammates Maria Conlon, Jessica Moore, Ashley Battle, Nicole Wolff, Morgan and Ashley Valley, Wilnett Crockett and Stacey Marron, the UConn Lady Huskies again finished the season as the finest team in the land.

I also want to commend the hard work of Geno Auriemma, the NCAA Coach of the Year, who along with his coaching staff put together another unbelievable team. With the championship victory, Coach Auriemma won his 501st game and fourth national championship.

Mr. Speaker, this team's speed, precision shooting, and hustle have all contributed to its success. But what strikes me the most about the Lady Huskies is their ability to rise to any occasion.

In the semifinal game, UConn was down 50–41 with 12 minutes left against the University of Texas Longhorns. All game long Texas had stunned the Lady Huskies with its strong rebounding and intense defense. But the Lady Huskies settled down and received a spark off the bench from Wilnett Crockett. In two of the greatest final minutes of women's Final Four history, the Lady Huskies found a way to win. They hit key shots and shut down the Longhorns on their way to a hard-fought 71–69 victory and a ticket to the national championship game.

By the time the Lady Huskies met the Lady Vols of Tennessee in the title game, they could taste victory. Against the most successful women's basketball program in NCAA history, UConn never trailed throughout the game. The result was a 73–68 victory!

I want to congratulate these young women for being such extraordinary role models for Americans of all ages.

These UConn Lady Huskies continue to be the team by which all others are measured.

They were really a joy to watch, and I congratulate them on their tremendous achievement.

Mr. SIMMONS. Mr. Speaker, 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.

GENERAL LEAVE

Mr. SIMMONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Res. 187.

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

There was no objection.

SMALLPOX EMERGENCY PERSONNEL PROTECTION ACT OF 2003

Mr. BURR. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce, the Committee on Education and the Workforce, and the Committee on the Judiciary be discharged from further consideration of the bill (H.R. 1770) to provide benefits and other compensation for certain individuals with injuries resulting from administration of smallpox countermeasures, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

Mrs. CAPPS. Mr. Speaker, reserving the right to object, the emergency supplemental appropriations bill which the Congress should pass shortly was going to include a smallpox vaccination compensation program. Now it is being presented for unanimous consent.

For many months I have worked closely with the community of first responders. Many of them are nurses. I commend the leadership of the gentleman from Michigan (Mr. DINGELL) and the gentleman from California (Mr. WAXMAN), who have worked with many other Members of this body to make this program, this compensation program as good as possible. And when we beat a bad bill, which was on the suspension calendar a few days ago as we did, then it gives us an opportunity to improve the program as it was presented. That is what has been attempted to do. Great efforts have been expended and have resulted in marked improvements on the woefully inadequate proposal that the administration initially put forward.

I salute again my colleagues who have worked hard from within this body to represent the needs of our first responders as they anticipate and step forward to become a part of the shield against bioterrorist attack.

The administration, however, was difficult in this area. I am not convinced that this end product which is before us today really will inspire enough confidence in nurses to make the vaccine program work. However, again, I reiterate that there are improvements in the initial bill that were put forward.

But the process back and forth from the White House to the House of Representatives was very much in the arena of parsimonious, as the progress that was made came in bits and pieces. It felt to the community of first responders as if they were being nickeled and dimed. And now, with the product that we have, the nursing community, many of the people who will be the first responders, many of them tell me that the safety net provided in the bill before us today still has large holes in it. And it is told to us that the administration has refused to go any further than what is in this bill.

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Now, time will tell us if this proposal succeeds, and the proof is actually not right here in this body but out in the community, in our homeland security efforts, in our communities where firefighters, police officers, EMTs, nurses will be asked to roll up their sleeves to become heroes on behalf of us all.

If they feel confidence that the government will stand behind them with a good compensation package, they will be more inspired to do this. I wish I could be more confident. However, again I remark that there has been progress made.

For example, I myself was recently asked by the Capitol physician to be a first responder here in the Congress. For that reason, I have been asked to get a smallpox vaccination myself; and I am presently consulting with my doctor, as I should do, and with other medical experts about the advisability of this.

But if I do take this vaccine and something goes wrong, I know that my family and my dependents will be taken care of because I am covered by the Federal Employees Compensation Act.

Under the bill that we will pass today under unanimous consent, a nurse in Santa Barbara, a firefighter in any community across this country who takes a vaccine to serve his or her country, may not have that same confidence. So this goes beyond the consideration of a particular vaccine; it really gets down to how we value our first responders and what we are asking them to do on behalf of their country.

Many have said that on 9/11 we crossed through a threshold in this country, and life has been different ever since. We now face the prospect lurking every single day, the possibility of a terrorist attack.

One of the real threats that we face as a nation to which we desire to protect ourselves is the threat of a bioterrorist attack. We saw that as the anthrax situation came upon us.

Who are the first responders who are called upon to answer the call in the event of such an attack? These are those who work and live among us, ordinary citizens asked now by their government, by their President, to take on extraordinary responsibility.

For many, life goes on as normal. They take the vaccine and nothing will happen. But for a few, and a very few, a drastic reaction could happen. There is a risk to this act of patriotism that we are asking our fellow citizens to take on.

I want us to be, with every measure within us, standing behind them; so that for that handful of people who have life permanently altered for themselves and are never able to be the breadwinner for their family, as they have been in the past, because they stepped forward on behalf of their country, I want them to have the full measure of protection such as I have as a Federal employee.

Reluctantly, I look at the package before us: parsimonious, in my regard. I will withdraw my reservation, but I will do so reluctantly, because I want this process to be better.

Mr. Speaker, I will withdraw my reservation of objection with the hope that our administration, our leaders, will continue to work to give the assurance that screening, that education be available for every first responder to avoid the risks, as many of them as we can.

We can work to make this package even better.

Mr. BURR. Mr. Speaker, will the gentlewoman yield?

Mrs. CAPPS. I yield to the gentleman from North Carolina.

Mr. BURR. Mr. Speaker, I thank the gentlewoman for yielding to me.

This process has been enhanced by the gentlewoman from California (Mrs. CAPPS) and her expertise and her passion on this particular issue.

There is no doubt that this initiative is one that is needed for first responders, regardless of the community that they come from, because without identifying specifically where the threat may be, we have to make sure that we prepare 100 percent of our first responders and health care workers.

Mr. Speaker, the unanimous consent request before us today for the Smallpox Emergency Personnel Protection Act of 2003, a bill critical to our public health security and to our national security against the potential devastating threat of a terrorist release of the deadly smallpox virus, this bill is based on H.R. 1463, which I introduced in the Committee on Energy and Commerce, but it contains refinements, refinements that have been agreed to on a bipartisan basis with the ranking member, the gentleman from Michigan (Mr. DINGELL), the gentlewoman from California (Mrs. CAPPS), the gentleman from California (Mr. WAXMAN), and the

gentleman from Louisiana (Chairman TAUZIN).

It has also been the subject of bipartisan negotiations with Senator GREGG, Senator KENNEDY; and yes, the administration. I applaud the leadership of all parties in this matter. I have stated before, we need to get this done as soon as possible to improve homeland security, to make sure that we are covered in case something happens.

In January of this year, HHS Secretary Tommy Thompson called on health professionals and emergency responders across the Nation to volunteer to receive the smallpox vaccination in order to join the smallpox emergency response team. The goal is to ensure that our country is better prepared to deal with any outbreak of this deadly disease caused by terrorists or rogue regimes, such as Iraq, by having in place thousands and potentially millions of first responders who could help treat others with smallpox or vaccinate the public without the fear of infection.

This legislation, which has been requested by the administration, as the gentlewoman pointed out, is a top personal priority of the President and does a number of important things. Let me point those out, if I may.

First, it provides coverage for reasonable and necessary medical expenses incurred by individuals who are vaccinated and suffer adverse effects, to the extent that such expenses are not picked up by the individual's primary health insurer.

Second, the bill provides a lost-employment-income benefit if an individual misses more than 5 days of work due to an adverse effect from the vaccine. Under this benefit, an individual can receive up to 75 percent of his monthly salary and up to $50,000 a year in supplemental wages.

For partial disabilities, the amount of Federal benefits would be capped at the maximum amount of the death benefit amount payable under the Public Safety Officers Benefits Program, or PSOB, an existing Federal program that currently provides $262,000 in a lump sum to public safety officers who are killed or totally disabled in the line of work.

Third, the act provides a PSOB-equivalent death benefit for health care workers and first responders in the unlikely and regrettable cases where there may be a fatal adverse reaction to the smallpox inoculation.

Because of the rare, but potentially severe, adverse side effects uniquely associated with this particular vaccine, a compensation program such as this one is essential if we are to properly incentivize these volunteers, these public safety heroes, to roll up their sleeves and to take the shot at potential risk to themselves and to their spouses and dependents whom their death or injury could leave behind.

While some might say our compensation program is too generous and others might say that it is not enough in some cases, I think we have struck a good balance, given the uniqueness and the urgency of the national security situation we face today with respect to the potential threat of smallpox.

Finally, this legislation provides sensible, noncontroversial technical amendments to last year's homeland security bill to better provide liability protection to hospitals, doctors, nurses, and public health officials at the State and local levels whom we are asking to participate in this important national initiative.

Again, without this protection, the program is unlikely to be successful. That hurts all of us. This bill has been intensely negotiated, and it is a bipartisan consensus product that is needed for our national security now.

Mr. Speaker, let me say, seldom do we produce a perfect product, but we try our best. Because I believe we have tried our best in this case, I would urge unanimous consent for passage of this measure to be accepted.

Mrs. CAPPS. Continuing to reserve my right to object, Mr. Speaker, I agree with the gentleman from North Carolina that progress has been made since the original presentation that the administration put forth before the House of Representatives.

I would stand before the Members as a Member of Congress, but also as a first responder covered with the full protection of the Federal Government; and look forward to an opportunity, now it will be in the future, perhaps, when I can go among other first responders in our Nation with the full assurance that their protection and their compensation is as great as my own.

This compensation package is only as good as the confidence that it inspires within our first responder community, these folks we ask to be heroes. So I make the request to my colleague, the gentleman from North Carolina (Mr. BURR), and to my colleagues in Congress that we must monitor this program as this piece of legislation is unanimously passed here in this body.

We should keep track of it. If it does not work in its present form, we should make the commitment that we will revisit this.

Again, this is a program that is only as good as it will be resulting in the goals that the administration has set before the Nation in terms of its bioterrorist protection.

Mr. DINGELL. Mr. Speaker, I support this smallpox vaccine compensation program. The nurses and first responders recognize that this framework is, unfortunately, the best we can get from this Administration. And even though this compensation program may not be sufficient to build the necessary confidence in those we are asking to receive this risky vaccine, it is better than nothing. We need to begin protecting those we are asking to protect us.

Of course, it remains in the Administration's hands to determine whether this program will ultimately work. Will the Administration devote the necessary resources to do a proper job of education and screening? Will the Administration work with those directly affected as it implements the program? Will the Administration take necessary steps to assure any inured party that the money to protect their families will be there?

Given that Democrats have been seeking a viable and effective screening and compensation program for months, and given that any concessions from the Administration have been grudging at best, I am not optimistic. But because of the importance of the program, I will continue to fight on behalf of the nurses and other first responders to see that the Administration does not let it fail.

Mrs. CAPPS. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 1770

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 ''Smallpox Emergency Personnel Protection Act of 2003''.

SEC. 2. SMALLPOX EMERGENCY PERSONNEL PROTECTION.

Title II of the Public Health Service Act (42 U.S.C. 202 et seq.) is amended by adding at the end the following part:

''PART C—SMALLPOX EMERGENCY PERSONNEL PROTECTION

''SEC. 261. GENERAL PROVISIONS.

''(a) DEFINITIONS.—For purposes of this part:

''(1) COVERED COUNTERMEASURE.—The term 'covered countermeasure' means a covered countermeasure as specified in a Declaration made pursuant to section 224(p).

''(2) COVERED INDIVIDUAL.—The term 'covered individual' means an individual—

''(A) who is a health care worker, law enforcement officer, firefighter, security personnel, emergency medical personnel, other public safety personnel, or support personnel for such occupational specialities;

''(B) who is or will be functioning in a role identified in a State, local, or Department of Health and Human Services smallpox emergency response plan (as defined in paragraph (7)) approved by the Secretary;

''(C) who has volunteered and been selected to be a member of a smallpox emergency response plan described in subparagraph (B) prior to the time at which the Secretary publicly announces that an active case of smallpox has been identified either within or outside of the United States; and

''(D) to whom a smallpox vaccine is administered pursuant to such approved plan during the effective period of the Declaration (including the portion of such period before the enactment of this part).

''(3) COVERED INJURY.—The term 'covered injury' means an injury, disability, illness, condition, or death (other than a minor injury such as minor scarring or minor local reaction) determined, pursuant to the procedures established under section 262, to have been sustained by an individual as the direct result of—

''(A) administration to the individual of a covered countermeasure during the effective period of the Declaration; or

''(B) accidental vaccinia inoculation of the individual in circumstances in which—

''(i) the vaccinia is contracted during the effective period of the Declaration or within 30 days after the end of such period;

''(ii) smallpox vaccine has not been administered to the individual; and

''(iii) the individual has been in contact with an individual who is (or who was accidentally inoculated by) a covered individual.

''(4) DECLARATION.—The term 'Declaration' means the Declaration Regarding Administration of Smallpox Countermeasures issued by the Secretary on January 24, 2003, and published in the Federal Register on January 28, 2003.

''(5) EFFECTIVE PERIOD OF THE DECLARATION.—The term 'effective period of the Declaration' means the effective period specified in the Declaration, unless extended by the Secretary.

''(6) ELIGIBLE INDIVIDUAL.—The term 'eligible individual' means an individual who is (as determined in accordance with section 262)—

''(A) a covered individual who sustains a covered injury in the manner described in paragraph (3)(A); or

''(B) an individual who sustains a covered injury in the manner described in paragraph (3)(B).

''(7) SMALLPOX EMERGENCY RESPONSE PLAN.—The term 'smallpox emergency response plan' or 'plan' means a response plan detailing actions to be taken in preparation for a possible smallpox-related emergency during the period prior to the identification of an active case of smallpox either within or outside the United States.

''(b) VOLUNTARY PROGRAM.—The Secretary shall ensure that a State, local, or Department of Health and Human Services plan to vaccinate individuals that is approved by the Secretary establishes procedures to ensure, consistent with the Declaration and any applicable guidelines of the Centers for Disease Control and Prevention, that—

''(1) potential participants are educated with respect to contraindications, the voluntary nature of the program, and the availability of potential benefits and compensation under this part;

''(2) there is voluntary screening provided to potential participants that can identify health conditions relevant to contraindications; and

''(3) there is appropriate post-inoculation medical surveillance that includes an evaluation of adverse health effects that may reasonably appear to be due to such vaccine and prompt referral of, or the provision of appropriate information to, any individual requiring health care as a result of such adverse health event.

''SEC. 262. DETERMINATION OF ELIGIBILITY AND BENEFITS.

''(a) IN GENERAL.—The Secretary shall establish procedures for determining, as applicable with respect to an individual—

''(1) whether the individual is an eligible individual;

''(2) whether an eligible individual has sustained a covered injury or injuries for which medical benefits or compensation may be available under sections 264 and 265, and the amount of such benefits or compensation; and

''(3) whether the covered injury or injuries of an eligible individual caused the individual's death for purposes of benefits under section 266.

''(b) COVERED INDIVIDUALS.—The Secretary may accept a certification, by a Federal, State, or local government entity or private health care entity participating in the administration of covered countermeasures under the Declaration, that an individual is a covered individual.

''(c) CRITERIA FOR REIMBURSEMENT.—

''(1) INJURIES SPECIFIED IN INJURY TABLE.—In any case where an injury or other adverse effect specified in the injury table established under section 263 as a known effect of a vaccine manifests in an individual within the time period specified in such table, such injury or other effect shall be presumed to have resulted from administration of such vaccine.

''(2) OTHER DETERMINATIONS.—In making determinations other than those described in paragraph (1) as to the causation or severity of an injury, the Secretary shall employ a preponderance of the evidence standard and take into consideration all relevant medical and scientific evidence presented for consideration, and may obtain and consider the views of qualified medical experts.

''(d) DEADLINE FOR FILING REQUEST.—The Secretary shall not consider any request for a benefit under this part with respect to an individual, unless—

''(1) in the case of a request based on the administration of the vaccine to the individual, the individual files with the Secretary an initial request for benefits or compensation under this part not later than one year after the date of administration of the vaccine; or

''(2) in the case of a request based on accidental vaccinia inoculation, the individual files with the Secretary an initial request for benefits or compensation under this part not later than two years after the date of the first symptom or manifestation of onset of the adverse effect.

''(e) STRUCTURED SETTLEMENTS AT SECRETARY'S OPTION.—In any case in which there is a reasonable likelihood that compensation or payment under section 264, 265, or 266(b) will be required for a period in excess of one year from the date an individual is determined eligible for such compensation or payment, the Secretary shall have the discretion to make a lump-sum payment, purchase an annuity or medical insurance policy, or execute an appropriate structured settlement agreement, provided that such payment, annuity, policy, or agreement is actuarially determined to have a value equal to the present value of the projected total amount of benefits or compensation that the individual is eligible to receive under such section or sections.

''(f) REVIEW OF DETERMINATION.—

''(1) SECRETARY'S REVIEW AUTHORITY.—The Secretary may review a determination under this section at any time on the Secretary's own motion or on application, and may affirm, vacate, or modify such determination in any manner the Secretary deems appropriate. The Secretary shall develop a process by which an individual may file a request for reconsideration of any determination made by the Secretary under this section.

''(2) JUDICIAL AND ADMINISTRATIVE REVIEW.—No court of the United States, or of any State, District, territory or possession thereof, shall have subject matter jurisdiction to review, whether by mandamus or otherwise, any action by the Secretary under this section. No officer or employee of the United States shall review any action by the Secretary under this section (unless the President specifically directs otherwise).

''SEC. 263. SMALLPOX VACCINE INJURY TABLE.

''(a) SMALLPOX VACCINE INJURY TABLE.—

''(1) ESTABLISHMENT REQUIRED.—The Secretary shall establish by interim final regulation a table identifying adverse effects (including injuries, disabilities, illnesses, conditions, and deaths) that shall be presumed to result from the administration of (or exposure to) a smallpox vaccine, and the time period in which the first symptom or manifestation of onset of each such adverse effect must manifest in order for such presumption to apply.

''(2) AMENDMENTS.—The Secretary may by regulation amend the table established under paragraph (1). An amendment to the table takes effect on the date of the promulgation of the final rule that makes the amendment, and applies to all requests for benefits or compensation under this part that are filed on or after such date or are pending as of such date. In addition, the amendment applies retroactively to an individual who was not with respect to the injury involved an eligible individual under the table as in effect before the amendment but who with respect to such injury is an eligible individual under the table as amended. With respect to a request for benefits or compensation under this part by an individual who becomes an eligible individual as described in the preceding sentence, the Secretary may not provide such benefits or compensation unless the request (or amendment to a request, as applicable) is filed before the expiration of one year after the effective date of the amendment to the table in the case of an individual to whom the vaccine was administered and before the expiration of two years after such effective date in the case of a request based on accidental vaccinia inoculation.

''SEC. 264. MEDICAL BENEFITS.

''(a) IN GENERAL.—Subject to the succeeding provisions of this section, the Secretary shall make payment or reimbursement for medical items and services as reasonable and necessary to treat a covered injury of an eligible individual, including the services, appliances, and supplies prescribed or recommended by a qualified physician, which the Secretary considers likely to cure, give relief, reduce the degree or the period of disability, or aid in lessening the amount of monthly compensation.

''(b) BENEFITS SECONDARY TO OTHER COVERAGE.—Payment or reimbursement for services or benefits under subsection (a) shall be secondary to any obligation of the United States or any third party (including any State or local governmental entity, private insurance carrier, or employer) under any other provision of law or contractual agreement, to pay for or provide such services or benefits.

''SEC. 265. COMPENSATION FOR LOST EMPLOYMENT INCOME.

''(a) IN GENERAL.—Subject to the succeeding provisions of this section, the Secretary shall provide compensation to an eligible individual for loss of employment income (based on such income at the time of injury) incurred as a result of a covered injury, at the rate specified in subsection (b).

''(b) AMOUNT OF COMPENSATION.—

''(1) IN GENERAL.—Compensation under subsection (a) shall be at the rate of 66 2/3 percent of the relevant pay period (weekly, monthly, or otherwise), except as provided in paragraph (2).

''(2) AUGMENTED COMPENSATION FOR DEPENDENTS.—If an eligible individual has one or more dependents, the basic compensation for loss of employment income as described in paragraph (1) shall be augmented at the rate of 8 1/3 percent.

''(3) CONSIDERATION OF OTHER PROGRAMS.—

''(A) IN GENERAL.—The Secretary may consider the provisions of sections 8114, 8115, and 8146a of title 5, United States Code, and any implementing regulations, in determining the amount of payment under subsection (a) and the circumstances under which such payments are reasonable and necessary.

''(B) MINORS.—With respect to an eligible individual who is a minor, the Secretary may consider the provisions of section 8113 of title 5, United States Code, and any implementing regulations, in determining the amount of payment under subsection (a) and the circumstances under which such payments are reasonable and necessary.

''(4) TREATMENT OF SELF-EMPLOYMENT INCOME.—For purposes of this section, the term 'employment income' includes income from self-employment.

''(c) LIMITATIONS.—

''(1) BENEFITS SECONDARY TO OTHER COVERAGE.—

''(A) IN GENERAL.—Any compensation under subsection (a) shall be secondary to the obligation of the United States or any third party (including any State or local governmental entity, private insurance carrier, or employer), under any other law or contractual agreement, to pay compensation for loss of employment income or to provide disability or retirement benefits.

''(B) RELATION TO OTHER OBLIGATIONS.—Compensation under subsection (a) shall not be made to an eligible individual to the extent that the total of amounts paid to the individual under such subsection and under the other obligations referred to in subparagraph (A) is an amount that exceeds the rate specified in subsection (b)(1). If under any such other obligation a lump-sum payment is made, such payment shall, for purposes of this paragraph, be deemed to be received over multiple years rather than received in a single year. The Secretary may, in the discretion of the Secretary, determine how to apportion such payment over multiple years.

''(2) NO BENEFITS IN CASE OF DEATH.—No payment shall be made under subsection (a) in compensation for loss of employment income subsequent to the receipt, by the survivor or survivors of an eligible individual, of benefits under section 266 for death.

''(3) LIMIT ON TOTAL BENEFITS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B)—

''(i) total compensation paid to an individual under subsection (a) shall not exceed $50,000 for any year; and

''(ii) the lifetime total of such compensation for the individual may not exceed an amount equal to the amount authorized to be paid under section 266.

''(B) PERMANENT AND TOTAL DISABILITY.—The limitation under subparagraph (A)(ii) does not apply in the case of an eligible individual who is determined to have a covered injury or injuries meeting the definition of disability in section 216(i) of the Social Security Act (42 U.S.C. 416(i)).

''(4) WAITING PERIOD.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an eligible individual shall not be provided compensation under this section for the first 5 work days of loss of employment income.

''(B) EXCEPTION.—Subparagraph (A) does not apply if the period of loss of employment income of an eligible individual is 10 or more work days.

''(5) TERMINATION OF BENEFITS.—No payment shall be made under subsection (a) in compensation for loss of employment income once the eligible individual involves reaches the age of 65.

''(d) BENEFIT IN ADDITION TO MEDICAL BENEFITS.—A benefit under subsection (a) shall be in addition to any amounts received by an eligible individual under section 264.

''SEC. 266. PAYMENT FOR DEATH.

''(a) DEATH BENEFIT.—

''(1) IN GENERAL.—The Secretary shall pay, in the case of an eligible individual whose death is determined to have resulted from a covered injury or injuries, a death benefit in the amount determined under paragraph (2) to the survivor or survivors in the same manner as death benefits are paid pursuant to the Public Safety Officers' Benefits Program under subpart 1 of part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.) with respect to an eligible deceased (except that in the case of an eligible individual who is a minor with no living parent, the legal guardian shall be considered the survivor in the place of the parent).

''(2) BENEFIT AMOUNT.—

''(A) IN GENERAL.—The amount of the death benefit under paragraph (1) in a fiscal year shall equal the amount of the comparable benefit calculated under the Public Safety Officers' Benefits Program under subpart 1 of part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.) in such fiscal year, without regard to any reduction attributable to a limitation on appropriations, but subject to subparagraph (B).

''(B) REDUCTION FOR PAYMENTS FOR LOST EMPLOYMENT INCOME.—The amount of the benefit as determined under subparagraph (A) shall be reduced by the total amount of any benefits paid under section 265 with respect to lost employment income.

''(3) LIMITATIONS.—

''(A) IN GENERAL.—No benefit is payable under paragraph (1) with respect to the death of an eligible individual if—

''(i) a disability benefit is paid with respect to such individual under the Public Safety Officers' Benefits Program under subpart 1 of part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.); or

''(ii) a death benefit is paid or payable with respect to such individual under the Public Safety Officers' Benefits Program under subpart 1 of part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.).

''(B) EXCEPTION IN THE CASE OF A LIMITATION ON APPROPRIATIONS FOR DISABILITY BENEFITS UNDER PSOB.—In the event that disability benefits available to an eligible individual under the Public Safety Officers' Benefits Program under subpart 1 of part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.) are reduced because of a limitation on appropriations, and such reduction would affect the amount that would be payable under subparagraph (A) without regard to this subparagraph, benefits shall be available under paragraph (1) to the extent necessary to ensure that the survivor or survivors of such individual receives a total amount equal to the amount described in paragraph (2).

''(b) ELECTION IN CASE OF DEPENDENTS.—

''(1) IN GENERAL.—In the case of an eligible individual whose death is determined to have resulted from a covered injury or injuries, if the individual had one or more dependents under the age of 18, the legal guardian of the dependents may, in lieu of the death benefit under subsection (a), elect to receive on behalf of the aggregate of such dependents payments in accordance with this subsection. An election under the preceding sentence is effective in lieu of a request under subsection (a) by an individual who is not the legal guardian of such dependents.

''(2) AMOUNT OF PAYMENTS.—Payments under paragraph (1) with respect to an eligible individual described in such paragraph shall be made as if such individual were an eligible individual to whom compensation would be paid under subsection (a) of section 265, with the rate augmented in accordance with subsection (b)(2) of such section and with such individual considered to be an eligible individual described in subsection (c)(3)(B) of such section.

''(3) LIMITATIONS.—

''(A) AGE OF DEPENDENTS.—No payments may be made under paragraph (1) once the youngest of the dependents involved reaches the age of 18.

''(B) BENEFITS SECONDARY TO OTHER COVERAGE.—

''(i) IN GENERAL.—Any payment under paragraph (1) shall be secondary to the obligation of the United States or any third party (including any State or local governmental entity, private insurance carrier, or employer), under any other law or contractual agreement, to pay compensation for loss of employment income or to provide disability benefits, retirement benefits, life insurance benefits on behalf of dependents under the age of 18, or death benefits.

''(ii) RELATION TO OTHER OBLIGATIONS.—Payments under paragraph (1) shall not be made to with respect to an eligible individual to the extent that the total of amounts paid with respect to the individual under such paragraph and under the other obligations referred to in clause (i) is an amount that exceeds the rate of payment that applies under paragraph (2). If under any such other obligation a lump-sum payment is made, such payment shall, for purposes of this subparagraph, be deemed to be received over multiple years rather than received in a single year. The Secretary may, in the discretion of the Secretary, determine how to apportion such payment over multiple years.

''(c) BENEFIT IN ADDITION TO MEDICAL BENEFITS.—A benefit under subsection (a) or (b) shall be in addition to any amounts received by an eligible individual under section 264.

''SEC. 267. ADMINISTRATION.

''(a) ADMINISTRATION BY AGREEMENT WITH OTHER AGENCY OR AGENCIES.—The Secretary may administer any or all of the provisions of this part through Memorandum of Agreement with the head of any appropriate Federal agency.

''(b) REGULATIONS.—The head of the agency administering this part or provisions thereof (including any agency head administering such Act or provisions through a Memorandum of Agreement under subsection (a)) may promulgate such implementing regulations as may be found necessary and appropriate. Initial implementing regulations may be interim final regulations.

''SEC. 268. AUTHORIZATION OF APPROPRIATIONS.

''For the purpose of carrying out this part, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2003 through 2007, to remain available until expended, including administrative costs and costs of provision and payment of benefits. The Secretary's payment of any benefit under section 264, 265, or 266 shall be subject to the availability of appropriations under this section.

''SEC. 269. RELATIONSHIP TO OTHER LAWS.

''Except as explicitly provided herein, nothing in this part shall be construed to override or limit any rights an individual may have to seek compensation, benefits, or redress under any other provision of Federal or State law.''.

SEC. 3. AMENDMENTS TO PROVISION REGARDING TORT LIABILITY FOR ADMINISTRATION OF SMALLPOX COUNTERMEASURES.

(a) AMENDMENT TO ACCIDENTAL VACCINIA INOCULATION PROVISION.—Section 224(p)(2)(C)(ii)(II) of such Act (42 U.S.C. 233(p)(2)(C)(ii)(II)) is amended by striking ''resides or has resided with'' and inserting ''has resided with, or has had contact with,''.

(b) DEEMING ACTS AND OMISSIONS TO BE WITHIN SCOPE OF EMPLOYMENT.—Section 224(p)(2) of such Act (42 U.S.C. 233(p)(2)) is amended by adding at the end the following new subparagraph:

''(D) ACTS AND OMISSIONS DEEMED TO BE WITHIN SCOPE OF EMPLOYMENT.—

''(i) IN GENERAL.—In the case of a claim arising out of alleged transmission of vaccinia from an individual described in clause (ii), acts or omissions by such individual shall be deemed to have been taken within the scope of such individual's office or employment for purposes of—

''(I) subsection (a); and

''(II) section 1346(b) and chapter 171 of title 28, United States Code.

''(ii) INDIVIDUALS TO WHOM DEEMING APPLIES.—An individual is described by this clause if—

''(I) vaccinia vaccine was administered to such individual as provided by subparagraph (B); and

''(II) such individual was within a category of individuals covered by a declaration under subparagraph (A)(i).''.

(c) EXHAUSTION; EXCLUSIVITY; OFFSET.—Section 224(p)(3) of such Act (42 U.S.C. 233(p)(3)) is amended to read as follows:

''(3) EXHAUSTION; EXCLUSIVITY; OFFSET.—

''(A) EXHAUSTION.—

''(i) IN GENERAL.—A person may not bring a claim under this subsection unless such person has exhausted such remedies as are available under part C of this title, except that if the Secretary fails to make a final determination on a request for benefits or compensation filed in accordance with the requirements of such part within 240 days after such request was filed, the individual may seek any remedy that may be available under this section.

''(ii) TOLLING OF STATUTE OF LIMITATIONS.—The time limit for filing a claim under this subsection, or for filing an action based on such claim, shall be tolled during the pendency of a request for benefits or compensation under part C of this title.

''(iii) CONSTRUCTION.—This subsection shall not be construed as superseding or otherwise affecting the application of a requirement, under chapter 171 of title 28, United States Code, to exhaust administrative remedies.

''(B) EXCLUSIVITY.—The remedy provided by subsection (a) shall be exclusive of any other civil action or proceeding for any claim or suit this subsection encompasses, except for a proceeding under part C of this title.

''(C) OFFSET.—The value of all compensation and benefits provided under part C of this title for an incident or series of incidents shall be offset against the amount of an award, compromise, or settlement of money damages in a claim or suit under this subsection based on the same incident or series of incidents.''.

(d) REQUIREMENT TO COOPERATE WITH UNITED STATES.—Section 224(p)(5) of such Act (42 U.S.C. 233(p)(5)) is amended in the caption by striking ''DEFENDANT'' and inserting ''COVERED PERSON''.

(e) AMENDMENT TO DEFINITION OF COVERED COUNTERMEASURE.—Section 224(p)(7)(A)(i)(II) of such Act (42 U.S.C. 233(p)(7)(A)(i)(II)) is amended to read as follows:

''(II) used to control or treat the adverse effects of vaccinia inoculation or of administration of another covered countermeasure; and''.

(f) AMENDMENT TO DEFINITION OF COVERED PERSON.—Section 224(p)(7)(B) of such Act (42 U.S.C. 233(p)(7)(B)) is amended—

(1) by striking ''includes any person'' and inserting ''means a person'';

(2) in clause (ii)—

(A) by striking ''auspices'' and inserting ''auspices—'';

(B) by redesignating ''such countermeasure'' and all that follows as clause (I) and indenting accordingly; and

(C) by adding at the end the following:

''(II) a determination was made as to whether, or under what circumstances, an individual should receive a covered countermeasure;

''(III) the immediate site of administration on the body of a covered countermeasure was monitored, managed, or cared for; or

''(IV) an evaluation was made of whether the administration of a countermeasure was effective;'';

(3) in clause (iii) by striking ''or'';

(4) by striking clause (iv) and inserting the following:

''(iv) a State, a political subdivision of a State, or an agency or official of a State or of such a political subdivision, if such State, subdivision, agency, or official has established requirements, provided policy guidance, supplied technical or scientific advice or assistance, or otherwise supervised or administered a program with respect to administration of such countermeasures;

''(v) in the case of a claim arising out of alleged transmission of vaccinia from an individual—

''(I) the individual who allegedly transmitted the vaccinia, if vaccinia vaccine was administered to such individual as provided by paragraph (2)(B) and such individual was within a category of individuals covered by a declaration under paragraph (2)(A)(i); or

''(II) an entity that employs an individual described by clause (I) or where such individual has privileges or is otherwise authorized to provide health care;

''(vi) an official, agent, or employee of a person described in clause (i), (ii), (iii), or (iv);

''(vii) a contractor of, or a volunteer working for, a person described in clause (i), (ii), or (iv), if the contractor or volunteer performs a function for which a person described in clause (i), (ii), or (iv) is a covered person; or

''(viii) an individual who has privileges or is otherwise authorized to provide health care under the auspices of an entity described in clause (ii) or (v)(II).''.

(g) AMENDMENT TO DEFINITION OF QUALIFIED PERSON.—Section 224(p)(7)(C) of such Act (42 U.S.C. 233(p)(7)(C)) is amended—

(1) by designating ''is authorized to'' and all that follows as clause (i) and indenting accordingly;

(2) by striking ''individual who'' and inserting ''individual who—''; and

(3) by striking the period and inserting ''; or

''(ii) is otherwise authorized by the Secretary to administer such countermeasure.''.

(h) DEFINITION OF ''ARISING OUT OF ADMINISTRATION OF A COVERED COUNTERMEASURE''.—Section 224(p)(7) of such Act (42 U.S.C. 233(p)(7)) is amended by adding at the end the following new subparagraph:

''(D) ARISING OUT OF ADMINISTRATION OF A COVERED COUNTERMEASURE.—The term 'arising out of administration of a covered countermeasure', when used with respect to a claim or liability, includes a claim or liability arising out of—

''(i) determining whether, or under what conditions, an individual should receive a covered countermeasure;

''(ii) obtaining informed consent of an individual to the administration of a covered countermeasure;

''(iii) monitoring, management, or care of an immediate site of administration on the body of a covered countermeasure, or evaluation of whether the administration of the countermeasure has been effective; or

''(iv) transmission of vaccinia virus by an individual to whom vaccinia vaccine was administered as provided by paragraph (2)(B).''.

(i) TECHNICAL CORRECTION.—Section 224(p)(2)(A)(ii) of such Act (42 U.S.C. 233(p)(2)(A)(ii)) is amended by striking ''paragraph (8)(A)'' and inserting ''paragraph (7)(A)''.

(j) EFFECTIVE DATE.—This section shall take effect as of November 25, 2002.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING CLERK TO MAKE TECHNICAL AND CONFORMING CHANGES IN ENGROSSMENT OF H.R. 1770, SMALLPOX EMERGENCY PERSONNEL PROTECTION ACT OF 2003

Mr. BURR. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical and conforming changes in the engrossment of H.R. 1770, the bill just passed.

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

There was no objection.

GENERAL LEAVE

Mr. BURR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1770, the bill just passed.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BURGESS). Under the Speaker's announced policy of January 7, the Chair will recognize Members for special order speeches without prejudice to the resumption of legislative business.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

HONORING AND COMMENDING HARDIN-SIMMONS UNIVERSITY'S 2003 WOMEN'S BASKETBALL TEAM

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

Mr. STENHOLM. Mr. Speaker, I rise today to honor and commend the Hardin-Simmons University 2003 women's basketball team from Abilene, Texas, who have achieved an incredible record, including their first undefeated regular season in school history, a fifth straight American Southwest Conference Tournament title, and a fifth consecutive ''Sweet 16'' appearance in the NCAA Division 3 Tournament.

Our Cowgirls exhibited incredible determination and drive as they worked to set a new benchmark for their university. Their school, community, and district stand behind them and join in celebrating their accomplishments.

□ 1415

When the basketball games first began the season, the university and the surrounding community knew this

team had a winning chemistry. The Cowgirls won all 24 of their regular season games, a milestone in school history. Games at Maybee Complex were some of the largest attended events the Cowgirls had ever seen, and soon Hardin Simmons University led the division in home attendance. With great talent and wide support, the Cowgirls attained their first number one ranking in the nation since becoming an NCAA member.

But the Cowgirls did not stop there. They soon played some of the most competitive teams in the American Southwest conference and triumphantly won their fifth straight AFC tournament title. And their win made them one of only two undefeated teams in the Nation, earning them a spot in the coveted NCAA Division III basketball tournament and a number one ranking in the Nation by the ESPN USA Today Women's Basketball Coaches Association.

The Cowgirls fought a tough battle at the NCAA championships. In the end, however, they were unable to win the title. But as Vince Lombardi once said, ''The spirit, the will to win and the will to excel are the things that endure. These qualities are so much more important than the events that occur.'' Trophy or not, they have already won the most important prize, the pride, the joy, and the honor of representing their university and community for all of America to see. To me and those I represent, you, the Cowgirls, are already the biggest winners of all.

None of these victories could have been achieved without the incredible team work that these 15 young women have demonstrated. From Abilene and San Angelo, Brady, and Stephenville, and all over the district, these women came from all areas, and through their hard work and efforts they became more than just teammates. They became life-long friends. Their names will be remembered with pride at their school and within our communities: Sarah Allen, Kendra Anderson, KraTaura Buckner, Diane Cox, Sara Dickey, Lauren Harris, Hannah Jones, Veronica Jones, Erika Keese, Diana Martinez, Leigh Ann Neal, Keila Remmele, Laura Ricci, and Terri Robinson. We will remember your victories in our hearts and our memories.

The team as a whole has an incredible spirit, but one player in particular has achieved notable recognition for her abilities on the team and for women's basketball at large. Kendra Anderson has been named the Division III National Player of the Year by the Women's Basketball Coaches Association. She has been the American Southwest Conference's most valuable player for the third straight year, the conference tournament most valuable player for the fourth straight year, and the first team All American and All South Region for the third year. She was also a WBCA All Star Challenge participant with 17 Division I All Stars. She scored an average of 20.1 points and 10 rebounds per game this season alone. Kendra has forever raised the bar of excellence to a new standard for her friends and teammates to follow.

We all know that a basketball team can have all the best players in the world, but without direction and guidance, strong leadership and vision, the team cannot develop and grow. That guiding force was first-year head coach, Shanna Briggs. Miss Briggs brought out the best in her players, sharpened their strengths and improved their weaknesses. The Hardin Simmons women's basketball program will continue in future years to prosper under her leadership and the dedication of its players.

Mr. Speaker, I am proud to give the recognition today to the 2003 Hardin Simmons University Cowgirls, the hard work that the players and coaches have done to make this team the champions they are. They have learned, as Grace Lichenstein once said, that ''your opponent in the end is never really the player on the other side of the net or the swimmer in the next lane or the team on the other side of the field or even the bar you must high jump. Your opponent is yourself, your negative internal voices, your levels of determination.''

The 2003 Cowgirls are examples and role models for athletes everywhere and proof of the powerful and resilient nature of women's sports. Hardin Simmons University's 2003 Cowgirls, congratulation on a great year.

HONORING AMERICAN SOLDIERS

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

Mr. GUTKNECHT. Mr. Speaker, Daniel Webster said, ''God grants liberty only to those who love it and are always ready to guard and defend it.''

What you see here is a banner that was displayed and then signed by thousands of my constituents 2 weeks ago at a ''support the troops'' rally in Rochester, Minnesota. Now, I know rallies like this have been conducted all over the United States, but this particular banner is on its way with me to Germany and will be displayed to the brave Americans who are in the hospitals at Ramstein Air Force Base, and then hopefully it will make it from there down to the gulf so that the soldiers who are serving there can see this banner and know that people in Southeastern Minnesota as well as people all over the United States support them.

No nation has given more in the defense of liberty than we Americans. From Valley Forge to Gettysburg, from Normandy to this very day, we have demonstrated what President Kennedy meant when he said that, ''we will pay any price, we will bear any burden, we will meet any hardship, support any friend, oppose any foe, and shoulder any burden to keep the lamp of liberty burning brightly throughout the world.''

We have all been heartened by the stories coming out of Iraq. Many of us have read of the rescue of PFC Jessica Lynch as recounted by Central Command briefer Major General Gene Renuart. According to General Renuart, a Special Ops soldier called to Private Lynch as he entered the room saying, Jessica Lynch, we are United States soldiers. We are here to protect you and take you home.

As he walked over and took off his helmet, she looked up to him and said, I am an American soldier too.

But not as many of us have heard the story of the recovery of the remains of the soldiers believed to have been soldiers killed there. And I quote, ''At the same time,'' Renuart recounted, ''the team was led to a burial site where, in fact, they did find a number of bodies that they believed could be Americans missing in action. They did not have shovels in order to dig up those graves so they dug them up with their hands. And they wanted to do it very rapidly so they could race the sun and be off the site before the sun came up; a great testament to the will and desire of coalition forces to bring their own home.''

They did dig them up with their hands and raced the sun.

On a cold and windy Sunday afternoon just 2 weeks ago, the people of Southern Minnesota gathered to send a simple message. We sang songs, heard speeches, read letters, and most of us got a little misty eyed as proud parents held pictures of their sons and daughters wearing the uniforms of each branch of our military. Our purpose was simple. We wanted to say thank you for their service; and, second, we wanted them to know that we stand with them wherever they may be serving. All took their places in that long line, that long gray line that has never failed us.

The images of the Iraqi citizens cheering our Armed Forces make us happy and proud, but somehow not surprised. Once the Commander in Chief gave the order to liberate Iraq, most of us knew that the result and those images were inevitable. On behalf of all who have attended rallies, and especially those who signed this banner, let me say first that we mourn with those families who have borne the heaviest price of this battle.

No politician can adequately salve wounds that will never completely heal. The best that we can say is that we will never forget. To all those, who, like PFC Lynch, are ''American soldiers too,'' and to all our sailors, airmen and Marines, we say thank you. And we stand with you. May God continue to bless and protect our Nation and all who defend her.

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

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HONORING THE LIVES OF FREDA JONES AND OFFICER CLARK

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, just a week ago last Saturday I visited with the family of a young woman who may not have been known in our community in Houston, Texas, maybe a few weeks ago. Just a young mother with two wonderful children, one a 3-month-old daughter and one a 10-year-old son, hard working, trying to provide for them. Her life became intimately intertwined with our departed and dear friend, Officer Clark.

For just about 10 days ago, Houston Police Officer Clark lost his life in a heroic attempt to save Freda Jones's life in a horrible and brutal robbery in our community.

Just this past week we buried Officer Clark, and I paid tribute to him, although I was not able to attend his going-home service because of business here in Washington. But through my office we shared with his wonderful family how much we appreciated his bravery and his service, how much we appreciated his love for his community, the fact that he was a consummate police officer.

Now, within 24 hours we will bury Freda Jones, who, listening to her family both Saturday and Sunday at a prayer vigil for her, I have come to understand her as a wonderful young woman, someone who simply wanted to provide for her family in working in the job she was working, innocently opening the office of a check cashing office by herself, taking up the responsibilities of another employee because that employee had been injured in a car accident. She was always a willing person, as we understand. She was a person who loved her family. She was, likewise, a person who brought the family together. She was certainly like your neighbor.

And so I would like to say to the Jones family, all of her brothers and sisters, her mother and father, her mother and father lost another child to brutality or brutal act of murder just a few years ago. And now they lost a cherished daughter to a brutal robbery, an unnecessary, callous act of murder.

And all of the perpetrators should be brought to justice because they took the life of a young woman who simply wanted to raise her children to make a decent living in this Nation.

So I think it is appropriate that as we honor so many heroes, we are so grateful for the young men and women who serve us in the United States military.

I had the opportunity to visit some of our injured soldiers at Bethesda Hospital this morning. We are grateful for them. We pray for their families. We pray for the families of MIAs. We pray for the families of the POWs. We pray for the families of those who lost their lives. And every day in America there are heroes as well. Because Freda Jones lost her life by trying to fend off these robbers by calling the police. And I imagine in the act of calling the police, her life was taken. And then Officer Clark who responded, or was responding, had his life taken.

What a terrible testimony to the freedom of America. But we will keep pressing forward honoring heroes, local heroes like Freda Jones and Officer Clark. And to the Houston community, I offer my deepest sympathy to the family that will mourn tomorrow as she will be laid to rest. I say to you that you have at least had a wonderful time in her life and as well the wonderful memories; and, yes, you have her two beautiful children and this wonderful extended family.

I hope that you, the Jones family and the Clark family, will find strength in each other. You are forever bonded together. And I hope you will know that the Houston community, the 18th Congressional District appreciates so much that you lived, but also that your life tragically was sacrificed but it will not ever be forgotten. We will remember, and we will work together to fight against the brutal and criminal acts that sick minds think they can perpetrate on our communities without paying the price.

We hope justice will be rendered. But most of all, Freda Jones, we hope that you will have a peaceful going-home service, recognizing that the community loved you and will continue to show its love to your family and to your children.

□ 1430

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

(Mr. FRANKS of Arizona addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

MURDER OF CUBAN FREEDOM SEEKERS

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

Mr. FOLEY. Mr. Speaker, I rise today once again to talk about one of the last hostile regimes on the planet, an island 90 miles to the south of my home State of Florida, Cuba.

For well over 40-plus years, Fidel Castro has time and time again shown his reprehensible disregard for the safety and welfare of his own people. His tyrannical regime has forced countless innocent people to risk their lives to seek the shores of the United States. What is worse, these people go to the furtherest of extremes, even placing other countrymen at risk in order to seek freedom.

On April 2, in another one of the countless stories of Cubans trying to seek refuge, a group of three men attempted to take over a ferry ship and force it to go to the United States. Though I am in no way supportive of hijacking or putting others at risk, it is clear from our history with this oppressive Nation that its people will do almost anything for just a taste of freedom.

The men were prosecuted on Tuesday, those three men, in summary trials for very grave acts of terrorism and given only a few days to appeal their sentences. This pathetic excuse for a judicial system never gave these men a chance. I must report to this body that, earlier today, these three men were executed.

Mr. Speaker, these actions were not that of terrorists but those of people seeking freedom. It is clear that these men never intended to harm anyone. All they wanted was a chance at what millions of Cubans have been thirsting for since Fidel Castro took control and took power, and that is freedom, a right we in this country enjoy and a right we are fighting for today in Iraq. Though these acts should have been punished, the penalty was extreme, barbarous, even by the most strict of standards.

I have fought on this floor against terrorism all my life, and I will not accept it in any form, but this execution today was clearly a message to the Cuban people that freedom is not an option.

To those colleagues of mine who have suggested over the past year-and-a-half that we open trade and opportunity with Fidel Castro, they need to look at this material and see that this man executed three people today. Would these same Members offer a peaceful resolution to Saddam Hussein who I consider equally heinous as Fidel Castro? Would they suggest going to do trade with Saddam? Let us look at what Fidel Castro is all about, and let us recognize what danger he puts his own people in.

We must continue what we do by upholding the sanctions and further limiting U.S. government involvement with this rogue Nation. The people of Cuba deserve a democracy. Their leader is a tyrant, a dictator and now, based on this evidence, a murderer. Many of us have known that. My colleagues, the gentleman from Florida (Mr. LINCOLN DIAZ-BALART), the gentleman from Florida (Mr. MARIO DIAZ-BALART) and the gentlewoman from Florida (Ms. ROS-LEHTINEN), have all been telling this body about the horrors of the oppression, of the silencing of people merely trying to get a democracy in place in that Nation.

Mr. Speaker, if anyone must be put in front of a firing squad it is Mr. Castro himself for these despicable acts.

So I ask and urge my colleagues to be as outraged as we are in Florida. This was murder of three citizens. This was murder, a trial of 3 days, an appeal of 24 hours and a firing squad a day later.

This is the Nation we want to do business with? This is the Nation we want to trade with? This is a person my colleagues want to ship goods and medicine to? Prop up his regime? I think not.

HONORING WEST POINT CLASSMATES

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

Mr. SHIMKUS. Mr. Speaker, I take this 5 minutes to talk about an historical trend in this country that ties together those who have come before us in the past and those who are serving today, and I speak about the long gray line and those individuals who have served at West Point.

Many of us know that West Point celebrated its 200th anniversary last year, 200th anniversary of creating leaders of character to serve in our Nation and that commitment by this country to have a professional military institution that helps train leaders of character to lead our young men and women into battle but also understands how to deal with the current civil military operations that are occurring is a great credit to this country and one that we need to remember.

Many of us know the great names of Lee and Grant and Eisenhower and Patton, MacArthur, those who have gone there before, but I want to brag, if I may, about my classmates, graduates of the class of 1980 who are serving so admirably currently now in Iraq. They probably would not like me to be doing this, but I take this opportunity as a Member of Congress to speak in pride about my classmates.

I brought down my graduation yearbook, and although many of my colleagues cannot see it, I turn to a page and a familiar picture for those of us who have been following the briefings. We have a young Vince Brooks, first captain of the class of 1980. Yes, it is the same Vince Brooks who is giving the briefings over in Qatar on a daily basis talking about our command.

The line of my classmates is long and very grand in their services, and I want to recognize them all here.

Lieutenant Colonel (promotable) John Agoglia, J5 Plans CENTCOM; Colonel (promotable) Chuck Anderson, Chief of Staff, 32nd Army Air and Missile Defense Command. I mentioned Brigadier General Vince Brooks, Deputy for Operations and Coalition spokesman. Colonel Dave Brown, G3 section, V Corp, Iraq; Lieutenant Colonel Curt Cheeseman, J5 Plans, CENTCOM; Colonel Perry Clawson, Commander of the 1186th Transportation Terminal Brigade; John Davis, who is in the CENTCOM area of operation; Pat Donahue; Lieutenant Colonel Bruce Dow, HQ, Stateside; Lieutenant Colonel Bill Duffy, Commander, Task Force 513 Military Intelligence.

I want to pause here to say that many of my classmates are active duty and have served now over 20 years. Many of them are serving continually as reservists or members of the National Guard. We cannot tell the difference when I read this list because of the one Army philosophy that joins Active, Reserve and Guardsmen.

Lieutenant Colonel Dale Egger, Commander of 3rd Battalion, 289th Training Support Brigade, Stateside; Jim Embrey, in Kuwait; Colonel Mark Eshelman, 3rd Army, CENTCOM; Lieutenant Colonel T.J. Farrell, Force Protection Officer, 143rd TRANSCOM in Kuwait; Colonel Tim Glaeser, Commander, 11th ADA Brigade, Kuwait; Major Curt Grayer, Deputy Commander, 310th Personnel Support Group; Lieutenant Colonel Vern Green, Commander, 1181st Transportation Terminal Battalion; Colonel Ben Hodges, Commander, 1st Battalion, 101st Airborne Division; Lieutenant Colonel Frank Hudson, assignment undisclosed, 5th Special Forces Group, somewhere in the area of operation; Lieutenant Colonel Doug Lobdell, commander, 361st Training Support Brigade; Lieutenant Colonel Jan Kozlowski, C7 engineer, Kuwait; Lieutenant Colonel Mark Kucera, Forward Engineer Support Team; Colonel Mike Linnington, Commander, 2nd Brigade, 101st Airborne Division; Colonel Dave MacLean, J5–E, CENTCOM; Colonel Steve Mains, Chief, JFCOM J9, Lessons Learned Team, CENTCOM; Dr. Major Kathy Mathews, who is the wife of one of my classmates, Johnny Ham, who is a brigade surgeon in the 108th Brigade; Lieutenant Colonel Tom Miller, Civil Affairs Officer, en route to CENTCOM; Lieutenant Colonel Paul Oettinger, Commander of the 195th Contract Support Detachment, Kuwait; Colonel John Peabody, Commander, 3rd Infantry Division; Colonel Dave Perkins, Commander, 2nd Brigade, 3rd Infantry Division, Baghdad, Iraq; Colonel Tony Puckett, J5, Kuwait; Lieutenant Colonel Willie Ramos, Commander, 345th Rear Area Operations Center; CW3 Kathy Silvia, en route to CENTCOM; Colonel (promotable) Joe Votel, Commander of the 75th Ranger Regiment, location undisclosed; Kurt Westerman, en route to CENTCOM.

I am very proud of our classmates and those who are helping to support them here at home.

The West Point Alma Mater reads like this. Actually it is a song, and it is appropriate.

Hail, Alma Mater dear,
To us be ever near,
Help us thy motto bear
Through all the years,
Let Duty be well performed,
Honor be e'er untarned,
Country be ever armed,
West Point, by thee.

Guide us, thy sons, aright,
Teach us by day, by night,
To keep thine honor bright,
For thee to fight.
When we depart from thee,
Serving on land or sea,
May we still loyal be,
West Point, to thee.

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.

I am tremendously proud of my classmates who are serving in the area of operation and throughout the world. They have done great credit to this country, this Nation, the people of Iraq and our alma mater West Point. Their names will be etched in history with those who have served honorably and distinctively in service to their country.

May God bless them all and may God bless the United States of America.

NATIONAL FORMER PRISONER OF WAR RECOGNITION DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Maryland (Mr. HOYER) is recognized for 60 minutes as the designee of the minority leader.

Mr. HOYER. Mr. Speaker, our brave men and women in uniform continue to risk their lives at this hour in Iraq, and let there be no mistake: there cause is noble.

They are disarming and deposing a ruthless tyrant who has brutalized the Iraqi people for more than 20 years, and who has threatened the security of the Middle East region and the world.

As the result of the courage, sacrifice, patriotism and professionalism of our American Armed Forces—as well as our Coalition allies—the Iraqi people have broken free of Hussein's stranglehold.

Who could not be moved by the scenes broadcast from Baghdad, where thousands of newly liberated Iraqi citizens celebrated Hussein's defeat?

However, danger still lurks around every corner. Thus, we pray for a successful conclusion to this war and our troops' safe return.

We also pray for the loved ones and families of the American servicemen and servicewomen who will not be returning safely to our shores; those who have given their lives for their Nation and the cause of freedom.

And we say a special prayer for the seven Americans who are listed as prisoners of war and eight who are listed as missing.

As we come to this House floor to commemorate national former POW Recognition Day, which was observed this past Wednesday, April 9, let us join together and offer this solemn pledge: the United States of America shall never—never—rest until every single American who is believed to be in enemy hands is freed, and every single American who is missing is fully accounted for.

Freedom's defenders must never be forgotten, and thus our mission in Iraq is far from accomplished.

Our former prisoners of war are national heroes who deserve our gratitude and respect.

Their service placed them in dangerous circumstances, causing their capture and imprisonment, often in atrocious conditions.

We also owe a debt of gratitude to their families for weathering agonizing uncertainty while demonstrating support for their loved ones' service to our country.

Although former POWs returned home, too often they carried the extra burden of physical and emotional scares.

They are a testament to history's eternal truth—freedom is not free—as well as its unforgiving lesson: the price of freedom is always great.

We remember these courageous heroes in the shadow of the dramatic rescue of Pfc Jessica Lynch on April 2.

She owes her life to the American commandos who stormed the hospital where she was being held and rescued her, as well as the brave Iraqi man who risked certain death by providing our troops with accurate information regarding her whereabouts.

We recognize the tremendous sacrifice of former prisoners of war like Jessica, and we pledge that our Nation will keep its promises to all former POWs and veterans.

Let me close, however, by saying that even as our servicemen and women are overseas defending our values, freedom, democracy, human rights and the rule of law, there are schemes afoot in this very Capitol to give them short shrift once they return home.

While President Bush has extended his appreciation to members of veterans service organizations for ''the lifetime of service you have given to our Nation,'' some have proposed cutting veterans' benefits and health care by more than $28 billion to help pay for a tax cut.

This is not only bad policy, it is, in my view, immoral.

This Nation, as far as I am concerned, has an irrevocable contract with America's veterans. And it is one that we must always honor.

Our veterans and former POWs deserve more than medals and a thank you for their service and sacrifice.

At a time when we are sending thousands of America's sons and daughters into harm's way, we should be investing in the programs and services our veterans and former prisoners of war deserve, not pulling back on our promises.

We must stand behind our words of gratitude by honoring the commitment we made to them for answering freedom's call.

Mr. HONDA. Mr. Speaker, it is an honor for me to be here today to address the situation of former American POWs.

In this time of war, it is especially important to recognize April 9 as National Former Prisoner of War Recognition Day.

While the plight of courageous soldiers such as Pfc. Jessica Lynch, who had been captured with 11 other U.S. soldiers from the 507th Maintenance Company, brings the concern of POWs to the forefront of our minds today, I would like to address my concerns for a group of POWs from a previous war, the war from which this important date of April 9 was chosen.

I am speaking of those who fought in the Pacific Theater during World War II.

I would especially like to talk about one former POW, Dr. Lester Tenney. Dr. Tenney's story mirrors what many of our WWII POWs in the Pacific went through.

Mr. Tenney became a prisoner of war on April 9, 1942, with the fall of Bataan in the Philippines. A survivor of the Bataan death march, he was sent in a ''hell ship'' to Japan, where he became part of the slave labor force in a Mitsui company coal mine.

Dr. Tenney has stated, and I quote, ''I was forced to shovel coal 12 hours a day, 28 days a month, for over 2 years, the reward I received for this hard labor was beatings by the civilian workers in the mine. And if I did not work fast enough or if the Americans had won an important battle the beatings would be that much more severe.''

These POWs who survived the Bataan death march only to be transported to Japan in the infamous death ships and forced to work for private Japanese companies under the most horrendous conditions are the true heroes of our Nation.

After the war, approximately 16,000 POWs returned—all battered and nearly starved to death, many permanently disabled, all changed forever. More than 11,000 POWs died in the hands of Japanese, among the worst records of physical abuse of POWs in recorded history.

Now, like many other victims of World War II-era atrocities, the remaining survivors and the estates of those who have since passed away are seeking justice and historical recognition of their ordeal.

The former POWs do not seek any action or retaliation against the current Japanese Government or against the Japanese people. Nor do they seek to portray Asian-Americans in any sort of negative light.

Rather, they simply seek just compensation from the Japanese companies who were unjustly enriched by their slave labor and sufferings.

I am honored to stand here in the House of Representatives, to let these men know that I will work with my colleagues to see that there is justice done in their situation.

We must never forget, these are the men of our Nation's greatest generation. They volunteered to serve our country, some only 17 or 18 years old at the time.

They survived the ordeal of a forced surrender in the Philippines, they survived the cruelties of the Bataan death march, they survived the hell ships, they survived being POWs in Japan and the tortures of slavery.

For the sake of the past, for the sake of these men today, and the sake of our future, we must do right for these men.

Mr. Speaker, I thank you for allowing me to address the House floor this evening on this very important matter.

Mr. MCNULTY. Mr. Speaker, I am proud to join with my colleagues, the gentleman from Maryland, Mr. HOYER, and the gentleman from Missouri, Mr. SKELTON, in solemn observance of National Former Prisoner of War Recognition Day.

At this hour, thousands of brave young Americans in the Armed Forces of the United States are carrying out a dangerous yet necessary mission in Iraq. Like many Americans, I hoped and prayed for a diplomatic settlement to the crisis posed by Saddam Hussein's refusal to disarm. Unfortunately, 12 years of diplomacy did not produce the desired result. With all other options exhausted, we were forced to proceed with the action that should always be reserved for last—the use of military force.

Our troops have heroically responded to this call to arms with unyielding courage, devastating efficiency, and unparalleled concern for the safety and well being of countless thousands of Iraqi civilians. I continue to pray for a swift end to this conflict, and to hope that our military personnel will come home soon and safely, having liberated the citizens of Iraq from the nightmare they have endured for a quarter of a century.

Despite the unprecedented success of our military forces, Mr. Speaker, scores of American families have already had to come to terms with the horrible and irrevocable reality of war. Nearly 100 brave soldiers have been killed in action. They were mothers, fathers, sons, daughters, sisters, brothers and lifelong friends, and my heart goes out to all those who loved them.

My family knows the pain of war. On August 9, 1970, my brother, H.M. 3 William F. McNulty, a medical corpsman in the Navy, was in the field in Quang Pam province, patching up his buddies. He stepped on a land mine and he lost his life.

But his body was recovered. And he was brought back home, and we had a wake and a funeral and a burial. Our family suffered a tremendous loss, our small village of Green Island, New York, suffered a tremendous loss—but we had some closure.

Mr. Speaker, the families of seven American serviceman and women currently listed as prisoners of war, and the families of eleven soldiers listed as duty status unknown, or missing in action may never enjoy this sense of closure. Just ask the families of the 1,887 Americans still missing and unaccounted for from the war in Vietnam.

I have always wondered how terrible it must be for an MIA family, never exactly knowing what happened to their loved one—not for a day, a week, a month or a year, but for decades.

Every once in a while, this profound sense of frustration and loss is interspersed with joyous news of rescue and heroism. By now, we are all familiar with the story of Pfc. Jessica Lynch. Pfc. Lynch was captured with 11 other American soldiers of the 507th Maintenance Company but was later rescued from a hospital in Iraq on April 2, due in no small part to the superior skill and preparedness of our Special Forces, as well as the courage and humanity of an Iraqi civilian who risked his own life, and the lives of his family, by walking 6 miles to inform coalition forces of Pfc. Lynch's location. Thanks to these efforts, Pfc. Lynch escaped further torture and abuse at the hands of Iraqi forces, and lays tonight in an American military hospital in Germany, enjoying the company of her family.

Mr. Speaker, we pay tribute tonight to courageous American heroes like Pfc. Lynch. She and so many other former prisoners of war suffered through the atrocious coditions of capture and internment, sacrificing so much of their freedom in defense of the citizens of this nation and the world.

In the name of all former POWs, I pledge to continue to work to ensure that future generations understand the courage of these heroes, and that our government follows through on all promises made to former POWs—and all veterans.

Ms. CARSON of Indiana. Mr. Speaker, I want to thank our esteemed whip, Mr. HOYER,

and the ranking member of the Armed Services Committee, Mr. SKELTON, for organizing this time to reflect on those who have sacrificed so much for this country.

Those members of our military who are still prisoners of war or are missing in action have made the ultimate sacrifice without the opportunity to return home.

We can only hope that those young men and women who have been taken captive in the current conflict will be treated humanely and returned home to us soon.

Mr. Speaker, there is one former POW I would like to single out, current Lt. Gov. Joe Kernan. He entered the United States Navy in 1969 and served as a naval flight officer aboard the USS *Kitty Hawk.*

In May of 1972, Lt. Joe Kernan was shot down by the enemy while on a reconnaissance mission over North Vietnam. He was held as a prisoner of war for nearly 11 months.

Joe Kernan was repatriated in 1973 as part of the last convoy of prisoners of war exchanged that ended the war, and continued on active duty with the Navy until December of 1974. For his service, Kernan received numerous awards, including the Navy Commendation Medal, two Purple Hearts and the Distinguished Flying Cross.

He never forgets May 7, ''the day I was shot down.''

It was his 26th mission. He was in the rear seat of an RA–5C Vigilante reconnaissance jet, on a picture-snapping mission to assess bomb damage. They raced along at 650 mph, 80 miles south of Hanoi, then navigated down Highway 1 to take photos of traffic.

They were relatively low—4,500 feet high, compared with the 35,000-foot altitude a B–52 bomber would fly—when anti-aircraft fire hit the plane's tail.

''The nose pitched down very violently,'' he said, and the pilot tried to make it to the potential safety of the U.S.-controlled Gulf of Tonkin. The jet couldn't make it. Kernan ejected, followed closely by the pilot.

''I blacked out on the ejection,'' Kernan said.

''I landed in somebody's front yard on a beautiful Sunday afternoon,'' he recalled. ''When I woke up, I found myself on the edge of a group of people, surrounding me, watching me get up, with people coming at me from everywhere.''

March 27 marked the 30th anniversary of his release from captivity. When looking back on his time in captivity, he minimizes the details of his treatment there, saying the end of the war was not as bad as the beginning.

''What you rely on is your faith, your family, your desire to see them again, your will to survive and the knowledge that you're not going to be left behind. We won't go home without them. That has been a commitment made to everyone who wears the uniform, and it will be honored,'' Kernan said.

We remember those who are still fighting the past wars, those who have not had the chance to come home to the families.

I ask unanimous consent to place in the RECORD the names of those who have not had the chance to come home from the Korean and Vietnam wars.

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

KOREAN WAR POW/MIA—INDIANA

Floyd Neal Acton, James Dwight Adams, Herbert D. Akers, George Anspaugh, Robert Gene Archer, David Baker, Donald Lewis Baker, Donald Lee Barker, Lester William Bauer, Robert Allen Beard, Milton Marion Beed, Lowell W. Bellar, Victor Vernon Bender, A.D. Berry, Charles F. Binge, William Stanley Blasdel, William J. Bowerman, Allen Milford Bowman, Eldon R. Bradley, Kenneth Wilber Brock, Kenneth Brown, Thomas James Brown, Hugh Maynard Burch, Forrest S. Burns, Billie Jack Byard, Donald Caddell, Stanley Louis Calhoun, Jr., George R. Chadwell, Richard A. Chappel, Gene Franklin Clark, Harold Robert Clark, Clyde R. Clifford, James Allen Coleman, Louis Bernard Conde, Jack Dwayne Conrad, Richard Leon Conrad, James L. Constant, Folton Cosby, John Harold Cowger, Clarence Vernon Cox, Jr., Kenneth Lee Cozad, George Eldon Cranor.

Reed A. Criswell, William R. Cunningham, Kenneth Horton Dally, Howard Dale Dalton, Ezekiel Alfonso Davis, Jack A. Davis, Norman Glen Davis, George Debaun, Jr., Hobart Decker, Raymond Alfred Decker, Clayton C. Delong, Gene Alton Dennis, Stanley L. Dewitt, William L. Dick, Jr., Milton J. Dinerboiler, James Thomas Doody, Donald D. Drew, James R. Dunn, Joseph Durakovich, Donald Wayne Eads, John Omer Eaton, Herbert Phillip Eggers, Howard W. Emrick, William Chester Enright, Robert Vernon Estes, Don Carlos Faith, Jr., Robert Clarence Finch, Peter Paul Fluhr, Jr., Edward Leo Frakes, Ned Charles Frankart, Jack Marvin Frans, George Arthur Frantz, Charles Garrigus, Clifton E. Gibson, Willard M. Gibson, Clyde Goe, Robert Goodall, Joseph P. Greene, Jack Walter Griffith, Edward Allen Gude, John Edwin Guynn, Donald Sewell Hamilton.

Donald Lane Hamm, Keith Edward Hammon, Gilbert Larry Harmon, Elmer Harris, Jr., Max Eugene Harris, Bannie Harrison, Jr., Gene N. Hatch, Kenneth Verne Hay, Leo Joseph Henkenius, James Fella Hill, Robert Lee Hinds, William M. Hodge, Joseph Francis Holle, Charles Rutherford Holman, Floyd E. Hooper, Ralph Ernest Hubartt, Jr., Paul F. Hukill, Richard George Inman, Edward R. Jaynes, William F. Jester, William R. Jester, Leonard W.E. Jinks, Cornelius A. Jochim, William H. Johnson, Paul Martin Killar, Lawrence Edward Lander, Robert Warren Langwell, Everett W. Leffler, Harry H. Liddle, Jr., Larry Loveless, Earl Paul Lykins, Delbert Ulysses Mace, Donald F. Mangus, Everett D. Manion, Donald Lee Marlatt, Albert F. Martin, Herbert O. Martin, Steve A. Mastabayvo, Earl E. Mcclain, Charles H. Mcdaniel, Raymond John Mcdoniel, Edward Q. Mcfarren, James T. Mcintyre, Herbert V. Mckeehan, Joseph Lawrence Mcanally,

Morris Meshulam, R. Maurice Metzcar, Melvin J. Michaels, Harry Richard Middleton, Robert G. Minniear, James E. Mishler, Donald K. Mitchell, John D. Moore, Jr., Clarence Taylor Morris, David Wesley Morris, Russell F. Morris, Richard Everett Mullett, Jackie Lee Murdock, Donald William Myers, Thomas W. Neiswinger, Richard L. Nicholson, Charles Northcutt, Jr., Richard Lee Olcott, Raymond Edward Pearson, Virgil L. Phillips, Russell B. Pickens, Lewis Peifer Pleiss, James Plump, Bobby Lee Pothast, Bernard Clayton Reynolds, Donald Ray Rice, Alexander David Rider, Charles D. Riley, Marvin L. Rodman, Edward F. Ross, Robert Lewis Ross, Gene Robert Ruby, John Earl Rush, Marle D. Scott, Richard Dale Scott, Donald R. Sechman, Clifford Gene Selman, Luther Dean Serwise, Gerald Ivin Shepler, Wallace Simmons, Jr., Charles Edward Sizemore, Charles E. Smith, Leland Ford Smith, Marvin W. Soderstrom, Donald E. Spangler,

Alvin Lowell Stebbens, Paul P. Strawser, Charles Sturdivant, Gene Alfred Sturgeon, Harold Paul Suber, Edwin Felix Tabaszynski, James Willis Talley, John Edward Thurman, Robert Eli Titus, William Wilber Toops, Robert Jerome Tucker, Robert William Turner, Gene Lewis Wagner, Richard L. Wasiak, Robert Lee White, Robert Louis White, Robert Dewitt Wilder, Grover Lois Williams, Merble Eugene Wilson, John George Woliung, Bernard M. Zekucia,

VIETNAM WAR POW/MIA—INDIANA

William W. Bancroft, Jr., Charles Elberg Beals, Quentin Rippetoe Beecher, Stephen Eugene Briener, Harry Franklin Carver, Charles Dennis Chomel, Lawrence Clark, Thomas D. Clem, Kenneth Lloyd Crody, Gene Edmond Davis, Phillip Allen Ducat, Dean Arnold Duvall, George Curtis Green, Jr., Ralph L. Harper, Steven W. Heitman, John Wayne Held, Samuel Eugene Hewitt, John Russell Hills, Donald Russell Hoskins, George A. Howes, Paul F. Johns, James Reed Johnson, Grayland Jones, Karl E. Klute, Charles Allen Knochel, Robert J. Kuhlman, Jr., Bennie Richard Lambton, Michael Lautzenheiser, Karl Wade Lawson, Charles W. Lindewald, James Michael Lyon, Robert L. Mann, Jerry Dean Martin, James Maurice McGarvey, Francis B. Midnight, Harry E. Mitchell, Ronald Wayne Montgomery, Ralph Edward Moore, John M. Nash, William L. Nellans, Larry Stephen Newburn, Thomas Aquinas Parker, Russell Arden Poor, George Ray Posey, Billy L. Rogers, Charles Edward Rogers, Charles David Schoonover, Ronald Eugene Smith, Ronald P. Soucy, Sr., Bruce Wayne Staehli, Kenneth A. Stonebraker, John F. Stuart, John Steiner Stuckey, Jr., Donald Joesph Trampski, Raymond Anthony Wagner, Junior Lee Whittle, Thomas T. Wright, Robin Ray Yeakley, Jeffrey Jerome Young.

Mr. SKELTON. Mr. Speaker, I am proud of the fact that I frequently take time in this chamber to salute the men and women of our nation's armed forces who serve America so well. Today, I am proud to join my colleagues in this special order to express gratitude to a special category of U.S. veterans on National Former Prisoner of War Recognition Day.

While the men and women of our Armed Forces may expect to experience some hardships during their service to our country—perhaps in boot camp, or in time away from home and family, or even in combat—our soldiers, sailors, airmen, and Marines who have been captured and held as prisoners of war have experienced hardships we can barely imagine and frequently even they cannot bear to share with anyone.

Last year, our former colleague from Florida Representative Karen Thurman hosted a briefing with two survivors of World War II's Bataan death march and the Japanese prisoner of war camps. They came to Washington to discuss their war experiences with Members and with staff. It is no exaggeration to say that after hearing their testimony and other similar accounts, it is simply a wonder and a miracle they survived. A majority of their comrades in arms did not.

One of the veterans said that although more than 50 years have passed, it was only in the last several years that he had even told his wife about the horrors he and his fellow soldiers suffered. After the war, I am told, many of the heroic Americans who made it through unspeakable suffering were encouraged not to tell anyone about their prisoner of war status. If this is true, and I have no real reason to doubt it, that in itself is shameful and I am so glad we can put that sentiment to rest by honoring and recognizing our former POWs today.

Proclamations declaring National Former Prisoner of War Recognition Day happen every year, but this year it is particularly meaningful as we remember those from past conflicts and also focus on those service members who are currently engaged in the war in Iraq. Our thoughts and prayers are with all of our coalition forces and their families, particularly those who may have lost a loved one or whose family member or friend has been listed as missing or as a POW. Many families throughout the United States are having to call upon reserves of strength to get through this difficult time, but they should never forget that the entire nation shares their hope for the future, their joy in times of good news, and if need be, their grief in loss.

In recent days, the harrowing accounts told by Americans who were held by the Iraqis during the 1991 Gulf War have raised fears that the men and women who are missing today may suffer similarly criminal treatment. The evidence that we have so far indicates that this is the case. I am very concerned, as I am sure my colleagues are concerned, that we must do everything in our power to ensure that those who have committed war crimes are brought to justice.

Last Friday, the House Armed Services Committee held a hearing to examine the international law regulating the treatment of prisoners of war. Yesterday, House Armed Services Committee Chairman DUNCAN HUNTER and I sent a letter to the President suggesting that post-World War II's Nuremberg trials be used as a framework to convene an international military tribunal for the prosecution of war crimes committed during Operation Iraqi Freedom. Just as the Nuremberg trials were conducted by the four nations who won that war—the United States, Great Britain, France, and the Soviet Union—so, too, could a tribunal resulting from this war be conducted by the principal coalition partners: the United States, the United Kingdom, Australia, Poland, and Kuwait. Whatever system is put in place, justice will be our priority.

Without a doubt, we live in a special country. Americans have a spirit of idealism that cannot be broken, and our citizens strive to serve our country however possible. This spirit is evident throughout our nation, but also in the U.S. Congress, where several former POWs serve with distinction. Congressman SAM JOHNSON of Texas, Senator JOHN MCCAIN of Arizona, and former Congressman Pete Peterson of Florida could have very easily and justifiably returned home from Vietnam and devoted their lives to things other than government service. But they chose to continue their contribution by participating in electoral politics and doing the work that makes our American democracy a success. Their stories, as young men in uniform and in their later careers, inspire us all.

On this National Former POWs Recognition Day, we honor and express our gratitude to all former prisoners of war, whether they served during World War II, the Korean War, the Vietnam War, the Gulf War, or the current Iraq War. There is absolutely nothing we can do to make up for the sacrifices our service members and their families endured during their captivity in enemy hands. But as a nation, we can, and we must, thank them for their willingness to pay the price required to ensure America's freedoms. In the Congress, we must also be vigilant to ensure that our nation follows through on the promises we have made to our veterans and former POWs. As fellow citizens, it is the least we can do to begin to repay the debt that we owe them for their service to the American people.

Mrs. MALONEY. Mr. Speaker, I rise today to honor former prisoners of war, and to thank them for their bravery and dedication to our nation.

The United States military has no equal. Our servicemen and women are the best-trained and are the best-prepared to accomplish successfully their missions. However, as the war in Iraq has reminded us, we cannot always prevent the worst from happening.

The conditions for POWs, more often than not, are too difficult and too painful to imagine. I can only imagine the worry and the uncertainty that their families must feel each day until their loved one is brought home. The rescue of Jessica Lynch showed not only the commitment of our troops to finding their fellow servicemembers, but the bravery of Lynch herself, who stayed strong and focused.

Throughout history, America's military men and women have traveled around the world to fight for the causes of freedom and democracy. In this selfless pursuit, they knew that the battle would not always be easy. We owe them all an enormous debt of gratitude.

We cannot forget our veterans who helped to make this country what it is today and who have brought peace to other nations across the globe. Our nation's fighting men and women are currently engaged in a military conflict in Iraq. While they fight bravely for the principles upon which the United States was founded, we at home cannot turn our backs on veterans who deserve to have access to the benefits that they deserve.

Today, we recognize National Former Prisoner of War Recognition Day. I believe that each day we should remember these brave individuals, and the sacrifices that they made for all of us.

Thank you.

GENERAL LEAVE

Mr. HOYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of my special order.

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

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 43 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1846

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CANTOR) at 6 o'clock and 46 minutes p.m.

FURTHER MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the concurrent resolution (H. Con. Res. 95) entitled ''Concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2004 and setting forth appropriate budgetary levels for fiscal years 2003 and 2005 through 2013.''.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to announce that pursuant to rule XXVII, as a result of the adoption by the House and the Senate of the conference report on House Concurrent Resolution 95, House Joint Resolution 51, increasing the statutory limit on the public debt, has been engrossed and is deemed to have passed the House on April 11, 2003.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DEFAZIO (at the request of Ms. PELOSI) for today after 3:00 p.m. on account of schedule and district work period.

Mr. REYES (at the request of Ms. PELOSI) for today on account of attending a memorial service for the soldiers of the 507th Maintenance Company who were killed in Iraq.

Mr. BOYD (at the request of Ms. PELOSI) for today from 1:00 p.m. through the district work period on account of official business in the district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

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

Mr. STENHOLM, for 5 minutes, today.

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

Mr. FRANKS of Arizona, for 5 minutes, today.

Mr. GUTKNECHT, for 5 minutes, today.

Mr. FOLEY, for 5 minutes, today. (The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

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

Mr. SHIMKUS, for 5 minutes, today.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's

table and, under the rule, referred as follows:

S. 538. An act to amend the Public Health Service Act to establish a program to assist family caregivers in accessing affordable and high-quality respite care, and for other purposes; to Committee on Energy and Commerce.

S. 783. An act to expedite the granting of posthumous citizenship to members of the United States Armed Forces; to Committee on the Judiciary.

S. 870. An act to amend the Richard B. Russell National School Lunch Act to extend the availability of funds to carry out the fruit and vegetable pilot program; to Committee on Education and the Workforce.

ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1505. An act to designate the facility of the United States Postal Service located at 2127 Beatties Ford Road in Charlotte, North Carolina, as the ''Jim Richardson Post Office.''

H.R. 1584. An act to implement effective measures to stop trade in conflict diamonds, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 151. An act to prevent child abduction and sexual exploitation of children, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

H.R. 397. To reinstate and extend the deadline for commencement of construction of a hydroelectric project in the State of Illinois.

H.R. 672. To rename the Guam South Elementary/Middle School of the Department of Defense Domestic Dependents Elementary and Secondary Schools System in honor of Navy Commander William ''Willie'' McCool, who was the pilot of the Space Shuttle Columbia when it was tragically lost on February 1, 2003.

SUNDRY BILLS PRESENTED TO THE PRESIDENT

H.R. 273. To provide for the eradication and control of nutria in Maryland and Louisiana.

ADJOURNMENT

Mr. RYAN of Wisconsin. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 48 minutes p.m.), the House adjourned until tomorrow, Saturday, April 12, 2003, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1793. A letter from the Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Navy, Case Number 00-03, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

1794. A letter from the Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Navy, Case Number 02-04, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

1795. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General James C. Riley, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

1796. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Joseph K . Kellogg, Jr., United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

1797. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy's Proposed Letter(s) of Offer and Acceptance (LOA) to Australia for defense articles and services (Transmittal No. 03-14), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

1798. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy's Proposed Letter(s) of Offer and Acceptance (LOA) to Japan for defense articles and services (Transmittal No. 03-11), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

1799. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of an unauthorized retransfer of U.S.-origin defense articles pursuant to Section 3 of the Arms Export Control Act (AECA); to the Committee on International Relations.

1800. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15-53, ''Closing of a Portion of a Public Alley in Square S.O. 02-2491, Act of 2003'' received April 11, 2003, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

1801. A letter from the White House Liaison, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1802. A letter from the White House Liaison, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1803. A letter from the White House Liaison, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1804. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lindstrand Balloons Ltd Fuel Hoses [Docket No. 2002-CE-50-AD; Amendment 39-13078; AD 2003-05-02] (RIN: 2120-AA64) received April 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1805. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Raytheon Aircraft Company Model 390 Airplanes [Docket No. 2003-CE-13-AD; Amendment 39-13150; AD 2003-07-09] (RIN: 2120-AA64) received April 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1806. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Raytheon Model BAe.125 Series 800A, 800A (C-29A), 800A (U-125), and 800B Airplanes; Model BH.125 Series 400A Airplanes; Model DH.125 Series Airplanes; Model Hawker 800, 800 (U-125A), and 800XP Airplanes; and Model HS.125 Series F3B, F3B/RA, F400B, F403B, 1B, 1B-522, 1B/R-522, 1B/S-522, 3B, 3B/R, 3B/RA, 3B/RB, 3B/RC, 400B, 400B/1, 401B, 403A(C), and 403B Airplanes [Docket No. 2002-NM-268-AD; Amendment 39-13103; AD 2003-07-07] (RIN: 2120-AA64) Received April 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1807. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767-300 Airplanes That Have Been Modified in Accordance with Supplemental Type Certificates (STC) ST00973WI-D [Docket No. 2002-NM-31-AD; Amendment 39-12694; AD 2002-06-16] (RIN: 2120-AA64) received April 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1808. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Robert E. Rust Models DeHavilland DH.C1 Chipmunk 21, 22, and 22A Airplanes [Docket No. 2000-CE-66-AD; Amendment 39-13082; AD 2003-05-06] (RIN: 2120-AA64) received April 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1809. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Robert E. Rust Models DeHavilland DH.C1 Chipmunk 21, 22,and 22A Airplanes [Docket No. 2000-CE-63-AD; Amendment 39-13081; AD 2003-05-05] (RIN: 2120-AA64) received April 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1810. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Moundridge, KS [Airspace Docket No. 02-ACE-12] received April 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1811. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment to Class E Airspace; Presque Isle, ME [Docket No. FAA-2003-14346; Airspace Docket No. 2003-ANE-101] received April 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1812. A letter from the Senior Attorney, RSPA, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Requirements for Cargo Tanks [Docket No. RSPA-98-3554 (HM-213)] (RIN: 2137-AC90) received April 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMAS: committee on Ways and Means. H.R. 810. A bill to amend title XVIII of the Social Security Act to provide regulatory relief and contracting flexibility

under the Medicare Program; with an amendment (Rept. 108–74 Pt. 1). Ordered to be printed.

Mrs. MYRICK: Committee on Rules. House Resolution 197. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 108–75). 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. TIBERI (for himself and Mr. LUCAS of Kentucky):

H.R. 1766. A bill to make permanent the provisions of the Fair Credit Reporting Act and amend the Gramm-Leach-Bliley Act to establish a national uniform privacy standard for financial institutions; to the Committee on Financial Services.

By Mr. KENNEDY of Minnesota (for himself and Mr. SMITH of Washington):

H.R. 1767. A bill to amend title 23, United States Code, to empower State and local authorities with tools to eliminate congestion on the Interstate System; to the Committee on Transportation and Infrastructure.

By Mr. SENSENBRENNER (for himself, Mr. SMITH of Texas, and Mr. COBLE):

H.R. 1768. A bill to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial, and for other purposes; to the Committee on the Judiciary.

By Mr. CRANE (for himself, Mr. RANGEL, Mr. MANZULLO, Mr. LEVIN, Mr. COLLINS, Mr. MCDERMOTT, Mr. LAHOOD, Mr. NEAL of Massachusetts, Mr. SHIMKUS, and Mr. MATSUI):

H.R. 1769. A bill to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States; to the Committee on Ways and Means.

By Mr. BURR:

H.R. 1770. A bill to provide benefits and other compensation for certain individuals with injuries resulting from administration of smallpox countermeasures, and for other purposes;

By Mr. MCCOTTER:

H.R. 1771. A bill to amend the Communications Act of 1934 to prohibit knowingly misinforming the relative of a member of the Armed Forces of the United States that such member is deceased, injured, or missing due to an event associated with their military service; to the Committee on Energy and Commerce.

By Mr. AKIN (for himself and Mr. SCHROCK):

H.R. 1772. A bill to improve small business advocacy, and for other purposes; to the Committee on Small Business.

By Mr. BOEHLERT:

H.R. 1773. A bill to amend the Spark M. Matsunaga Hydrogen Research, Development, and Demonstration Act of 1990, and for other purposes; to the Committee on Science.

By Mr. BOEHLERT:

H.R. 1774. A bill to provide for the establishment at the Department of Energy of a program for hydrogen fuel cell vehicles and infrastructure, and for other purposes; to the Committee on Science, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOODLATTE (for himself, Mr. SMITH of Texas, Mr. GOSS, and Mr. OSBORNE):

H.R. 1775. A bill to amend title 36, United States Code, to designate the oak tree as the national tree of the United States; to the Committee on the Judiciary.

By Mr. PORTMAN (for himself, Mr. CARDIN, Mrs. JOHNSON of Connecticut, Mr. POMEROY, Mr. BLUNT, Mr. MOORE, Mr. UPTON, Mrs. TAUSCHER, Mr. GALLEGLY, and Mr. WYNN):

H.R. 1776. A bill to amend the Internal Revenue Code of 1986 to make today's retirement savings opportunities permanent, to expand and improve retirement savings vehicles, to extend pension coverage through regulatory simplification and small business incentives, to enhance fairness and pension portability, to revitalize defined benefit plans, to provide additional defined contribution plan protections, to assist individuals in preserving their income throughout retirement, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOEHLERT:

H.R. 1777. A bill to provide for the establishment at the Department of Energy of a program for hydrogen fuel cell vehicles and infrastructure, and for other purposes; to the Committee on Science, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BALLENGER (for himself, Mr. ROHRABACHER, Mrs. JOHNSON of Connecticut, and Mr. PORTMAN):

H.R. 1778. A bill to establish a commission on employee ownership; to the Committee on Education and the Workforce.

By Mr. BEAUPREZ (for himself and Mr. BARRETT of South Carolina):

H.R. 1779. A bill to amend the Internal Revenue Code of 1986 to allow penalty-free withdrawals from retirement plans during the period that a military reservist or national guardsman is called to active duty for an extended period, and for other purposes; to the Committee on Ways and Means.

By Mr. BEAUPREZ (for himself, Mr. BLUNT, Ms. GRANGER, Mrs. MUSGRAVE, and Mr. TOOMEY):

H.R. 1780. A bill to amend the Internal Revenue Code of 1986 to eliminate the tax on the net capital gain of taxpayers other than corporations, to exclude interest and dividends from gross income, and to repeal the 1993 income tax increase on Social Security benefits; to the Committee on Ways and Means.

By Mr. BEAUPREZ:

H.R. 1781. A bill to amend the Internal Revenue Code of 1986 to allow an above-the-line deduction for certain expenses in connection with the determination, collection, or refund of any tax; to the Committee on Ways and Means.

By Mr. BECERRA (for himself, Mr. RANGEL, Mr. STARK, Mr. MATSUI, Mr. MCDERMOTT, Mr. NEAL of Massachusetts, Mr. DOGGETT, Mr. ACEVEDO-VILA, Ms. BORDALLO, Mr. CASE, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HINOJOSA, Ms. LEE, Mr. PAYNE, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, and Mr. SERRANO):

H.R. 1782. A bill to amend the Internal Revenue Code of 1986 to change the calculation and simplify the administration of the earned income tax credit; to the Committee on Ways and Means.

By Mr. BURGESS (for himself, Mr. KINGSTON, Mr. BURTON of Indiana, Mr. BOEHNER, Mr. BARTLETT of Maryland, Mr. HALL, Mr. YOUNG of Alaska, Mr. WELDON of Florida, Mr. SESSIONS, Mr. BONILLA, Mr. SMITH of Texas, and Mr. SCOTT of Georgia):

H.R. 1783. A bill to amend the Internal Revenue Code of 1986 to provide taxpayers a flat tax alternative to the current income tax system; to the Committee on Ways and Means.

By Mr. CAMP (for himself, Mr. KLECZKA, Mr. SAM JOHNSON of Texas, Mr. ISRAEL, Mr. MCNULTY, Mr. ROGERS of Michigan, Mr. PAUL, Mr. HAYWORTH, Mr. ENGLISH, Mr. WHITFIELD, and Mr. LEWIS of Georgia):

H.R. 1784. A bill to amend title XVIII of the Social Security Act to update the renal dialysis composite rate; 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. CANTOR:

H.R. 1785. A bill to require the Secretary of the Treasury to redesign $1 Federal reserve notes so as to incorporate the preamble to the Constitution of the United States, a list describing the Articles of the Constitution, and a list describing the Amendments to the Constitution, on the reverse side of such notes; to the Committee on Financial Services.

By Mr. CAPUANO (for himself, Mr. TOWNS, Mr. DELAHUNT, Mr. LEWIS of Georgia, Mr. FRANK of Massachusetts, Mr. SERRANO, Mr. HOLT, Mr. PASCRELL, Ms. WOOLSEY, Mr. SANDLIN, Mrs. MALONEY, Mr. MCNULTY, and Mr. MCDERMOTT):

H.R. 1786. A bill to provide grants to assist State and local prosecutors and law enforcement agencies with implementing juvenile and young adult witness assistance programs that minimize additional trauma to the witness and improve the chances of successful criminal prosecution or legal action; to the Committee on the Judiciary.

By Mr. CASTLE (for himself, Mr. KENNEDY of Minnesota, Mr. PASCRELL, Mr. WILSON of South Carolina, Mr. MCNULTY, Ms. HARMAN, Mr. SMITH of Michigan, Mr. GOODE, Mr. COLE, Mr. FOSSELLA, Mr. MCHUGH, Mr. DUNCAN, Mr. BRADY of Texas, Mr. BEREUTER, Mr. KING of New York, Mr. WALSH, Mr. GILCHREST, Mr. DOYLE, Mr. NEY, Mr. SHIMKUS, Mr. EMANUEL, Mr. EHLERS, Mr. DAVIS of Tennessee, Mr. REYNOLDS, Mr. MCGOVERN, and Ms. GINNY BROWN-WAITE of Florida):

H.R. 1787. A bill to remove civil liability barriers that discourage the donation of fire equipment to volunteer fire companies; to the Committee on the Judiciary.

By Mr. COSTELLO:

H.R. 1788. A bill to amend title XVIII of the Social Security Act to extend the minimum Medicare deadlines for filing claims to take into account delay in processing adjustments from secondary payor status to primary payor status; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRANE:

H.R. 1789. A bill to amend the Internal Revenue Code of 1986 to repeal the income taxation of corporations, to impose a 10 percent

tax on the earned income (and only the earned income) of individuals, to repeal the estate and gift taxes, to provide amnesty for all tax liability for prior taxable years, and for other purposes; to the Committee on Ways and Means.

By Mrs. CUBIN:

H.R. 1790. A bill to provide for the equitable treatment of rural communities in the distribution of Federal disaster assistance, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. CUBIN (for herself and Mr. MCINNIS):

H.R. 1791. A bill to amend the Internal Revenue Code of 1986 to provide an election for a special tax treatment of certain S corporation conversions; to the Committee on Ways and Means.

By Mrs. DAVIS of California (for herself, Mr. KIRK, Mr. BUYER, and Mr. TAYLOR of Mississippi):

H.R. 1792. A bill to amend title 37, United States Code, to alleviate delay in the payment of the Selected Reserve reenlistment bonus to members of Selected Reserve who are mobilized; to the Committee on Armed Services.

By Mr. DEMINT (for himself, Mr. BALLENGER, Mr. CARTER, Mr. BEREUTER, Mr. BRADY of Texas, Mr. CUNNINGHAM, Mr. DOOLITTLE, Ms. GRANGER, Mr. HAYWORTH, Mr. MCKEON, Mr. NORWOOD, Mr. PAUL, Mr. SOUDER, Mr. WICKER, Mr. FRANKS of Arizona, and Mr. MANZULLO):

H.R. 1793. A bill to amend the National Labor Relations Act to protect employer rights; to the Committee on Education and the Workforce.

By Mr. DOOLITTLE (for himself and Mr. OSE):

H.R. 1794. A bill to authorize the Secretary of the Interior to construct and rehabilitate Federal water supply lines associated with Folsom Dam in California, and for other purposes; to the Committee on Resources.

By Mr. GARRETT of New Jersey:

H.R. 1795. A bill to provide that the income tax shall not apply for taxable years during which the taxpayer, or either spouse of a married couple, is serving in the war in Iraq; to the Committee on Ways and Means.

By Mr. HINCHEY (for himself, Mr. OLVER, Mr. LEACH, Mr. FRANK of Massachusetts, Mr. MCDERMOTT, Mr. UDALL of Colorado, Mr. GEORGE MILLER of California, Mr. BROWN of Ohio, Mr. HOLDEN, Mr. OWENS, Mr. GRIJALVA, Ms. LEE, Ms. SCHAKOWSKY, Ms. BERKLEY, Mr. DEUTSCH, Mr. NEAL of Massachusetts, Mr. BECERRA, Mrs. MALONEY, Mr. WEXLER, Ms. BALDWIN, Ms. ROYBAL-ALLARD, Mr. MORAN of Virginia, Mr. CAPUANO, Ms. MCCARTHY of Missouri, Mr. WYNN, Mr. FROST, Mr. KUCINICH, Mr. SPRATT, Mr. RUSH, Mr. BALLANCE, Mr. ENGEL, Mr. FORD, Mr. LYNCH, Mr. HOEFFEL, Mr. HONDA, Mr. SERRANO, Ms. VELAZQUEZ, Mr. PAYNE, Mr. LOBIONDO, Mr. CLAY, Mr. SMITH of Washington, Mr. STRICKLAND, Mr. DICKS, Mr. HOLT, Mr. INSLEE, Mr. MCNULTY, Mr. FATTAH, Mr. BERMAN, Mr. RANGEL, Mr. WEINER, Mr. MARKEY, Ms. WOOLSEY, Mr. MILLER of North Carolina, Mr. STARK, Mr. FARR, Mr. LEVIN, Mr. ACKERMAN, Mr. DELAHUNT, Mrs. CAPPS, Ms. MCCOLLUM, Mr. PASCRELL, Mr. COOPER, Mr. BOUCHER, Mr. MCGOVERN, Mr. LEWIS of Georgia, Mrs. NAPOLITANO, Mr. MOORE, Mr. SIMMONS, Ms. MILLENDER-MCDONALD, Mr. GUTIERREZ, Mr. KILDEE, Ms. HARMAN, Mr. DOGGETT, Mr. JACKSON of Illinois, Ms. CORRINE BROWN of Florida, Mrs. MCCARTHY of New York, Mrs. CHRISTENSEN, Ms. NORTON, Mr. COSTELLO, Mr. LIPINSKI, Mr. HASTINGS of Florida, Mr. KLECZKA, Ms. DELAURO, Ms. ESHOO, Mr. BAIRD, Mr. TIERNEY, Mr. VAN HOLLEN, Mr. NADLER, Mr. ROTHMAN, Mrs. LOWEY, Mr. MICHAUD, Mr. RYAN of Ohio, Mr. SHAYS, Mr. LANGEVIN, Mr. GONZALEZ, Mrs. DAVIS of California, Mrs. TAUSCHER, Mrs. JONES of Ohio, Mr. KENNEDY of Rhode Island, Mr. LAMPSON, Mrs. JOHNSON of Connecticut, Mr. ISRAEL, Mr. SANDERS, Mr. BRADY of Pennsylvania, Mr. HILL, Mr. CARDIN, Mr. FILNER, Mr. PRICE of North Carolina, Mr. GORDON, Mr. BISHOP of New York, Mr. CROWLEY, Mr. WAXMAN, Mr. PALLONE, Mr. MEEHAN, Ms. SLAUGHTER, Mr. MEEKS of New York, Mr. LARSON of Connecticut, Ms. LINDA T. SANCHEZ of California, Mr. MATSUI, Mr. BLUMENAUER, Mr. SABO, Mr. EVANS, Ms. HOOLEY of Oregon, Mr. KIRK, Mr. SCHIFF, Mr. CONYERS, Mr. JEFFERSON, Mr. ALLEN, Ms. JACKSON-LEE of Texas, Mr. LANTOS, Ms. LOFGREN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SMITH of New Jersey, Mr. SHERMAN, Mr. PETERSON of Minnesota, Mr. CUMMINGS, Mr. DEFAZIO, Mr. MENENDEZ, Ms. CARSON of Indiana, Ms. DEGETTE, Mr. TOWNS, Mr. UDALL of New Mexico, Mr. THOMPSON of California, Ms. SOLIS, Mr. BELL, and Mr. THOMPSON of Mississippi):

H.R. 1796. A bill to designate certain Federal land in the State of Utah as wilderness, and for other purposes; to the Committee on Resources.

By Ms. HOOLEY of Oregon:

H.R. 1797. A bill to ensure that exports of Alaskan North Slope crude oil are prohibited; to the Committee on International Relations, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. JOHNSON of Connecticut (for herself and Mr. OLVER):

H.R. 1798. A bill to establish the Upper Housatonic Valley National Heritage Area in the State of Connecticut and the Commonwealth of Massachusetts, and for other purposes; to the Committee on Resources.

By Mr. JONES of North Carolina:

H.R. 1799. A bill to amend the Immigration and Nationality Act to waive the requirement of 2 years of marriage for a spouse to self-petition to be an immediate relative in the case of spouses of citizens killed in service in the Armed Forces and to prohibit any fees relating to posthumous citizenship for aliens killed while on active duty service during periods of military hostilities; to the Committee on the Judiciary.

By Mrs. LOWEY (for herself, Mr. SHAYS, Mr. ABERCROMBIE, Mr. ACKERMAN, Ms. BERKLEY, Mr. BERMAN, Mr. BLUMENAUER, Ms. BORDALLO, Mrs. CAPPS, Mr. CLAY, Mr. CONYERS, Mr. COSTELLO, Mr. CROWLEY, Mr. DEFAZIO, Ms. DELAURO, Mr. DEUTSCH, Mr. DOYLE, Mr. ENGEL, Ms. ESHOO, Mr. FARR, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. GALLEGLY, Mr. GOSS, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HOLT, Mr. HONDA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KILDEE, Mr. KUCINICH, Mr. LANTOS, Mr. LEVIN, Mr. LEWIS of Georgia, Mrs. MALONEY, Mr. MARKEY, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Mr. MCDERMOTT, Mr. MCNULTY, Mr. MEEHAN, Mr. GEORGE MILLER of California, Mr. MORAN of Virginia, Mr. NADLER, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OLVER, Mr. PRICE of North Carolina, Mr. ROTHMAN, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. SLAUGHTER, Mr. SMITH of New Jersey, Mr. STARK, Mrs. TAUSCHER, Mr. TOWNS, Mr. UDALL of Colorado, Mr. WAXMAN, Mr. WEXLER, and Ms. WOOLSEY):

H.R. 1800. A bill to end the use of conventional steel-jawed leghold traps on animals in the United States; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, International Relations, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY (for herself, Mr. WEINER, Mr. RANGEL, Mr. SERRANO, Mr. CROWLEY, Mr. NADLER, Mr. TOWNS, and Ms. SCHAKOWSKY):

H.R. 1801. A bill to accord honorary citizenship to the alien victims of the September 11, 2001, terrorist attacks against the United States and to provide for the granting of citizenship to the alien spouses and children of certain victims of such attacks; to the Committee on the Judiciary.

By Mr. MCDERMOTT (for himself, Mr. SANDERS, Ms. NORTON, Mr. NADLER, Ms. CARSON of Indiana, Mr. EVANS, Mr. OWENS, Ms. SOLIS, Mr. STARK, Mr. KUCINICH, Mr. LANTOS, Ms. LEE, and Mr. FRANK of Massachusetts):

H.R. 1802. A bill to amend the Federal Unemployment Tax Act and the Social Security Act to modernize the unemployment insurance system, and for other purposes; to the Committee on Ways and Means.

By Mr. MENENDEZ (for himself, Mr. MCNULTY, Mr. FROST, Mr. CASE, Ms. LEE, Mr. REYES, Mr. MCINTYRE, Mr. BOYD, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Mr. FARR, Mr. MCGOVERN, Mr. DAVIS of Tennessee, Mr. EMANUEL, Mr. FILNER, Mr. ACEVEDO-VILA, Mr. DAVIS of Florida, Mr. RUPPERSBERGER, Mr. ABERCROMBIE, Mrs. MALONEY, Mr. BERMAN, Mr. UDALL of New Mexico, Mr. ISRAEL, Ms. JACKSON-LEE of Texas, Mr. PETERSON of Minnesota, Mr. BISHOP of New York, Mr. RANGEL, Mr. PASCRELL, Mr. OWENS, Mr. KIND, Mr. JACKSON of Illinois, Mr. PAYNE, Mr. SCOTT of Georgia, Mr. TOWNS, Ms. LINDA T. SANCHEZ of California, Mr. ROSS, Mr. LANGEVIN, Mr. ANDREWS, Ms. KILPATRICK, Mr. MEEHAN, Mr. ORTIZ, Mr. BOSWELL, Ms. LORETTA SANCHEZ of California, Ms. SLAUGHTER, Mr. BACA, and Mr. MARSHALL):

H.R. 1803. A bill to authorize the Secretary of Homeland Security to make grants to reimburse State and local governments and Indian tribes for certain costs relating to the mobilization of Reserves who are first responder personnel of such governments or tribes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OWENS:

H.R. 1804. A bill to raise revenue and reduce large and increasing Federal budget deficits due to the cost of the war in Iraq; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina (for himself, Mr. ETHERIDGE, Mr. MOORE, Mr. MCINTYRE, Ms. CORRINE BROWN of Florida, Mr. BERRY, Mr. HOLT, Mr.

STRICKLAND, Mr. GUTIERREZ, Mr. FROST, Mr. MILLER of North Carolina, Mr. BALLANCE, Ms. LOFGREN, Mr. BALLENGER, and Mr. WATT):

H.R. 1805. A bill to establish a national teaching fellowship program to encourage individuals to enter and remain in the field of teaching at public schools; to the Committee on Education and the Workforce.

By Mr. PUTNAM:

H.R. 1806. A bill to amend the Immigration and Nationality Act to change the requirements for naturalization to citizenship through service in the Armed Forces of the United States; to the Committee on the Judiciary.

By Mr. REYNOLDS:

H.R. 1807. A bill to amend the trade adjustment assistance program under the Trade Act of 1974 to establish a demonstration project to provide self-employment training and assistance to eligible adversely affected workers; to the Committee on Ways and Means.

By Mr. REYNOLDS (for himself, Mrs. BLACKBURN, Ms. GINNY BROWN-WAITE of Florida, and Mr. SOUDER):

H.R. 1808. A bill to amend the Internal Revenue Code of 1986 to allow an immediate deduction for start-up and organizational expenditures in order to spur entrepreneurship; to the Committee on Ways and Means.

By Mr. ROGERS of Kentucky (for himself and Mr. WAMP):

H.R. 1809. A bill to authorize the Secretary of the Interior to acquire Fern Lake and the surrounding watershed in the States of Kentucky and Tennessee for addition to Cumberland Gap National Historical Park, and for other purposes; to the Committee on Resources.

By Mr. SAXTON:

H.R. 1810. A bill to require door delivery of mail sent to persons residing in senior communities; to the Committee on Government Reform.

By Mr. SESSIONS (for himself, Mr. WAXMAN, Mr. ABERCROMBIE, Mr. BACHUS, Mr. BARTLETT of Maryland, Mr. BROWN of Ohio, Mr. CAMP, Mrs. CAPPS, Mrs. CHRISTENSEN, Mr. CROWLEY, Mrs. JO ANN DAVIS of Virginia, Ms. DEGETTE, Mr. DEUTSCH, Mr. DINGELL, Mr. DOYLE, Mr. ENGEL, Mr. FARR, Mr. FROST, Mr. GORDON, Mr. GREEN of Texas, Mr. HINCHEY, Mr. HOEFFEL, Mr. INSLEE, Mr. ISAKSON, Mr. KILDEE, Ms. KILPATRICK, Mr. LANTOS, Mrs. MALONEY, Mr. MARKEY, Mr. MATSUI, Mr. MCNULTY, Mr. GEORGE MILLER of California, Mr. MOORE, Mr. MORAN of Virginia, Mr. MURTHA, Mrs. NORTHUP, Mr. OXLEY, Mr. PALLONE, Mr. PAUL, Mr. PAYNE, Mr. RAHALL, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCOTT of Virginia, Mr. SHAYS, Ms. SOLIS, Mr. SOUDER, Mr. STARK, Mr. STRICKLAND, Mr. TERRY, Mr. THORNBERRY, Mr. TOWNS, Mr. UDALL of Colorado, Mr. WOLF, Mrs. CAPITO, Mrs. JOHNSON of Connecticut, Mr. JOHN, Mr. REYNOLDS, and Mr. KUCINICH):

H.R. 1811. A bill to amend title XIX of the Social Security Act to provide families of disabled children with the opportunity to purchase coverage under the Medicaid Program for such children, and for other purposes; to the Committee on Energy and Commerce.

By Ms. SLAUGHTER (for herself, Mrs. JOHNSON of Connecticut, Mr. TOWNS, Mr. DINGELL, Mr. HINCHEY, Mr. PAYNE, Mr. DEFAZIO, Ms. KILPATRICK, Ms. LEE, Mr. GEORGE MILLER of California, Mr. ABERCROMBIE, Mr. DAVIS of Illinois, Mr. OLVER, Mr. WEXLER, Mr. SHERMAN, Mrs. LOWEY, Mr. LEVIN, and Mr. KUCINICH):

H.R. 1812. A bill to establish a public education and awareness program relating to emergency contraception; to the Committee on Energy and Commerce.

By Mr. SMITH of New Jersey (for himself, Mr. LANTOS, Mr. PITTS, Mr. MCGOVERN, Ms. MCCOLLUM, and Mr. SABO):

H.R. 1813. A bill to amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign centers and programs for the treatment of victims of torture, and for other purposes; to the Committee on International Relations, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SOLIS (for herself, Mr. CANNON, Mr. CONYERS, Mr. DREIER, Mr. FROST, and Mr. MCINNIS):

H.R. 1814. A bill to change the requirements for naturalization through service in the Armed Forces of the United States, to extend naturalization benefits to members of the Ready Reserve of a reserve component of the Armed Forces, to extend posthumous benefits to surviving spouses, children, and parents, and for other purposes; to the Committee on the Judiciary.

By Mr. SPRATT:

H.R. 1815. A bill to amend title 23, United States Code, to direct the Secretary of Transportation to carry out a grant program for providing financial assistance for rail line relocation projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. STARK:

H.R. 1816. A bill to amend the National Flood Insurance Act of 1968 to ensure homeowners are provided adequate notice of flood map changes and a fair opportunity to appeal such changes; to the Committee on Financial Services.

By Mr. STUPAK:

H.R. 1817. A bill to authorize the Secretary of the Army to carry out a dredging project to increase the depth of Menominee Harbor, Menomiee River, Michigan and Wisconsin, from 24 feet to 26 feet; to the Committee on Transportation and Infrastructure.

By Mr. TOOMEY:

H.R. 1818. A bill to amend the Internal Revenue Code of 1986 to expand workplace health incentives by equalizing the tax consequences of employee athletic facility use; to the Committee on Ways and Means.

By Mr. UPTON (for himself, Mr. TOWNS, Mr. CAMP, Mr. COSTELLO, Mr. GREENWOOD, and Mr. JOHN):

H.R. 1819. A bill to provide assistance for poison prevention and to stabilize the funding of regional poison control centers; to the Committee on Energy and Commerce.

By Mr. VITTER (for himself, Mr. CRANE, and Mr. MCCRERY):

H.R. 1820. A bill to amend the Internal Revenue Code of 1986 to allow certain coins to be acquired by individual retirement accounts and other individually directed pension plan accounts, and for other purposes; to the Committee on Ways and Means.

By Ms. WATSON (for herself, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ALEXANDER, Mr. ALLEN, Mr. ANDREWS, Mr. BACA, Mr. BAKER, Ms. BALDWIN, Mr. BALLANCE, Mr. BECERRA, Mr. BELL, Mr. BEREUTER, Ms. BERKLEY, Mr. BERMAN, Mr. BERRY, Mrs. BIGGERT, Mr. BISHOP of Georgia, Mr. BISHOP of New York, Mr. BLUMENAUER, Mrs. BONO, Mr. BOSWELL, Mr. BOYD, Mr. BRADY of Pennsylvania, Ms. CORRINE BROWN of Florida, Mr. BROWN of Ohio, Mr. CAMP, Mrs. CAPITO, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDIN, Mr. CARDOZA, Mr. CARSON of Oklahoma, Ms. CARSON of Indiana, Mr. CASE, Mrs. CHRISTENSEN, Mr. CLAY, Mr. CLYBURN, Mr. CONYERS, Mr. COOPER, Mr. COSTELLO, Mr. CRAMER, Mr. CRANE, Mr. CROWLEY, Mrs. CUBIN, Mr. CUMMINGS, Mr. CUNNINGHAM, Mr. DAVIS of Alabama, Mr. DAVIS of Illinois, Mr. DAVIS of Florida, Mrs. JO ANN DAVIS of Virginia, Mr. DAVIS of Tennessee, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DEGETTE, Mr. DELAHUNT, Ms. DELAURO, Mr. DEUTSCH, Mr. DICKS, Mr. DINGELL, Mr. DOGGETT, Mr. DOOLEY of California, Mr. DOOLITTLE, Mr. DOYLE, Mr. DREIER, Mr. DUNCAN, Ms. DUNN, Mr. EDWARDS, Mr. EMANUEL, Mrs. EMERSON, Mr. ENGEL, Ms. ESHOO, Mr. ETHERIDGE, Mr. EVANS, Mr. EVERETT, Mr. FALEOMAVAEGA, Mr. FARR, Mr. FATTAH, Mr. FILNER, Mr. FORD, Mr. FRANK of Massachusetts, Mr. FROST, Mr. GEPHARDT, Mr. GONZALEZ, Mr. GORDON, Mr. GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. GUTKNECHT, Mr. HALL, Ms. HARMAN, Ms. HART, Mr. HASTINGS of Florida, Mr. HEFLEY, Mr. HERGER, Mr. HILL, Mr. HINCHEY, Mr. HINOJOSA, Mr. HOEFFEL, Mr. HOLDEN, Mr. HOLT, Mr. HONDA, Ms. HOOLEY of Oregon, Mr. HOYER, Mr. HYDE, Mr. INSLEE, Mr. ISRAEL, Mr. ISSA, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JOHNSON of Connecticut, Mrs. JONES of Ohio, Mr. JONES of North Carolina, Mr. KANJORSKI, Ms. KAPTUR, Mrs. KELLY, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Ms. KILPATRICK, Mr. KIND, Mr. KIRK, Mr. KLECZKA, Mr. KUCINICH, Mr. LAMPSON, Mr. LANGEVIN, Mr. LAHOOD, Mr. LANTOS, Mr. LARSON of Connecticut, Mr. LATOURETTE, Ms. LEE, Mr. LEVIN, Mr. LEWIS of California, Mr. LEWIS of Georgia, Mr. LIPINSKI, Ms. LOFGREN, Mrs. LOWEY, Mr. LUCAS of Kentucky, Mr. LYNCH, Ms. MAJETTE, Mrs. MALONEY, Mr. MARKEY, Mr. MARSHALL, Mr. MATHESON, Mr. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Ms. MCCOLLUM, Mr. MCCRERY, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCNULTY, Mr. MEEHAN, Mr. MEEKS of New York, Mr. MENENDEZ, Mr. MICA, Ms. MILLENDER-MCDONALD, Mr. MILLER of North Carolina, Mr. GEORGE MILLER of California, Mr. MOLLOHAN, Mr. MOORE, Mr. MORAN of Virginia, Mr. MURTHA, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OBERSTAR, Mr. OBEY, Mr. OLVER, Mr. ORTIZ, Mr. OWENS, Mr. PALLONE, Mr. PASCRELL, Mr. PASTOR, Mr. PAYNE, Ms. PELOSI, Mr. PETERSON of Minnesota, Mr. PETRI, Mr. PICKERING, Mr. POMBO, Mr. POMEROY, Mr. PORTMAN, Mr. PRICE of North Carolina, Mr. RAHALL, Mr. RANGEL, Mr. REYES, Mr. RODRIGUEZ, Mr. ROGERS of Michigan, Mr. ROHRABACHER, Ms. ROS-LEHTINEN, Mr. ROSS, Mr. ROTHMAN, Ms. ROYBAL-ALLARD, Mr. ROYCE, Mr. RUSH, Mr. RYAN of Wisconsin, Mr. SABO, Ms. LINDA T. SANCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SANDERS, Mr. SANDLIN, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHROCK, Mr. SCOTT of Georgia, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. SHAYS, Mr. SHERMAN, Mr. SHIMKUS, Mr. SHUSTER, Mr. SIMMONS, Mr.

SKELTON, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. SMITH of Texas, Mr. SMITH of Michigan, Mr. SNYDER, Ms. SOLIS, Mr. SPRATT, Mr. STARK, Mr. STENHOLM, Mr. STRICKLAND, Mr. STUPAK, Mr. TANNER, Mrs. TAUSCHER, Mr. THOMPSON of Mississippi, Mr. THOMPSON of California, Mr. TIERNEY, Mr. TOWNS, Mr. TURNER of Texas, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VAN HOLLEN, Ms. VELAZQUEZ, Mr. VISCLOSKY, Mr. WALDEN of Oregon, Mr. WAMP, Ms. WATERS, Mr. WATT, Mr. WAXMAN, Mr. WEINER, Mr. WELDON of Pennsylvania, Mr. WELLER, Mr. WEXLER, Mr. WILSON of South Carolina, Ms. WOOLSEY, Mr. WU, Mr. WYNN, and Mr. YOUNG of Florida):

H.R. 1821. A bill to award a congressional gold medal to Dr. Dorothy Height in recognition of her many contributions to the Nation; to the Committee on Financial Services.

By Ms. WATSON:

H.R. 1822. A bill to designate the facility of the United States Postal Service located at 3751 West 6th Street in Los Angeles, California, as the ''Dosan Ahn Chang Ho Post Office''; to the Committee on Government Reform.

By Mr. WEINER:

H.R. 1823. A bill to prohibit United States assistance for the Palestinian Authority and for programs, projects, and activities in the West Bank and Gaza; to the Committee on International Relations.

By Mr. WELDON of Pennsylvania (for himself and Mr. LANGEVIN):

H.R. 1824. A bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation; to the Committee on Ways and Means.

By —:

H.J. Res. 51. A joint resolution increasing the statutory limit on the public debt; considered and passed.

By Mr. CUMMINGS (for himself, Mr. WYNN, Mr. CARDIN, Mr. RUPPERSBERGER, Mr. BARTLETT of Maryland, Mr. HOYER, Mr. VAN HOLLEN, Mr. GILCHREST, and Mr. OWENS):

H.J. Res. 52. A joint resolution recognizing the Dr. Samuel D. Harris National Museum of Dentistry, an affiliate of the Smithsonian Institution in Baltimore, Maryland, as the official national museum of dentistry in the United States; to the Committee on House Administration.

By Mrs. CAPPS (for herself, Mr. GIBBONS, Mr. CUNNINGHAM, Mr. EVANS, Mr. KIRK, Mr. MENENDEZ, Mr. NEY, Mr. FARR, Mr. PENCE, Mr. LANTOS, Mr. SCHROCK, Mr. CONYERS, Mr. GILCHREST, Ms. DELAURO, Mr. COLLINS, Mr. REYES, Mr. MCCOTTER, Mr. BERMAN, Mr. RYUN of Kansas, Mr. SABO, Mr. UPTON, Mr. EDWARDS, Mr. WHITFIELD, Mr. GRIJALVA, Mr. MCGOVERN, Mr. BALLANCE, Mr. MCDERMOTT, Mr. PASCRELL, Mr. HOLDEN, Ms. CARSON of Indiana, Ms. LINDA T. SANCHEZ of California, Mr. BISHOP of New York, Mr. HINOJOSA, Mr. RAHALL, Mr. FROST, Mr. BACA, Mr. WEXLER, Mr. MARKEY, Mr. EMANUEL, Ms. MILLENDER-MCDONALD, Mr. DAVIS of Alabama, Mr. LARSEN of Washington, Mr. STRICKLAND, Mr. BROWN of Ohio, Mr. TOWNS, Mr. MICHAUD, Mr. WYNN, Ms. KILPATRICK, Mr. JACKSON of Illinois, and Mr. MILLER of North Carolina):

H. Con. Res. 151. Concurrent resolution extending the thanks of Congress and a grateful nation to the Iraqis Mohammed and Iman for their brave actions against oppression and tyranny in providing to United States forces, at great risk to themselves, information essential for the rescue of Private First Class Jessica Lynch, United States Army, on April 1, 2003; to the Committee on International Relations.

By Mr. CUNNINGHAM (for himself and Ms. HARMAN):

H. Con. Res. 152. Concurrent resolution expressing the appreciation of the Nation to the members of the Armed Forces serving in Operation Iraqi Freedom and Operation Enduring Freedom and encouraging communities across the Nation to prepare appropriate homecoming ceremonies to welcome the members of the Armed Forces returning from those operations and to recognize their contributions to homeland security and expansion of freedoms around the globe and to prepare days of remembrance to commemorate the brave service and selfless sacrifice of the members of the Armed Forces who do not return; to the Committee on Armed Services.

By Mrs. MYRICK:

H. Res. 197. A resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules.

By Mr. COLE (for himself, Mr. HAYWORTH, Mr. HERGER, Mr. BARRETT of South Carolina, Mrs. MUSGRAVE, Mr. TIAHRT, Mr. SIMMONS, Mr. CHABOT, Mr. TURNER of Ohio, Mr. WELLER, Mr. GIBBONS, and Mr. SMITH of New Jersey):

H. Res. 198. A resolution expressing the sense of the House of Representatives that France, Germany, and Russia can initially best contribute to the reconstruction of Iraq by the forgiveness of outstanding debt between both Iraq and France, Iraq and Germany, and Iraq and Russia; to the Committee on International Relations.

By Mr. FRANK of Massachusetts (for himself, Mr. LANTOS, Mr. SMITH of New Jersey, Mr. CAPUANO, Mr. COX, Mr. DELAHUNT, Mr. MCGOVERN, Mr. ABERCROMBIE, Mr. OLVER, Mr. ROHRABACHER, Mr. MARKEY, and Mr. PITTS):

H. Res. 199. A resolution calling on the Government of the People's Republic of China immediately and unconditionally to release Dr. Yang Jianli, calling on the President of the United States to continue working on behalf of Dr. Yang Jianli for his release, and for other purposes; to the Committee on International Relations.

By Mr. KUCINICH:

H. Res. 200. A resolution expressing the sense of the House of Representatives with respect to a nationwide Town Hall meeting on the new foreign policy doctrines of the President; to the Committee on International Relations.

By Mr. ROGERS of Michigan:

H. Res. 201. A resolution expressing the sense of the House of Representatives that our Nation's businesses and business owners should be commended for their support of our troops and their families as they serve our country in many ways, especially in these days of increased engagement of our military in strategic locations around our Nation and around the world; to the Committee on Energy and Commerce.

By Mr. SPRATT:

H. Res. 202. A resolution expressing the sense of the House of Representatives that a postage stamp should be issued in honor of John Birks ''Dizzy'' Gillespie; to the Committee on Government Reform.

By Mr. WELDON of Pennsylvania (for himself and Mr. WELLER):

H. Res. 203. A resolution calling for the prosecution of Iraqis and their supporters for war crimes, and for other purposes; to the Committee on International Relations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the followingtitles were introduced and severally referred, as follows:

By Mrs. KELLY:

H.R. 1825. A bill for the relief of Frank Redendo; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 1826. A bill for the relief of Thomas J. Sansone, Jr; to the Committee on the Judiciary.

By Mr. SCHROCK:

H.R. 1827. A bill to authorize the Secretary of Transportation to issue a certificateof documentation with appropriate endorsement for employment in thecoastwise trade for the vessel M/T *Miss Linda*; to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 57: Mr. CARTER, Mr. NEY, Ms. HART, Mr. FRELINGHUYSEN, Mrs. BONO, Mr. HENSARLING, Mr. BRADY of Texas, Mr. MURPHY, Mr. HASTERT, and Mr. BONNER.

H.R. 63: Mr. PLATTS.

H.R. 100: Mr. ISRAEL.

H.R. 196: Ms. LEE and Mr. FILNER.

H.R. 219: Mr CHOCOLA and Mr. BARTLETT of Maryland.

H.R. 235: Mr. FLETCHER, Mrs. CUBIN, Mr. COX, Mr. SAM JOHNSON of Texas, Mr. ENGLISH, Mr. SCHROCK, Mr. KINGSTON, Mr. FORBES, Mrs. EMERSON, Mr. BROWN of South Carolina, Mr. VITTER, Mr. CHABOT, Mr. NETHERCUTT, Mr. SHADEGG, Mr. THORNBERRY, Mr. WALSH, and Mr. TAYLOR of North Carolina.

H.R. 284: Mr. MILLER of North Carolina, Mr. OWENS, and Mr. GOODE.

H.R. 303: Mr. TIAHRT, Mr. BISHOP of Utah, and Mr. LARSON of Connecticut.

H.R. 328: Mr. FRANK of Massachusetts, Mr. MEEHAN, Mr. DELAHUNT, Mr. CAPUANO, Mr. TIERNEY, Mrs. JO ANN DAVIS of Virginia, and Mr. LUCAS of Kentucky.

H.R. 347: Mrs. MALONEY and Mr. STUPAK.

H.R. 428: Ms. HART and Mr. DREIER.

H.R. 433: Mr. ENGLISH and Ms. LOFGREN.

H.R. 434: Mr. BARRETT of South Carolina, Mr. MCHUGH, Mr. BURNS, and Mr. CANTOR.

H.R. 442: Ms. CORRINE BROWN of Florida.

H.R. 465: Mr. WHITFIELD.

H.R. 476: Mr. ROSS.

H.R. 490: Mr. GRIJALVA and Ms. MAJETTE.

H.R. 527: Mr. FRANK of Massachusetts.

H.R. 528: Mr. HOEFFEL and Mr. GUTKNECHT.

H.R. 583: Mr. NORWOOD, Mr. LUCAS of Oklahoma, Mr. PITTS, Mr. ISSA, Mr. BRADLEY of New Hampshire, Mr. HYDE, Mr. GILLMOR, Mr. SMITH of Michigan, and Mr. CARTER.

H.R. 589: Mr. WEINER, Mr. COLE, Mr. GIBBONS, Mr. DOYLE, Mr. BEREUTER, Mr. NEY, Mr. GREENWOOD, and Mr. KLINE.

H.R. 611: Mr. DEAL of Georgia.

H.R. 615: Mr. DEAL of Georgia.

H.R. 645: Mr. NUSSLE, Mr. FILNER, and Mr. BERRY.

H.R. 684: Ms. MAJETTE and Mr. KOLBE.

H.R. 687: Mr. FLAKE, Mr. HYDE, Mr. WELDON, of Pennsylvania, Mr. COX, Mr. STEARNS, Mr. UPTON, Mr. AKIN, Mr. KING of Iowa, and Ms. GINNY BROWN-WAITE of Florida.

H.R. 709: Mr. HILL.

H.R. 713: Mr. MICHAUD.
H.R. 715: Mr. TOWNS.
H.R. 716: Mr. HINOJOSA, Mr. SCHIFF, and Ms. MAJETTE.
H.R. 717: Mr. LYNCH and Mr. MCNULTY.
H.R. 722: Mr. CRENSHAW, Mr. FRANKS of Arizona, Mr. KAPTUR, and Mr. REHBERG.
H.R. 737: Ms. WATERS.
H.R. 754: Mr. PAUL.
H.R. 765: Mr. RAMSTAD.
H.R. 792: Mr. BECERRA.
H.R. 813: Mr. RYAN of Ohio.
H.R. 851: Mr. MICHAUD.
H.R. 857: Mr. UDALL of New Mexico and Mr. PLATTS.
H.R. 872: Mrs. CAPITO and Mr. DEAL of Georgia.
H.R. 876: Mr. DOOLEY of California and Mr. UPTON.
H.R. 879: Ms. BORDALLO, Mr. UPTON, and Mr. GILLMOR.
H.R. 898: Mr. GUTIERREZ, Mr. GONZALEZ, Mr. BECERRA, and Mr. CLAY.
H.R. 935: Ms. MAJETTE.
H.R. 953: Mr. SCOTT of Georgia.
H.R. 957: Mr. SHADEGG.
H.R. 967: Mr. LARSEN of Washington and Mr. WAMP.
H.R. 995: Mr. MILLER of Florida.
H.R. 977: Mrs. KELLY.
H.R. 1046: Mr. ENGLISH and Ms. MAJETTE.
H.R. 1061: Mr. DUNCAN.
H.R. 1068: Mr. MCHUGH, Mr. KENNEDY of Minnesota, Mr. HINOJOSA, Mr. MCINTYRE, Mr. WELDON of Florida, and Mr. BACHUS.
H.R. 1105: Ms. KILPATRICK, Mrs. KELLY, and Mr. DAVIS of Illinois.
H.R. 1108: Ms. CARSON of Indiana, Mr. KUCINICH, and Mr. GUTIERREZ.
H.R. 1115: Mr. CHOCOLA.
H.R. 1146: Mr. TANCREDO.
H.R. 1165: Mr. INSLEE.
H.R. 1168: Mr. JANKLOW.
H.R. 1170: Mr. ROGERS of Michigan.
H.R. 1179: Mr. LINDER.
H.R. 1191: Mr. TAYLOR of Mississippi.
H.R. 1202: Ms. HARRIS, Mr. GARRETT of New Jersey, Mr. ROGERS of Alabama, Mr. FRANKS of Arizona, Mr. ADERHOLT, Mr. BONNER, Mr. RUPPERSBERGER, Mr. BURNS, Mr. WYNN, Mr. BALLANCE, Mr. SANDLIN, Mr. BAKER, Mr. CARTER, Ms. GINNY BROWN-WAITE of Florida, Mr. WILSON of South Carolina, Mr. GINGREY, Mr. BARRETT of South Carolina, and Mr. PUTNAM.
H.R. 1206: Mr. JONES of North Carolina.
H.R. 1207: Ms. LEE.
H.R. 1209: Mr. CUMMINGS, Mrs. JONES of Ohio, Mr. SHIMKUS, Ms. LEE, Mr. SERRANO, Mr. MCDERMOTT, Mr. CASE, Ms. JACKSON-LEE of Texas, Mr. FROST, Mr. ENGEL, Mr. FILNER, Mrs. MCCARTHY of New York, Mr. RANGEL, Mr. OWENS, Mr. MARSHALL, Mr. DEUTSCH, and Mr. NEAL of Massachusetts.
H.R. 1214: Ms. BALDWIN, Mr. HAYWORTH, Mr. VISCLOSKY, and Mr. GUTIERREZ.
H.R. 1231: Mr. DICKS, Mr. BURNS, Mr. COLE, Mrs. MILLER of Michigan, Mr. STRICKLAND, and Mr. RYAN of Ohio.
H.R. 1235: Mr. CRENSHAW.
H.R. 1258: Mr. DOYLE and Mr. KENNEDY of Rhode Island.
H.R. 1261: Mr. TIBERI and Mr. ISAKSON.
H.R. 1270: Mr. BROWN of South Carolina.
H.R. 1276: Mr. KING of New York and Mr. PUTNAM.
H.R. 1294: Ms. BERKLEY.
H.R. 1309: Ms. MCCOLLUM.
H.R. 1310: Mr. POMBO.
H.R. 1336: Mr. SOUDER.
H.R. 1340: Mr. WAXMAN, Mr. FROST, Mr. COOPER, Mr. KUCINICH, Mr. ACKERMAN, Mr. MCNULTY, Mr. HOEFFEL, and Mr. OWENS.
H.R. 1355: Ms. MCCOLLUM.
H.R. 1367: Mr. PETERSON of Pennsylvania, Mr. PRICE of North Carolina, and Mr. BOSWELL.
H.R. 1372: Mr. SOUDER and Mr. MEEKS of New York.
H.R. 1400: Mr. DOGGETT.
H.R. 1414: Mr. BAIRD.
H.R. 1430: Mr. WAXMAN, Mr. MCNULTY, and Mr. PALLONE.
H.R. 1442: Mr. MARSHALL, Mr. BOSWELL, Mr. MCINTYRE, Mr. ROSS, Mr. NEAL of Massachusetts, Ms. BORDALLO, Mr. GREEN of Texas, Mr. COLE, Mr. CARSON of Oklahoma, Mr. CONYERS, Mr. WYNN, Mr. CARDOZA, and Mr. FILNER.
H.R. 1451: Mr. PICKERING, Mr. JONES of North Carolina, Mr. FLETCHER, Mr. BROWN of South Carolina, and Mr. WELDON of Florida.
H.R. 1470: Mr. BLUMENAUER.
H.R. 1472: Mr. MCGOVERN, Mrs. CAPPS, and Mr. COSTELLO.
H.R. 1480: Mr. GUTIERREZ.
H.R. 1508: Mr. CROWLEY.
H.R. 1511: Mr. BEREUTER, Mr. TOM DAVIS of Virginia, Mrs. CAPITO, Mr. ISAKSON, Mr. DEAL of Georgia, Mr. EVERETT, Mr. HUNTER, Mr. GALLEGLY, Mr. HEFLEY, Mr. LINDER, Mr. LOBIONDO, Mr. BARTLETT of Maryland, Mr. COLLINS, Mr. WICKER, Mr. CRANE, Mr. KENNEDY of Minnesota, Mr. BACHUS, Mr. WOLF, Mr. JOHN, Mr. ALEXANDER, Mr. WAMP, Mr. HALL, Mr. COX, Mr. SWEENEY, Mr. CANNON, Mrs. WILSON of New Mexico, Mr. SHIMKUS, Mr. LUCAS of Oklahoma, Mr. LATOURETTE, Mr. MANZULLO, Mrs. BIGGERT, Mr. GARY G. MILLER of California, Mr. TIBERI, Mr. MURPHY, Mr. FLETCHER, Ms. HART, Ms. GRANGER, Mr. HENSARLING, Mr. BOYD, Mr. LUCAS of Kentucky, Mr. HOEKSTRA, Mr. POMBO, Mr. ROHRABACHER, Mrs. JONES of Ohio, Mr. FEENEY, Mr. LATHAM, Mr. CRAMER, Mr. HYDE, Mr. DOOLITTLE, Mr. NORWOOD, and Mrs. NORTHUP.
H.R. 1523: Mr. SESSIONS.
H.R. 1543: Mr. ANDREWS and Mr. DUNCAN.
H.R. 1568: Mr. HINOJOSA.
H.R. 1569: Mr. PAYNE, Mr. LOBIONDO, Mr. PASCRELL, and Mr. FERGUSON.
H.R. 1576: Mr. WEXLER, Ms. MILLENDER-MCDONALD, and Mr. MCNULTY.
H.R. 1586: Mr. HENSARLING.
H.R. 1614: Mr. SCOTT of Georgia.
H.R. 1625: Mr. LOBIONDO and Mr. ANDREWS.
H.R. 1635: Mr. HINCHEY.
H.R. 1643: Mr. MCINTYRE, Mr. ISAKSON, Mr. GRIJALVA, Mr. THOMPSON of Mississippi, Mr. GRAVES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PLATTS, Mr. CARDOZA, and Mrs. NORTHRUP.
H.R. 1662: Mr. CARDOZA and Mrs. EMERSON.
H.R. 1675: Mr. JENKINS, Mr. MCINTYRE, Mr. SHUSTER, Mr. EDWARDS, Mr. TANNER, Mr. GOODE, Mr. BOOZMAN, Mr. ALEXANDER, Mr. SNYDER, Mr. OSBORNE and Mrs. CAPITO.
H.R. 1684: Mr. FROST and Mr. GRIJALVA.
H.R. 1688: Mr. MCNULTY, Mr. BLUMENAUER, Ms. LORETTA SANCHEZ of California, Mr. BROWN of Ohio, and Mr. CAPUANO.
H.R. 1693: Mr. PAUL.
H.R. 1700: Mrs. CHRISTENSEN.
H.R. 1708: Mr. RUPPERSBERGER, Mr. MEEHAN, Mr. TANNER, Mr. STRICKLAND, Mr. CARSON of Oklahoma, Mr. GREEN of Texas, Mr. MCINNIS, Mr. PASCRELL, Mr. DELAHUNT, and Mr. LANTOS.
H.R. 1713: Mr. KENNEDY of Rhode Island.
H.R. 1717: Mr. BLUMENAUER and Mr. SHERMAN.
H.R. 1725: Mr. GARY G. MILLER of California, Mr. LEWIS of Kentucky, Mr. YOUNG of Alaska, Mr. AKIN, Mrs. CUBIN, Mr. POMBO, and Mr. SENSENBRENNER.
H.R. 1738: Mr. HOLT and Mr. LAMPSON.
H.R. 1751: Ms. LEE.
H.J. Res. 46: Mr. CALVERT.
H.J. Res. 48: Mr. FOLEY.
H. Con. Res. 30: Mr. GERLACH and Mr. FOLEY.
H. Con. Res. 56: Mr. CUMMINGS.
H. Con. Res. 78: Mr. STARK.
H. Con. Res. 94: Mr. MCNULTY and Mr. LANGEVIN.
H. Con. Res. 110: Ms. PRYCE of Ohio, Mr. BROWN of Ohio, Mr. SCHIFF, Mr. HAYWORTH, and Mr. UPTON.
H. Con. Res. 114: Ms. JACKSON-LEE of Texas, Ms. LEE, Ms. WATSON, Ms. NORTON, Mr. MCDERMOTT, Mr. STARK, Mr. KUCINICH, Ms. WOOLSEY, and Mrs. JONES of Ohio.
H. Con. Res. 119: Mr. BURNS, Mrs. MYRICK, Mr. CHOCOLA, Ms. WOOLSEY, and Mr. FOLEY.
H. Con. Res. 130: Mr. RANGEL, Ms. KAPTUR, Ms. CORRINE BROWN of Florida, Ms. MCCOLLUM, Mr. PAYNE, Mr. SHERMAN, Mr. JACKSON of Illinois, and Mrs. JONES of Ohio.
H. Res. 60: Mr. SCHIFF, Mr. LAHOOD, Mr. ISAKSON, Mr. CANTOR, and Mr. ROGERS of Alabama.
H. Res. 136: Mr. HAYWORTH and Mr. TIBERI.
H. Res. 137: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. UDAH of Colorado, Mr. MEEHAN, Mrs. TAUSCHER, Mr. LARSON of Connecticut, Mr. DAVIS of Alabama, and Mr. RYAN of Ohio.
H. Res. 142: Mr. HOEFFEL, Mr. DEFAZIO, Mr. PALLONE, Mr. ACKERMAN, Mr. EVANS, Mr. MILLER of North Carolina, Mr. RODRIGUEZ, Mr. MCGOVERN, Mr. GOODE, and Mr. DELAHUNT.
H. Res. 154: Mr. LANTOS, Mr. KELLER, Mr. SKELTON, Mr. MCHUGH, Ms. GRANGER, Mr. SOUDER, Mr. FERGUSON, Mr. FROST, Mr. FOLEY, and Ms. GINNY BROWN-WAITE of Florida.
H. Res. 157: Mr. ABERCROMBIE.
H. Res. 164: Mr. SHAYS and Ms. DELAURO.
H. Res. 174: Mr. NADLER, Mr. MORAN of Virginia, Ms. CARSON of Indiana, and Mr. HOLT.
H. Res. 194: Mr. LANTOS and Mr. STARK.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 108th CONGRESS, FIRST SESSION

Vol. 149 WASHINGTON, FRIDAY, APRIL 11, 2003 No. 59

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable NORM COLEMAN, a Senator from the State of Minnesota.

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, Rev. Dr. Douglas John Waite, CDR, CHC, USN, who is Deputy Chaplain of the U.S. Coast Guard.

PRAYER

The guest Chaplain offered the following prayer:

Our God, thank You for being with us today and every day. Please draw near to us here now in the United States Senate as our Senators labor to accomplish tasks that will benefit Your people the world over.

Lord, You have placed each and every Senator in their positions for this time in our Nation's and the world's history. Impress upon them altogether how You have handpicked them for the affairs at hand. May they seek Your guidance and direction in every discussion, deliberation and vote. Grant them the light of Your presence that leads nearer to the kingdom You are building.

Thank You for all those who have gone before us. May we in this generation continue to pass on the legacy of exceptional leadership our country's ancestors left to us. We ask these things boldly in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable NORM COLEMAN led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS.)

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC., April 11, 2003.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable NORM COLEMAN, a Senator from the State of Minnesota, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. COLEMAN thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 10 a.m., with the time equally divided between the Senator from Texas and the Democratic leader or their designees.

RECOGNITION OF THE ACTING MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic whip is recognized.

ORDER OF BUSINESS

Mr. REID. Mr. President, one of the things we kicked around late yesterday was whether or not on this side we would agree to allow Deborah Cook to be voted on prior to Jeffrey Sutton. The answer is yes. I have spoken to the necessary parties—the majority leader, Senator LEAHY—and we would be agreeable to have Cook be voted on at the time previously scheduled for Sutton. We would agree to do Sutton the following week under the same terms and conditions we had for him. That will be the Monday and Tuesday we get back. I have also spoken with Senator HARKIN, who has concerns about Sutton and wanted considerable time to speak on that. He also agreed. That offer is out there if the majority wants to accept it.

I also announce we have scheduled today at 10:30 the conference on the supplemental, so Members should know we are finally going to go to conference on that and hopefully complete that some time today.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, on behalf of the leader, Senator FRIST, I announce the Senate will be in a period of morning business until 10 a.m. Following morning business, the Senate may begin consideration of the budget resolution conference report which passed the House early this morning. In addition to the budget conference report, the Senate will complete action on the supplemental appropriations conference report when it becomes available, and the Senate may consider S. 196, the digital technology bill.

The majority leader wishes me to say we have a lot of work to get done prior to adjourning for the Easter recess. I inform my colleagues, therefore, that votes are possible throughout the day and Senators should make plans to be here into the evening.

Mr. REID. Mr. President, I apologize to the Senator from Texas; I did not know she was acting as the majority leader and I would not have sought recognition. I apologize to the Senator from Texas.

Mrs. HUTCHISON. I thank the Senator. I understood that.

● 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. President, it is my intention to give a very brief tribute and then ask Senator HAGEL to manage the time on our side. I see Senator LINCOLN is here and I am sure she will manage time for the Democrats for our daily tribute to the troops.

HONORING OUR ARMED FORCES

Mrs. HUTCHISON. Mr. President, as I have said before, every day our troops have been in the field the Senate has opened with a tribute to them. We have had Members from both sides, from many States, talk about their own Members and colleagues. We have talked about different groups in the field. I begin today giving a tribute to a group of Navy reservists from Texas who are making history in Operation Iraqi Freedom.

The unit is the Strike Fighter Squadron that hails from the Joint Reserve base at Fort Worth. As we speak, the members of this outstanding unit are flying jet fighters in combat against Saddam Hussein's evil regime. They are best known by their nickname the ''Hunters.''

When President Bush ordered the Hunters to active duty last October, this distinguished squadron joined the crew of the aircraft carrier USS *Theodore Roosevelt* for duty in the Persian Gulf—the first time since the Korean War that an entire Naval Air Reserve squadron has deployed aboard an aircraft carrier.

Since then, the Hunters have exceeded all of the Navy's requirements. The 12 Hornets that comprise the squadron have flown 1,500 sorties over Iraq. The air crews have made more than 500 landings aboard the *Theodore Roosevelt* at night and nearly twice that number during the day.

But it takes more than just remarkable statistics to truly tell how well the Hunters are serving our Nation. You can hear the pride in their voices. One crew member described the personal sacrifices his comrades were making when he said, ''Some of us are taking pay cuts of $50,000 to $100,000 per year to be out here and make this happen. We're happy to be a part of this ship and this air wing, and we're ready to do our job.'' Many of the pilots left their jobs as civilian airline pilots to fight for our country.

These brave Naval reservists also are facing what many feel is the worst part of a deployment: being away from family. That means missing birthdays, anniversaries, and other important family obligations that are gone forever. Yet they are undaunted. One proud member said, ''We're leaving our jobs and our families behind until this mobilization is done. Several members of the squadron are also geographic bachelors who don't live in Fort Worth, which means that they'll still be away from their loved ones after we've come back to base.''

The feeling among members of the squadron is that each volunteered to serve in the operation they describe as ''America's Big Stick.'' One officer pointed out, ''If our country needs us, we're going to step up, because this job is about something that's bigger than all of us.''

Mr. President, with volunteers like the Hunters, this operation and the future of our national security is in good hands. We owe them and their families a debt we never can repay.

I yield to the Senator from Nebraska.

Mr. HAGEL. Mr. President, the world has been watching images from Iraq, of the Iraqi people celebrating the end of a brutal tyranny, and of the American soldiers who have given the Iraqi people hope for a new beginning.

Over the past 3 weeks, the men and women of America's Armed Forces have shown a degree of precision and professionalism unprecedented in military history. Their commitment to their country builds on the expectations, traditions and character of those who have gone before them. It builds on the traditions of over two centuries of American courage and sense of honor, built by people such as DAN INOUYE, Bob Dole, CHARLIE RANGEL, JOHN MCCAIN and millions of other American veterans.

The end of Saddam's regime does not end our commitment in Iraq. It is only the beginning. America's soldiers will continue to face great risks in Iraq. Lives will continue to be lost.

Restoring order, peace-keeping, and rebuilding in Iraq are the tasks ahead, and our men and women in uniform will be asked to risk their lives to meet these challenges, as they have in bringing an end to Saddam Hussien's tyranny.

Among the many brave men and women who have sacrificed in Iraq, I would like to acknowledge the contributions and sacrifices of those men and women in uniform from my State of Nebraska.

Thousands of Nebraskans are on active duty in the Army, Navy, Air Force, Marines and Coast Guard. Their stories are the stories of America's courage, achievement, and sacrifice in Iraq.

On Monday, Army LTC Mike Presnell phoned his mother in Grand Island, NE. He placed the call on a reporter's phone from the gold-plated bathroom in one of Saddam Hussien's Baghdad palaces, now under coalition control.

Colonel Presnell told his mother about his historic experience and how proud he was of his colleagues.

Nearly 60 years after the first American landed at Omaha Beach, a courageous Omahan landed the first coalition aircraft at Baghdad International Airport.

Piloting an Apache helicopter disabled by enemy gunfire unable to radio for help, CWO 4 Greg Inman, Of Omaha, NEB, touched down shortly after U.S. forces staked claim to the airport. Warrant Officer Inman's landing was the standard for the courageous service that we have come to expect from our forces in Iraq.

CPT Travis Ford, a 30-year-old Marine from Ogallala, NE, lost his life in service to his country. Captain Ford was killed on April 4 when his Cobra helicopter crashed during combat operations near Ali Aziziyal, Iraq. He leaves behind a wife and 2-year-old daughter. He was, in the word's of his father-in-law, a ''Marine's Marine.''

I spoke to his mother and wife yesterday. His mother, Josie Ford said, ''Senator, Travis did something very important for his country. I'm proud of him.'' Mrs. Ford, we're all proud of him.

Our military men and women are the Nation's quiet heroes, for there is no glory in war.

Behind headlines and beyond breaking news, there is the human struggle and the human tragedy. Lives are risked and lost.

The experience of war reinforces the desire for peace. General Douglas MacArthur once said:

> The soldier above all other people prays for peace, for he must suffer and bear the deepest wounds and scars of war.

Our sacrifices in Iraq, we pray, will make a better and more secure life for the people of America, Iraq and the world.

For their service, bravery and sacrifice, in this noble cause of defending freedom and making a better world, I ask my colleagues to join me in recognizing—in honoring—the men and women of the United States Armed Forces. They have always been America's quiet heroes. Upon their sacrifice and courage we are inspired to build a more noble and just world.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas.

Mrs. LINCOLN. Mr. President, I thank all my colleagues on both sides of the aisle for coming down and being a part of what we have to do here in the Senate. It is incredibly important that we pay tribute to our troops. We see much progress over recent days in the conflict in Iraq, in our efforts to topple a totalitarian regime that has been incredibly harsh on its people. The progress we have seen is incredible, and it is due to the unbelievable professionalism and training of the service men and women in the Armed Forces of the United States. They have done an incredible job. They have had the best technology. We have had the best individuals, professionally trained, out there making an enormous difference.

I think all you have to do is look at what we have done in Baghdad on the Iraqi regime's strategic sites, where we have tried so diligently and our forces have been so successful in minimizing what has happened to the civilians in Iraq. We have also seen the joy on the faces of the Iraqi people as they have seen the liberation from a regime that has been so daunting to them.

I come from a rural State. It is most important, certainly when you live out

in the rural areas, to have good neighbors because you depend on your neighbors for a lot, whether you need to borrow a cup of sugar or you need someone to help you bring your crops in from the field or, more importantly, the way we depend on our neighbors to help us as a community in raising our families, making sure we are safe.

We are in a global community now. Our actions in Iraq that will follow—and in neighboring countries—in rebuilding not only Iraq but certainly the alliances we have with other countries, are going to be so important. These are our neighbors in the global community.

I think we are all anxious to see other nations join, those that may not have been there during the war, in making sure those alliances will be made and that we will have a concerted effort globally in rebuilding Iraq and the total of the Middle East because we all understand how important it is in the global community for us to have good neighbors. There is no doubt the Iraqi people, with the assistance of the U.N., the United States, and other alliances and neighbors, can build a very strong democracy which will be a guidepost as well as a good example for others.

I, too, want to reach out to our soldiers, our men and women in the armed services. One of the most important thoughts I have heard from some of our service men and women is for us here in the States and at home to reach out to their families. We have an incredible opportunity, as Senator HUTCHISON has said, to recognize those missed birthdays—they have missed births altogether—important dates, and other events. Let's make sure in our communities we reach out to those families; that we lift them up in our prayers and reach out in ways in which we can be helpful. I think one of the greatest ways we can honor the men and women who are serving us in the Armed Forces is to reach out to their families and make sure we are supportive.

I know we have a medical unit out in Jonesboro, AR, that is headed now to Washington to finish up training in Walter Reed. They will be shipped out shortly after that to Kuwait. We are seeing new families who are obviously having their loved ones shipped out. We want to make sure we continue the process of supporting them.

As we look to that rebuilding, we know the reconstruction in Iraq is going to be challenging. But because of the professionalism, because of the technical aspects of the Armed Forces of the United States, the rebuilding will be not nearly as challenging as that of past wars because we have been able to determine where we wanted to make the biggest impact and target that without disturbing, as much as was possible, the overall community in Iraq, particularly civilians.

We pay tribute once again to the troops, to our service men and women. We are very proud of their professionalism, their technical capabilities. We lift up their families once again as a body in prayer for all of them.

I now yield to the Senator from Montana, Mr. BAUCUS.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. BAUCUS. Mr. President, I would like to take a minute to honor the contributions of Montanans serving overseas. There are thousands of Montanans in harm's way. Today I would like to mention a few.

Army SGT Charles Horgan is a soldier with the Army's 1st Battalion, 30th Infantry Scout Platoon of Fort Benning, GA. Many of you undoubtedly heard the stories of battle outside of the Iraqi city of An Nasiriyah. Sergeant Horgan was a Humvee gunner in the lead scout unit. His vehicle encountered a group of Iraqis in Bedouin robes running the other direction.

A wire-guided missile struck the bridge, blowing him from his gunning position. Shrapnel from the rocket tore open his leg and foot and wounded the driver, SSG. Jamie Villafane. For the next 10 minutes, their unit was engulfed in a shootout with enemy troops. Charles Horgan, part of his right heel blown off, crawled to safety. Horgan is currently recovering at Walter Reed.

It is not known if Horgan will ever walk again unaided. He is 21 years old from Helena, MT, and a graduate of Helena High—my alma mater. He is an aspiring artist who loves drawing. I wish him the best as he recovers, and I take my hat off to him.

I talked to him on the phone the night before last. I have talked to his parents a couple of times. He will be on his way home to Montana very shortly. He is a terrific young man.

Navy E3 Phillip Lance Stewart, 20, a 2001 graduate of Great Falls High in Great Falls, MT, is a firefighter aboard the USS *Abraham Lincoln* in the Persian Gulf.

Lance, the son of Chuck and Gail Stewart and grandson of Delphine Murphy, all of Great Falls, told his family in a short phone call recently that the letters and boxes from family and friends is what keeps all of them going.

He also really misses his brothers and sister—and that is a lot to miss because Lance has six brothers and sisters, including a twin brother.

Lance's family has decorated his house with big yellow ribbons and can hardly wait until Lance is home again, safe and sound.

Army PFC Sedar Steinert, 19 a former North Middle School and Skyline Alternative School student from Great Falls, MT, was deployed to Iraq with the 2nd Armored Cavalry Regiment, with headquarters at Fort Polk, LA.

Sedar's unit is providing artillery and scout support on the road to Baghdad. We all hope for his safe return.

SP Ryan Richard Carpenter was born in Dillon, MT. His family currently resides in Belgrade and Dillon, MT. His parents are Richard and Julie Carpenter. Specialist Carpenter joined the Army Reserve in 1997 and met his wife in 2001. His wife is also in the Army Reserve, the couple met while serving an Army Reserve drill weekend that was focused on night vision goggle training.

During the drill weekend the couple's squad's call name for the training exercise was Ammo 3. That is what they called it: Ammo 3. From that chance encounter, the couple soon realized that they signed up for the Army Reserve in the same month of the same year, but met by chance roughly 4 years later. The couple was married later that year

Specialist Carpenter was called up to active on February 7, 2003, and is serving with the 811th Ammunition Ordnance Company, based out of West Virginia. The unit has been stationed at Camp New York since arriving in Kuwait and will soon be going into Iraq to provide ammunition support for the 101st Airborne. Specialist Carpenter was able to contact his wife from Kuwait and let her know that he had arrived safely and was in good health.

During the conversation, Specialist Carpenter explained to his wife that he was assigned night vision goggles for use while driving his HumVee, and every time he picks them up, he thinks of the weekend he met her, both doing such training. Hearing this, his wife smiled and tenderly cried over the telephone, ''Ammo 3!'' The couple then reminisced about the weekend they met and then came to a joint resolution: It was the United States Army that brought them together, and it was the only entity that could temporarily separate them.

Specialist Carpenter is deeply loved and missed by his wife, family and friends, and they pray for his safe and expedient return.

PFC Jeremiah Coyne of Dillon, MT, went to boot camp during the summer between his junior and senior year of high school. He entered the National Guard after graduation. Not content simply to serve as a guardsman, he went to Active Duty and is now serving proudly in the gulf region. We pray for his safety.

PFC Adam Eversole recently celebrated his 22nd birthday in Kuwait, where he was deployed on March 15 as an ambulance nurse. After losing his mother, this caring, religious young man enlisted, following in the footsteps of his father who served and was wounded in Vietnam.

After receiving the news that he was headed for Kuwait, he wrote his Grandmother, ''Let's remember, I have Jesus with me always, and He will look over me and keep me safe. When I get back, I hope to come and see you and visit Montana.'' It will be a grateful Montana that greets him.

Marine CPL Patrick O'Connell is serving in the Unit Fox 25, attached to the Second Tank Battalion in Iraq. He is a committed public servant who has already been of great service to our

State, both as a community lifeguard and as a wildland firefighter. He courageously helped battle the devastating wildfires of 2000. Now he has extended that generosity of character to serve our entire Nation, and he deserves the gratitude of us all.

Brock Patera of the Army's 40th transportation company will undergo review on April 15 to become a Sergeant in the U.S. Army. He is busy earning that rank in the desert. He spends long, difficult, dangerous hours behind the wheel of a Humvee. His platoon has been sleeping on the ground and unable to receive mail, but like so many countless others around him, he remains committed to the task at hand. We wish him luck in his coming review and a safe return to his wife Cassandra and his 15-month-old son Devin, who miss him dearly.

John Falconer of the 7th Marines Motor T surprised his parents on the morning of April 1 with a phone call from the front lines.

The phone call was made on a cell phone borrowed from CNN correspondent Martin Savage. Savage is imbedded with John's unit. John had repaired the fuel pump on Savage's Humvee, and the phone call was offered in thanks. This was the first time his parents had heard the sound of their son's voice in almost a month. When asked what he needed the most, John told his mother, ''a mattress.'' He told his mother that because he slept on the ground, the dirt was so embedded in his pores it would never come out. In the face of hardship, John has remained strong and committed to the task before him. He is in our prayers, and we all hope for his safe return.

Mr. President, this is not a complete list of folks from Montana serving our Nation. There are many, many more. I do not plan to return to the Senate floor every day to give stories, but I do plan to return frequently with more stories. I believe that the job our troops are doing is a dangerous one and that they are upholding the freedom we, as a nation, hold so dear. We honor them and wish then continued success and a safe return.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, last Saturday I visited Fort Campbell, which is on the line between Kentucky and Tennessee. It is the home of the famous 101st Airborne Division. It is also the home of a couple of Army Special Forces units we don't hear so much about. Almost all of them are in Iraq today. Some have been there for a long time.

What was nice about Saturday was the Secretary of the Army was there and held and attended a luncheon in honor of the families. Awards were given to members of the families of the service men and women who were there and those who support our troops at home.

I heard a great many stories, as you might imagine, about bravery, dedication, and professionalism. One was a story about a major whose unit was advancing on a mosque when a crowd of Iraqis thought there was about to be some damage done to the cleric. The major had the presence of mind to order all of the men and women in his unit to go down on one knee and point their guns to the ground. It signaled to the Iraqis that they were there to help them, not to hurt them.

But one of the most interesting stories that came out of the 101st Airborne Division in Fort Campbell is one I would like to report this morning to the Members of the Senate. It is about a special group of Tennesseans who embody the qualities that make our Nation exceptional. You may have seen the piece on the news about them on CBS News last week. They exemplify why our State is called the Volunteer State. It is our nickname. More importantly, their story reminds us of the meaning of family.

These men belong to a Tennessee Army National Guard artillery unit from Chattanooga. The Secretary of the Army reminded me that more than half of our National Guard men and women and reservists have been deployed in one way or another since 9/11. They are a big part of what we are doing today. We have one integrated army, as he says.

But these men whom I am talking about are part of an Army National Guard artillery unit from Chattanooga that is training at Fort Campbell. Like many units, they may be deployed any day.

While I have endless gratitude for all of the men and women who are serving, this unit is special. There are seven fathers and sons in this unit; that is, two generations of seven families who are willing and ready to fight for the United States.

They are SSG Rick Mullins and his son SP Jeff Mullins; 1SG Cody Mosier and his son SP Tim Mosier; SSG Jasper Ellis and his son SSG Mike Ellis; MAJ Paul Ballinger and his son PFC Ryan Ballinger; SGT James Kittle and his son SP Jeb Kittle; SSG Roy Ware and his son, SP Jeff Ware; SFC Jimmer Bolden and his son, SP Corey Bolden.

SP Jeb Kittle got out of the Army last summer but signed on recently with the Reserve battalion to serve with his father, James. In an interview, Specialist Kittle said it would be a once-in-a-lifetime experience to go into battle with his father beside him. He said, ''Everyone feels confident that we can complete the mission and bring everybody back alive.'' That is what we pray for every day, that the conflict is swift and the troops will come home safely.

SSG Jasper Ellis and his son, Mike, said they hope for the best; that they go in and come back together. And while none of these father-son guardsmen are assigned to fight side by side, SSG Rick Mullins said no matter what, he and his son will take care of each other. He recalled, with tears in his eyes, when he told his wife that he would give his life before anything would happen to their son.

To hear the love and respect these men have for each other is inspiring and reminds us that we are all in this together. It reminds us of the respect we have for the men and women of our Armed Forces. That seven fathers and sons from one National Guard unit in Chattanooga would be training together at Fort Campbell to defend our country in case they are deployed is something of which I am very proud. I wanted to call the attention of the Senate to it today for my home State of Tennessee.

Mr. CORZINE. Mr. President, today I rise to pay tribute to the brave men and women from New Jersey, and from throughout the United States, serving our Nation overseas.

Mr. President, words cannot adequately express the debt of gratitude that Americans throughout our country feel for the sacrifices made by the brave men and women serving in the Middle East, and by their families. Many of these families are anxiously awaiting the return of loved ones from overseas, while others are grieving the loss of loved ones who have made the ultimate sacrifice for their country.

At this moment, several thousand News Jerseyans are deployed in Iraq and the surrounding region to participate in Operation Iraqi Freedom. They deserve our support and our prayers. The people of my State are honored by their service.

New Jersey, like many other States, has unfortunately experienced the grim realities of war. On march 29, Cpl Michael Edward Curtin became the first New Jersey resident killed in battle in Iraq. Earlier, Sgt James Riley, another New Jerseyan, was captured by Iraqi forces in an ambush near Nasiriyah.

Mr. President, Cpl. Michael Curtin was only 23 when he was killed in a suicide bombing at a checkpoint in Iraq. His parents, Michael and Joan, had to endure the most terrible loss any parent can imagine: the death of a child—their son. They should take comfort, along with his brother, Daniel, and his three sisters, Katherine, Jennifer and Stephanie, that all of New Jersey mourns with them. The family is proud of Michael and knows he did not die in vain.

Mr. President, Michael Curtin graduated from Howell High School in 1998, where he was a standout on the football team. He then worked at the Petro-Packaging Company in Cranford before joining the Army. He was posted with the Army's 1st Brigade, 3rd Infantry Division, where he was part of the spearhead that led the invasion in Iraq. Although I did not know him personally, from those who did, he was an impressive and courageous young man—committed to his family, committed to his country.

Mr. President, along with Senator LAUTENBERG, I joined Michael's family, friends and community this morning to

attend his memorial. It was a sad and moving experience. I saw a family deep in mourning. A community deep in mourning. And it was hard not to be overwhelmed by the terrible loss they have endured. The love they have for Michael.

At the same time, through all the sadness and the tears, there also was a certain sense of pride. A well-deserved sense of pride. Because as tragic as their loss is and forever will be, it was a loss that was not in vain. It was a loss fought on behalf of an ideal. It was a loss that reflected Cpl. Curtin's commitment to his community. And his sacrifice on behalf of his country.

That commitment represented the best of America. And his family and friends should know that all Americans share in their grief and honor them for their sacrifice, as well.

Mr. President, while the family and friends of the late Cpl Curtin remain in mourning, the family and friends of Sgt James Riley also are suffering, though not without hope.

Mr. President, Athol Riley describes Sgt Riley, his son, as practical-minded, strong and stubborn. And we pray that these traits will fortify him during his captivity in Iraq. James was with the 507th Maintenance Company where he repaired tanks and serviced Patriot missile batteries for the Army. His unit was ambushed near the Euphrates River and he, along with four other soldiers, were taken captive. I know I speak for all of New Jerseyans when I express our deepest hope for his swift and safe return to New Jersey. We pray for his safe return.

Mr. President, Sgt Riley was born in New Zealand and moved to Pennsauken, a town in South Jersey when he was ten years old. He joined the military immediately after high school and has spent the last thirteen years serving his country. Sgt Riley is a man of many talents. He is known as a science fiction buff and has taught himself to play the guitar. We all hope and pray that he will return to his family very soon.

Mr. President, Cpl Michael Curtin and Sgt James Riley are just two of the outstanding individuals serving in our armed services who have made tremendous sacrifices and paid a tremendous price for their country. All of our troops, and all of their families, deserve the thanks of our entire Nation. I know I join all New Jerseyans in praying for our warriors' continued safety, and for a swift, decisive and successful end to the war.

Mr. GREGG. Mr. President, I rise today to express my thanks, and the thanks of all the citizens of New Hampshire, to the amazing men and women of our United States Armed Forces, and to our coalition partners. We all are very impressed with the incredible success of our military effort in Iraq, especially the professionalism, discipline, and expertise of our soldiers, sailors, airmen, and marines.

George Washington said, ''Discipline is the soul of any army. It makes small numbers formidable.'' And truly, our relatively small force has been very, very formidable. In about twenty days, they advanced some five hundred miles, while engaged in combat, and have taken Baghdad. They have fought with great skill and have acted professionally throughout, and they have accomplished this feat, with just slightly over a hundred deaths—that is an extraordinary act of military expertise.

Our reserve forces, the American citizen soldiers, have been major contributors in this effort. Patriots from New Hampshire have served our Nation with honor and distinction from Bunker Hill, to Afghanistan—and now they continue to carry on that tradition, serving in support of our nation's war on terrorism and in support of the coalition's Operation Iraqi Freedom.

While New Hampshire is a small state, over 1,000 members of our Reserves and National Guard have been called to active duty. Those called include: 290 Air National Guardsmen from the 157th Air Refueling Wing; the 260th Air Traffic Control Squadron; the 157th Security Group; and 39 Army National Guardsmen from the 1st Battery of the 172nd Field Artillery; the 114th Public Affairs Detachment; and 526 Army Reservists from the 94th Military Police Company; the 368th Engineer Battalion; the 362nd Public Affairs Detachment; and 167 Marine Reservists from B Company, 1st Battery, 25th Marines; and 13 Navy Reservists from the 4th Marine Division 125th Battery; the Amphibious Construction Battalion 2, Detachment 101; the CINC US Atlantic Fleet, Mobile Ashore Support Group; and the Submarine Support Facility, HQ Detachment 101.

They have left their homes and are serving as military police, engineers, air traffic controllers, pilots, public affairs specialists, and in other specialties, both within the United States, and abroad, in Southwest Asia, Cuba, Kosova, and the Middle East. I especially want to thank our citizen soldiers, their families, their employers—each in their own way, is making a sacrifice for our nation.

We can take tremendous pride in what our military has done, and especially in what our soldiers, marines and special forces have done on the ground, and in the fact that the results have turned out extremely positive. We have freed a people who have been oppressed by an extremely criminal regime that has killed literally tens of thousands of Iraqi people over the years. We are now seeing the people of Iraq suddenly freed, and their reaction to that freedom is so positive, and genuine. They are realizing that finally Saddam Hussein is not going to rule them any longer.

So, many are justifiably excited that we have had success up to this point—but there is still a long way to go in this war. There are many pockets of resistance still to be addressed. But as we move forward toward Tikrit and other parts of Iraq, I would expect that Saddam Hussein's evil regime will continue to collapse. Hopefully we are looking at better days for the Iraqi people.

Abraham Lincoln said, ''Let us have faith that right makes might, and in that faith, let us, to the end, dare to do our duty as we understand it.'' Now, 143 years later, another president, George Bush, has also clearly seen our nation's duty—and he has demonstrated the courage to pursue it to a just end.

We are a nation which goes into an event like this for good purposes. I believe the world will see that we have delivered a country into freedom—and provided their people an opportunity for a better life. We can take pride in that as a nation.

Mr. FEINGOLD. Mr. President, I rise today to offer my sincere thanks to the men and women of the U.S. Armed Forces and their families.

Last October, I voted against the resolution authorizing the use of force in Iraq and believe it was right that in recent months the country debated the wisdom of using military action against Iraq at this time. But the military action that is now underway unites us as we focus on our ongoing support for our troops. I am confident in their abilities, and I hope for their safe and quick return to their families. Even more so now that this action has begun, my thoughts, and the thoughts of all Americans, are with our service men and women, and with their families.

The dedicated men and women of our military spend time away from their homes and families in different parts of the country and the world, and are placed into harm's way in order to protect the American people and our way of life. We owe a huge debt of gratitude to all our soldiers, sailors, airmen, marines, and members of the Coast Guard for their selfless service.

These brave individuals have volunteered to place themselves into harm's way on our behalf. Too many of them have made the ultimate sacrifice on the battlefields of Iraq. Many others have been injured. Some have been taken prisoner by our adversaries, while others remain unaccounted for.

We honor the memory of those who have given their lives and pray for their families, we wish a speedy recovery to the injured, call for the prompt and safe release of those taken prisoner, and call for an accurate accounting for those listed as missing.

Each person serving in our military has his or her own story and reasons for enlisting. All of them are brave, dedicated men and women who have made tremendous personal sacrifices on our behalf.

Young men and women who at this time last year were looking forward to their senior proms and high school graduations are now half way across the world protecting our country.

Parents who a year ago worried if their children would make their curfews now fear for their safety in a far off land.

Our thoughts are with these brave young men and women as we see and hear reports of their acts of heroism and patriotism.

One such brave young man is Petty Officer Third Class Scott Wickland of Spooner, WI. This 20-year-old sailor, who is serving aboard the USS *Constellation* in the Persian Gulf, was an integral part of the April 1 rescue of two Navy pilots whose plane ended up in the water after a suspected malfunction while taxiing on *Constellation's* flight deck. It was Petty Officer Wickland's job to be lowered into the water from a rescue helicopter and to swim out to the pilots and make sure they were brought aboard the helicopter and then returned to the carrier. All three returned to the *Constellation* safely.

This story is all the more poignant because Petty Officer Wickland's uncle, his mother Mary's 20-year-old brother, drowned just a year before Scott was born. This accident affected Mary Wickland deeply, and she named her son Scott Daniel in memory of her brother, Daniel Osborne. She also saw to it that all of her children learned how to swim. More than two decades later, Petty Officer Wickland used his swimming skills to save two lives.

Petty Officer Wickland and his fellow military personnel represent the best among us, and serve as examples of the dedication to others to which all of us should aspire.

MAJ Kevin G. Nave, a former resident of Port Washington, WI, was another example of the best whom America has to offer. Major Nave, who was assigned to the 3rd Battalion, 5th Marine Regiment, 1st Marine Division, Camp Pendleton, CA, was tragically killed on March 26 in a vehicle accident in Iraq. He leaves behind a wife, two young children, and many other grieving family members and friends.

Major Nave and his family lived in Port Washington for about 3 years prior to his transfer to Camp Pendleton last year. While in Wisconsin, Major Nave served as an inspector instructor with Fox Company, 2nd Battalion of the 24th Marine Combat Infantry unit. In addition, he served his local community as an adviser to the Southeast Wisconsin Young Marines, a coordinator for the Marine Corps Toys for Tots program, a member of the Milwaukee Armed Services Committee, and as a Marine community outreach coordinator for area schools. Friends say that he loved his family, being a marine, and his Harley-Davidson motorcycle. He organized the first local Armed Forces Week Harley Ride last year, and he and his fellow service men and women will be honored following this year's event.

I extend my deepest sympathy to the Nave family and to their friends in Port Washington and elsewhere.

I also extend my best wishes for a speedy recovery to those who have been injured while serving in the Persian Gulf.

LT Terence W. Bacon of Allenton, WI, was one of the members of the 101st Airborne Division's 1st Brigade injured at Camp Pennsylvania, Kuwait, on March 22. He is currently recovering from the wounds he sustained in this incident.

SP Patrick McDermott, who was called to active duty as a member of the Madison-based 1st Battalion of the 147th Aviation HHSc of the Army National Guard, was wounded in the Persian Gulf and is currently recovering.

Marine Cpl Bret Woolhether from Fond du Lac, WI, suffered shrapnel wounds in fighting near Nasiriyah on March 27. Despite his injuries, Corporal Woolhether is eager to return to duty.

The servicemen about whom I have spoken today are just a few examples of the many Wisconsinites and hundreds of thousands of Americans who serve our country in the Armed Forces.

The war in Iraq and the fight against terrorism are turning upside down the lives of Active-Duty, National Guard, and Reserve personnel and their families. These men and women seek to do their duty to our country and honor commitments to their families, and, in the case of the National Guard and Reserves, to their employers. As of April 9, more than 221,000 National Guard and Reserve personnel were serving on active duty, and many more can be expected to be called upon in the future.

Some Wisconsinites are facing the latest in a series of multiple activations and deployments for family members. Others are seeing their loved ones off on their first deployment. All of these families share in the worry and concern about what awaits their relatives and hope, as we do, for their swift and safe return.

We owe it to our military personnel and their families to do everything we can to support them in this difficult time. I will continue to work to ensure that our troops and their families have the resources that they need, both to combat our adversaries and to provide for their families, during this tumultuous time and when they return home.

We hope for a quick and decisive victory for our troops, and look forward to the day when we can welcome them home into the embrace of a grateful Nation.

Mr. NICKLES. Mr. President, over the past few days we have seen dramatic proof that the brutal regime of Saddam Hussein is nearing its end. Like many Americans, I have been thrilled and heartened by the dramatic images of United States troops helping Iraqi citizens tear down statues and paintings of this brutal tyrant. For the first time in their lives, many Iraqis are tasting freedom, and it is beautiful. I am proud of our military and America's commitment to make the people of the Middle East more free.

While our fighting men and women will surely face more difficult days ahead, the end of this war is in sight, and I rise to honor four men who made the ultimate sacrifice one can make for their country. One of them was a native Oklahoman, and three were adopted Oklahomans by virtue of their service at Fort Sill in Lawton. I consider each of them heroes.

LCpl Thomas Alan Blair was Oklahoma's first known casualty in Operation Iraqi Freedom. This 24-year-old Broken Arrow native was killed on March 23 in a fierce battle near Nasiriyah when an enemy rocket propelled grenade hit his amphibious assault vehicle.

Tommy graduated from Broken Arrow High School in 1997, but had decided long before then that he would be a marine. He chose his career nearly a decade ago when he watched his older brother, SSgt Al Blair, graduate from boot camp. In a way, he followed in his brothers's footsteps, but his family will tell you that he would have been a marine no matter what. ''He truly wanted to help people,'' said his brother.

SFC Randall S. Rehn, 36, was a veteran of the first gulf war. His wife and baby daughter expected him to come home to Lawton in August. In his last known contact with his family, Rehn expressed his desire to come home quickly and his hope that ''this is the last time I'm leaving my family for so long.'' Friends testify that Randy's greatest passions in life were people, family, and friends.

Randall Rehn died April 3 amid fierce fighting for control of what is now Baghdad International Airport. He is survived by his wife Raelynn and daughter Megan, of Lawton, as well as his family in Colorado.

Two fellow members of his Multiple Launch Rocket System of C Battery, 3rd Battalion, 13th Field Infantry Regiment from Fort Sill died in the same fight: SGT Todd Robbins and SP Donald Oaks.

One of eight brothers and sisters, Todd Robbins, 33, served in the Navy for the first gulf war before joining the Army. He leaves behind a wife at Fort Sill and a 13-year-old son. ''He always wanted to be in the Army,'' said his father Dale Robbins. ''He lived, ate, and slept the Army. He loved it.''

Donald Oaks would have turned 21 on April 26. He was a bright young man who was good at math and computers. Also, he enjoyed playing baseball and fishing with his dad. He joined the Army to get money for a college education after his service. His mother Laurie Oaks said, ''He was my best friend and was always my hero. He still is.'' He was engaged to be married.

Tragically, the deaths of SGT Robbins and SP Oaks were said to be a result of friendly fire in the form of coalition bombs. While our military always works to prevent such accidents, they always occur during war fighting.

The fact that their deaths were accidental in no way diminishes their sacrifice. They gave their lives to protect us, our freedoms, and to make people they had never met, half-way around the world, free in their own country.

As reports from Iraq begin to tell the story of Iraqis enjoying their long-

awaited freedom, it is important that we remember men like these who paid for that freedom with their blood.

Before our troops so bravely put their lives on the line, there was no such freedom in Iraq. Iraqi citizens were subject to the cruel and brutal whims of a mad dictator. They lived every moment in the oppressive grip of a regime whose power knew no limits. They lived in fear with rape, torture, and murder always in their minds.

Because LCpl Blair, SFC Rehn, SGT Robbins, and SP Oaks were willing to lay down their lives for freedom, many citizens of Iraq are awaking to a new day, and the world is now a safer place.

As we watch the final days of Saddam Hussein's evil regime unfold, let us never forget that the freedom we enjoy every day in America is bought at a price.

LCpl Blair, SFC Rehn, SGT Robbins, and SP Oaks did not die in vain. They died so that many others could live freely. And for that sacrifice, we are forever indebted. Our thoughts and prayers are with them and their families today and with the troops who are still fighting to liberate Iraq.

Mr. President, I yield the floor.

Mr. ALLARD. Mr. President, it is with great sadness, but greater pride, that I rise today to recognize a true warrior and Colorado native who gave of the ultimate sacrifice. SFC Randall Rehn, of Niwot, CO, served with honor and distinction.

Sergeant Rehn was killed during one of the most significant events of this war. His vehicle was destroyed during the fight to take Saddam International Airport. It is because of sacrifices such as Sergeant Rehn's, a tyrant and his oppressive regime will be defeated.

While I grieve for the loss of Sergeant Rehn, my pride and respect abound. I know that Colorado, as Gov. Bill Owens said, ''has gained a hero.'' My prayers go out to the family of this fallen hero and hope they know this country honors Sergeant Rehn's sacrifice and recognizes their loss.

Mr. President, I wish to salute a fallen soldier of the great State of Colorado. Capt. Russell Rippetoe gave the greatest sacrifice in the service of his country and for the freedom of his fellow Americans.

Captain Rippetoe joined an Army ROTC unit while he attended Metro State College in Denver. He entered the Army's elite Ranger unit and served in Afghanistan before being deployed to Iraq. Captain Rippetoe continued his family's proud tradition of serving his country. His father retired as a lieutenant colonel.

I think his family said it best when they said, ''Russell loved this nation and America has lost a true American hero.'' I want to echo that sentiment by saying that Colorado has lost a warrior, a great citizen, and a son.

Mr. President, I also stand today to acknowledge a true hero. Colorado said farewell to one of its own. Marine Cpl Randall Rosacker was laid to rest, as he requested, in a Colorado veterans graveyard with full military honors.

Corporal Rosacker served this great Nation proudly in Afghanistan and gave the ultimate sacrifice in the war with Iraq. He was killed in a firefight early in the war, but paved the way to future success on the battlefield. His service to the country will always be remembered and appreciated.

Corporal Rosacker was born in Alamosa and still has strong Colorado roots with grandparents and great-grandparents still residing in Colorado. My prayers go out to the family of this fallen hero and hope they know this country honors Corporal Rosacker's sacrifice and recognizes their loss. Today I ask the Senate to recognize this great American as Colorado has.

And I ask we recognize one of the heroes of the war in Iraq. LCpl Thomas Slocum of Thornton, CO, was killed in action while defending the principles of freedom and justice against a brutal dictator's regime.

Corporal Slocum's unit was ambushed by a group of Iraqis who cowardly indicated they were surrendering and then opened fire. He was a brave and patriotic son of Colorado. He will be remembered by all as ''proud to be a marine.'' He believed in what he was doing over there.

Though any loss of life is tragic, we as Americans can hold our heads high because of the sacrifices of our servicemen such as Thomas Slocum. My prayers go out to the family of this fallen hero and hope they know this country honors Corporal Slocum's sacrifice and recognizes their loss.

Mr. GRASSLEY. Mr. President, I rise today to pay tribute to SP James Kiehl, who gave his life for his country as part of Operation Iraqi Freedom, and to express my deepest sympathy to his family. SP Kiehl was part of the 507th Ordnance Maintenance Company, which was ambushed in southern Iraq. While we still don't know for sure what happened that day, U.S. forces later recovered his body during an operation in which they rescued another member of James's company, PFC Jessica Lynch. My prayers are with James's father in Comfort, TX and James's wife, Jill, Des Moines, IA. Since James left their home in Texas to go to war, Jill has been staying with her parents in Iowa where she is expecting their first child. I can only imagine how difficult this time must be for her. Although their child will never meet James, the child can take comfort knowing that SP Kiehl died a hero and a patriot.

James Kiehl will be missed by a great many people who were a part of his life. I know I join all Iowans in expressing my support for Jill in her time of loss. Just as she will keep James's memory alive, it is our duty to recognize and remember James's sacrifice. In fact, I understand that James Kiehl spoke to his father about his military service saying that he did not want to raise his son in a world of terrorism; and so his service has helped to make us all safer. We must not forget those who have paid the immeasurably high price in the name of freedom. Liberty-loving Americans like James Kiehl deserve our unending gratitudes.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. 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, what is the parliamentary status of the Senate as we speak?

The PRESIDING OFFICER. The Senate has no business pending.

Mr. REID. We hate to admit that is the way it is. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE SCHEDULE

Mr. REID. Mr. President, we have had in our cloakroom numerous phone calls. I have spoken to a number of Senators. We have military funerals going on around the country people wish to attend. We have two Senators now in attendance at a military funeral. We need to move on with the business of the Senate. We are here, ready to go.

The reason I say this is that throughout the day I will get inquiries from Senators about why can't we move along more quickly. We are going to ask that our member of the Budget Committee go forward with his statement on the budget. If there is no one here from the other side, that would be unfair. But I hope we can get to this soon because if we use all 10 hours on the budget alone, we are not going to finish until approximately 10:15 tonight—I am sorry, 8:15 tonight. There will be a lot of concern about that.

We still have the supplemental. We are going to conference at 10:30. We have a lot of work to do. I am disappointed that we are not on the budget now. Senator CONRAD is ready to go. As I have said two times already in my brief discussion, we are having a lot of inquiries about people wanting to go home for the work period that we have scheduled.

We hope everybody understands that 10 minutes this morning is 10 minutes lost this afternoon. Airplanes need to be made.

Mr. WARNER. Mr. President, I inquire of the distinguished leader, on our side, we are quite anxious to act on the nomination of MG Steven Blum to become the National Guard Commander. All 50 States are involved. The Armed Services Committee unanimously voted him out yesterday.

Mr. REID. We will be happy to look at that. Maybe if we get on the budget—if it is cleared—we can get off the

budget for a short time and clear that. I think we need to get the time running on the budget.

Mr. WARNER. I thank the assistant leader. He represents so many guardsmen who are now fighting valiantly. I thank the Senator.

Mr. REID. Some of whom, from Nevada, have been killed in combat in the war in Iraq.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

FISCAL YEAR 2004 BUDGET—CONFERENCE REPORT

Mr. NICKLES. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of the conference report to accompany H. Con. Res 95, the concurrent budget resolution for fiscal year 2004.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will report the budget resolution conference report.

The assistant legislative clerk read as follows:

The Committee of Conference on the disagreeing votes of the two Houses on the amendment of the Senate to the concurrent resolution (H. Con. Res 95), establishing the Congressional budget for the United States Government for fiscal year 2004, and setting forth appropriate budgetary levels for fiscal years 2003 and 2005 through 2013, having met, have agreed that the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, signed by a majority of the conferees on the part of both Houses.

Mr. REID. Mr. President, I ask the Budget Committee chairman if he will yield for a question.

Mr. NICKLES. Certainly.

Mr. REID. As I said a few minutes ago, on our side there is real angst as to when we might finish this budget conference report. We have 5 hours on our side. At this stage, we have the intention of using most all of that time. I am wondering, from your perspective, how much of your time are you going to use? It is important for people who are bouncing around the country.

Mr. NICKLES. Did the Senator say they have the intention of yielding most of their time?

Mr. REID. Using the time.

Mr. NICKLES. I am happy to work with my colleagues to find a mutually agreed upon time for debate and for final passage. We have up to 10 hours, as my colleague knows. That would have us voting at 8 o'clock tonight. I hope we can reduce that. I will work with colleagues on both sides to make it mutually agreeable.

Mr. REID. I thank the Senator.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. NICKLES. Mr. President, for the information of our colleagues, I urge our colleagues to stay in town today on this particular Friday before an April Easter recess. We have a vote on the Senate budget conference report, which we are now debating. We have a vote on the urgent DOD request, the war supplemental. That will be voted on today. I expect we will also have a vote on debt limit extension. Maybe that can be done by voice, maybe not. I urge colleagues to be here today.

Those are the three very important issues to be resolved today. We will try to work with all of our colleagues to expedite consideration of all three measures, and I will be happy to accommodate and yield time and work with people. We need to pass all three bills. I look forward to working with all involved Senators to come to the conclusion of all three bills.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, if I may direct a question to the chairman, we are willing to work in any way possible to get the budget passed and the supplemental passed.

I think the Senator should be forewarned that I doubt very seriously if there will be a debt extension passed today. We spoke at some length a week ago with the majority leader. We will be happy to work with the leader on a freestanding bill. We need a day on that, but that doesn't mean 30 minutes or an hour. We have a number of people who have indicated to us that they want to offer amendments on the budget extension.

The majority leader is quoted in the press as saying he thinks we can do the supplemental and the budget resolution, but he doesn't think we can do the debt limit. I want the chairman to know we agree with the majority leader.

Mr. NICKLES. Mr. President, I appreciate the comments of my colleague and friend from Nevada. I will bump that up to a higher level between the majority leader, minority leader, and my friends. It was my understanding it needs to be done this week before we left. I have not consulted with Treasury—the Secretary of the Treasury in the last week or so. It was my understanding it really needed to pass before the April break. Maybe that is not the case. It may be my friend from Nevada and others have done their tax returns and paid such enormous taxes that we are in great shape. There is usually an April bump in revenues. That is my main concern. We don't like being in the situation where we are borrowing funds from civil service retirements and so on, which has happened in the past, and may be happening now. I will be happy to bump that up to the majority and minority leaders. It was my understanding it needed to be done prior to our leaving for this break.

Mr. REID. Mr. President, very briefly, if I may, I think every time a debt limit extension has come before the Congress, I have voted for it. I believe we have debts and we should pay them. I will likely vote for this one. But there are some people who don't think as I do and they want some time to talk on this.

The majority leader has the commitment of Senator DASCHLE and myself and Senator CONRAD that we will work with them to get the debt limit extension passed. We need a little bit of time to do that.

Just on a personal note, I have been checking my banking on line every morning to see if my return is back. I am expecting that money to come back soon. It has been 4 weeks now and it is not here. I am a little disappointed.

Mr. NICKLES. I yield the floor and 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. NICKLES. 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. NICKLES. Mr. President, as we begin the debate on the budget for fiscal year 2004, I will make a couple of comments. One, I compliment my colleague, Chairman NUSSLE, in the House. It has been a pleasure to work with him.

Passing a budget is never easy. I have been critical in the past, such as when last year we did not get a budget passed, but I have a better appreciation for how difficult it is. Particularly when we have a great big number of 51 on our side, it is not an easy job. So I compliment Chairman NUSSLE and thank him for his work and cooperation.

We had many hours working together trying to formulate a budget that would pass both the House and the Senate. It is a great deal easier said than done. We have come forward with a budget this year that accomplishes a lot of major objectives. We balance the budget. We balance the budget in 9 years, not 10. When we brought it before the Senate, it was balanced in 10 years, in 2013. Now we balance it by the year 2012.

It is a budget that allows and encourages growing the economy. The economy has not been growing. Frankly, we will never balance the budget if the economy is not growing. This budget allows and provides for a growth package.

This is a budget that will help us win the war on terrorism. We fully fund the President's request for national defense and homeland defense.

It includes the war supplemental that Congress is going to pass tonight. The Senate passed it a week ago, and we will end up passing it as well today. It fully funds homeland security and the President's request.

It also is a budget that allows us to modernize Medicare. We did not get that done last Congress. We should have, but we did not. Almost everybody says they are in favor of it, but because we did not have a budget, we did not have protection on the floor. We did not even have markup in the committee. We did spend some time on it on the floor, but we were not successful. This is a bill that says we will

spend up to $400 billion not just to provide a drug benefit but also to strengthen and improve Medicare, not just for the current beneficiaries but for future generations as well.

It is a budget that maintains spending discipline. It grows domestic nondefense discretionary, but barely—about 2.3 percent over 2003 levels before the supplemental. We limit spending with enforceable caps for the next 2 years.

Budgets are not easy. They are not pretty. The process is difficult. It is long. It is tedious. It is tough. It is not the easiest committee of which to be a member. I thank all members of the Budget Committee who helped us build this budget.

When we convened early this year, we had seven Budget Committee hearings. The President submitted his budget on February 3. We passed a large appropriations bill, the 2003 appropriations bill, on February 13. These were appropriations from the previous year. We did not get a budget last year, and we did not get appropriations last year.

Why did we not get the appropriations bills done? Because the House and the Senate were arguing what the appropriate level would be. There was never a budget, so this was not an agreement on how much we should spend. And because we did not have the agreement, we could not manage. It just did not work. And the Congress did not work. Last year was a very frustrating year, largely because we did not have a budget. In February of this year, we ended up passing last year's appropriations bill. Eleven of the thirteen bills passed in February. On March 7, CBO submitted the reestimate of the President's budget, and then on March 12 and 13, the Senate Budget Committee marked up the President's budget. We had 2 days of markup. We had 32 amendments considered, 23 rollcall votes, and we passed it out of the committee on March 13.

Then we had the longest consideration of the budget maybe in Senate history. I will have to look back, but we had 7 days of debate on the floor. The Budget Act provides for 50 hours, but we had 50 hours plus many more hours because we had a very extended number of rollcall votes. We had 81 amendments considered on the floor. Fifty-one were decided by rollcall votes, and 31 by voice votes which adds up to 82, including final passage.

We have had a challenging conference. We had a very challenging conference, after both the House and Senate passed a bill, because we had differing expectations of what could pass, particularly as it related to the growth package. The House wanted, and they passed, a growth package of $726 billion. The Senate passed a package of $350 billion. The Senate could not pass more than $350 billion, it looks like, and the House would not accept $350 billion. It is kind of hard to have reconciliation in a conference agreement if there are irreconcilable differences.

What did we do? Well, we were a little innovative and we came up with giving different instructions to the House and the Senate, certainly legitimate in parliamentary procedure. It has not been done before, so we gave an instruction to the House. The House has an instruction of $550 billion on the growth package. The Senate has an instruction of $350 billion on the growth package. The difference is to be decided by the conference. I think I know where the votes are. I will tell my friends and colleagues, I know Chairman GRASSLEY very well. I expect that I will be a conferee, and we do not expect to bring a bill out of conference unless it will pass the House and the Senate. We want it to become law. We do not want to make political statements. We want to help the economy grow. That is our objective.

So hopefully we will have a budget and a growth package. I think it is more important to have a budget than even having a growth package. I think we have to have fiscal discipline. The budget amounts to $2.2 trillion. The growth package is somewhere between $350 billion and $550 billion over 10 years. Over 10 years, we are going to spend about $30 trillion. I think we have to have some management of that $30 trillion in the next 10 years.

If we did not pass a budget last year and we do not pass a budget this year, then we have really no budget. The former Director of the Congressional Budget Office said the budget process is dead. I called him and told him: I beg to differ with you, but if we were not successful in passing a budget this year, it would be dead. If we had 2 consecutive years and Congress did not pass a budget, then certainly it would be dead, for all practical purposes. There would be no budget enforcement. There would be no pay-go. There would be no rules against spending on extraneous measures. This budget has enforcement.

I will mention a couple of other things. We have inherited a very difficult thing. A lot of people are going to come to the floor today and they are going to decry how large these deficits are and say: Woe is me, how come we have all of these deficits? It is because of the tax cuts.

That is not actually factual. The fact is we have large deficits because revenues have declined dramatically—not because of tax cuts but because of the economy. Revenues fell 2 years ago, 1.7 percent. Last year, they fell 7 percent. Combined, that is about a 9-percent reduction in revenues in the last 2 years. Simultaneously, spending went up 12 percent; revenues went down 9 percent. Spending went up 12.2 percent, and we went from a surplus of $129 billion to a deficit of $159 billion in 1 year.

What caused that? A soft economy, a stock market collapsing. People will later say that is because of President Bush's policies. That is not correct. The NASDAQ fell 50 percent between March of 2000 and December of 2000, so the market started collapsing under President Clinton. I want to make sure people know where this collapse came from. Revenues started falling like a rock because the stock market started collapsing. Maybe the stock market had irrational exuberance going up, but it fell dramatically and that cut off revenues. A lot less capital gains, less personal income tax, and revenues declined to the Federal Government.

Also, we had something called a terrorist attack on the United States on September 11 in the year 2001. That has cost this economy and it has brought a lot of outlays to the Federal Government—outlays to respond to terrorism, outlays to protect us against terrorism, outlays to rebuild both New York and Washington, DC. As a result, outlays have gone up and expenses to the economy have been dramatic. It is hard to calculate how significant it has been.

So we have the confluence of several things. We already had a stock market declining dramatically, we had a soft economy, then we had September 11 on top of that, which has made revenues go down and expenditures go up.

What can we do? We have to show fiscal discipline. We have done that in this budget. Despite attempts by many to increase spending by over $1 trillion, we held the line on nondefense spending. It will only grow by a couple of percentage points. That is compared to spending that has been growing at dramatic increases in past years. The year before last, it was 12 percent alone in discretionary spending. When I talk about spending, sometimes we talk about discretionary and sometimes we talk about entitlements, but discretionary spending, the amount of money we control, had been increasing at enormous levels. We contained that growth. In nondefense, as I mentioned, spending growth has been limited to a couple of percentage points.

We do a couple other things. We reinstill discipline. We have caps on discretionary spending. We have enactment of changes. If you want to call something emergency, you have to have 60 votes. We prohibit advance funding which was done more often than it should have been, advance funding where you not only appropriate for the next fiscal year but maybe for the next couple of years. We prohibit that.

Let me mention a few more. Spending growth in 2004 will be 4 percent. Defense spending in 2004 is 2.4 percent in budget authority. The last 5 years it has been 7.6 percent; nondefense spending growth in 2004, 2.9 percent. The average was 7.9 percent. In defense, I mentioned we fully fund the President's request to fight the war on Iraq. We have included the war supplemental. We fully fund homeland security. That is an increase of 18.4 percent in 2004. We have a $3 billion increase over the President's request in 2000 for the Department of Education. Those are programs such as IDA, title I, No Child Left Behind. Veterans health

care is the largest increase ever, 14.7 percent. I have mentioned Medicare and our efforts there. We also have a pay-go point of order, to limit mandatory increases or revenue decreases in excess of those provided in the budget.

We did something else, and I want to make sure my colleague from North Dakota listens to this because we can work together on this. The House—to their credit, I would say—proposed hundreds of billions of dollars in savings in entitlements. The President did not propose those; we did not propose those. I had to think maybe we need to be looking at entitlements. We did not get that done in this budget when we had the opportunity. We did not do it. And I did not call for it to be done because I didn't think Congress was ready. I want Congress to get ready. I want the authorizing committees to start doing oversight.

We require in this resolution the House and the Senate authorizing committees to submit findings to the Budget Committee identifying instances of waste and fraud and abuse in programs within their jurisdictions. There are a lot. We have not had extensive oversight on a lot of programs in years, for whatever reason. Blame me, blame all of us; we need to do more. We are requesting and actually directing each of the committees to give us identified areas where they think we can make savings. Those need to be submitted by the authorizing committees by September 2 of 2003, and we will use those in the Budget Committee to develop future budget resolutions. We do not want to dictate to the authorizing committees, but we want to work with the authorizing committees to get real results, real savings, real oversight.

It bothers me a lot when we find out we have actually hundreds of billions of dollars estimated to be lost in errors or waste—in some programs it is 20 or 30 percent.

Regarding the earned-income tax credit program, I believe CBO did a study, and it was something like an error rate of close to 30 percent. That is not acceptable. We need to make sure Government is more efficient and more effective.

I look forward to the debate on this resolution. I hope our colleagues consider it vitally important to pass a budget. We will be grossly irresponsible if we do not. It is easy to throw stones and sticks and say I don't like this so we will just vote no. But, conversely, we have to govern. We considered alternatives, and they did not pass. I urge our colleagues to consider this budget. I urge Members to vote for final passage some time later this afternoon.

Mr. President, I ask unanimous consent that quorum calls be charged equally from now on during the course of the debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from North Dakota.

Mr. CONRAD. Mr. President, this is, I believe, the worst budget this Chamber has considered perhaps in its history. It is radical, reckless, dangerous, and extreme. At a time of record budget deficits, it proposes to cut revenues by over $1.3 trillion and increase spending by over $1.1 trillion, driving us deeper into deficits and debt.

It explodes deficits when we are at war, the cost of which is unknown, and right on the eve of the retirement of the baby boom generation which will dramatically increase the cost of Social Security and Medicare.

Make no mistake, the cost of the massive tax cuts in this budget explode at the very time the cost to the Government of the baby boom generation's retirement explodes. There can only be one result, and that is to drive this country off the cliff into deficits and debt on a scale and magnitude never seen in this country's history. That is not just irresponsible, it is wildly irresponsible.

This budget is not a document that represents a conservative approach to governance. It is radical and it is extreme. It says deficits do not matter, that taking virtually every penny of the Social Security trust fund surpluses to fund tax cuts for the wealthiest among us, is the priority for this Nation.

This budget flunks every test of fiscal responsibility and basic fairness. This budget proposes taking trillions of dollars raised from the payroll taxes of middle-class Americans, generated to support Social Security, and uses them to fund an income tax cut overwhelmingly for the benefit of the most wealthy among us.

The President's proposal, which this budget resolution seeks to support, would give a $90,000 tax reduction to those earning over $1 million a year and funds it by taking the payroll tax money of middle-class Americans to pay for it. To the extent it is not paid for by that mechanism, it borrows the money and charges the cost to future generations. That is class warfare of an extreme nature. It takes from the many to give to the few.

The proponents of this budget claim it contains a growth package. It does not. It contains a radical expansion of deficits and debt that can only undermine our long-term economic strength and security. Oh, yes, it will give a momentary and modest lift to the economy. But like the drug addict who gets a momentary high, it will be inexorably followed by the lows brought on by the deadweight of deficits and debt.

The best economists in America tell us that this budget proposal hurts long-term economic growth and threatens our economic security because it is all financed by borrowed money. It is a borrow-and-spend philosophy that doubles our gross national debt over the next decade, right before the baby boom generation retires. This is the time we should be paying down debt or prepaying the liability we all know is to come. Instead, this budget says: Forget about what we know is happening and what is about to happen; let's live for the moment and not worry about the future.

As bad as this budget is—and it is bad—the process that brought it here is even worse. I believe it represents an attack on the Constitution itself. Our Founding Fathers intended the Senate to be the place where a determined minority could slow down and perhaps even stop measures that the minority believed could damage our country. So the Senate adopted the right to unlimited debate and the ability to offer unfettered amendments. The budget process used in this conference report has never been done before and fundamentally denies Senators those basic rights. The process, called reconciliation, which restricts Senators' rights to debate and amend, has been twisted like a pretzel into something unrecognizable from what was intended.

Reconciliation was meant to provide a fast-track process to reduce deficits, and now it is being used to explode them. Understand that this budget says both bodies, under the reconciliation provisions, are instructed to cut taxes by $550 billion. If anybody believes this is a measure to cut taxes by $350 billion under reconciliation, that person is profoundly misled. The instruction says clearly: Cut taxes by $550 billion under these fast-track procedures that mean Senators are denied the basic protection of unlimited debate and amendment.

In the next breath, the Senate is told to forget that instruction because there will be a supermajority point of order in the Senate if it is followed. But in the conference committee, the higher tax cut can be adopted and come back to the Senate and be passed on a simple majority vote under special time limits and with restrictions on amendments that deny every Senator their most basic rights.

All this was made possible by a procedure never considered or debated in either body. This scheme was concocted in the conference committee without a single member of the minority present—not one. We were locked out. So four members of the Senate majority, with two members of the House majority, have constructed a procedure, never contemplated in either Chamber, which allows the special restrictions and limitations of reconciliation to apply to a tax cut that never passed this Chamber.

This stands the plain meaning of reconciliation on its head. No true reconciliation between the House and the Senate has ever occurred. There was no true meeting of the minds. So they conjured up a new point of order in the conference committee as a figleaf to hide their failure.

Colleagues should understand the extreme nature of what is being done. If a conference committee can add new provisions never debated or contemplated in either Chamber, and do so without the minority, where does it end? Could an abusive minority of the

majority, in a conference committee, decide that a supermajority point of order would apply to an individual Senator's right to offer an amendment? Could just a handful of Senators and House Members in a conference committee create a supermajority point of order against amendments on a particular subject? What is to prevent a minority of the majority in a conference committee from fundamentally altering the rights of individual Senators?

This way lies chaos and a descent into unconstitutional government. Mark my words, the Senate will live to regret this day. Unintended consequences, we have seen in the past, flow from very little things.

In 1975, a tax cut of $6 million was used as precedent for using the reconciliation process that was designed for deficit reduction. It was used as a pretext to allow tax cuts of over $1 trillion, tax cuts that have pushed us now into deep deficit and growing debt.

This is what has been agreed to in the conference committee. The reporting has been almost uniformly wrong.

They say the tax cut permitted is $550 billion. That is not true. The tax cut in this budget resolution is $1.3 trillion, and that does not count the associated interest costs. It is only one part of the tax cut which is $550 billion. That is the so-called reconciled amount. Those are the amounts that will move under special protection, that will restrict Senators' right to amend, restrict Senators' right to unlimited debate, fundamentally restrict the determined minority's ability to stop what they believe will damage this country in a fundamental way.

I hope anybody voting on this understands. If you vote for this budget resolution, you are voting for $1.3 trillion of tax cuts, of which $550 billion is reconciled, moving under special protection that fundamentally restricts the Senators' basic rights to amend and debate.

Mr. SARBANES. Will the Senator yield for a question?

Mr. CONRAD. I am happy to yield.

Mr. SARBANES. If you count in the additional interest costs which would have to be incurred to do this tax cut because of the borrowing that would be necessary to fill the deficit gap created by the loss of revenues from the tax cut, what would the cost of this tax cut be?

It seems to me eminently reasonable that one also ought to factor in the interest costs associated because you have to borrow money in order to do the tax cut. Am I correct that we would have to borrow money in order to do the tax cut?

Mr. CONRAD. The Senator is on to something very important. Really, this understates the cost of the tax cut. The tax cut that is in this resolution, $1.3 trillion, has an additional cost, the associated interest cost, because this is all borrowed money. That would be another about $300 billion.

So the total cost goes to $1.6 trillion—truly stunning when we are already at record budget deficits, when we are at war, the cost of which no one knows, and when we are on the eve of the retirement of the baby boom generation. So there can only be one result; that is, to dramatically explode deficits and debt.

Mr. SARBANES. May I ask the Senator one more question about his chart before he puts it down?

Mr. CONRAD. Yes. I would be pleased to yield.

Mr. SARBANES. There is all this focus about this $550 billion figure being the amount of the tax cut. But as I understand it, the $550 billion figure is only part of the tax cut that is in the budget resolution. This is the part that would proceed under the special procedures, the so-called reconciliation, which prevents extended debate in order to address the issue. The budget resolution provides $550 billion there, but it also provides an additional $725 billion in additional tax cuts. Now, they would have to go through the regular procedure, but, nevertheless, that is $1.3 trillion. And then you add the interest, and you are talking about $1.6 trillion tax cuts, at a time when we are in budget deficit.

Mr. CONRAD. RECORD budget deficit.

Mr. SARBANES. I understand. In fact, I understand that the budget deficit for this year is now projected to be twice as much as it has ever been before—an absolute record budget deficit.

Mr. CONRAD. Yes. We now estimate the budget deficit, under this budget resolution, will be between $500 and $600 billion for this year alone on a $2.2 trillion budget. Some have said these deficits are small. There is nothing small about them. They are massive. They are record. They are the biggest we have ever had in dollar amount.

If we look back to 2 years ago when we were told that we could expect—instead of deficits—nearly $6 trillion of surpluses, we now know, if we adopt what is before us, instead of $5.6 trillion of surpluses—if we adopt the budget resolution before us—we will have over $2 trillion of deficits over that same period.

Mr. SARBANES. Will the Senator yield for a question on that chart?

Mr. CONRAD. I am happy to yield.

Mr. SARBANES. In January of 2001, when this administration first came in, we were projecting out, over the 10-year time period, a surplus of $5.6 trillion. At the time, President Bush, and his Republican supporters, said: Well, we are going to run this huge surplus. We should do a tax cut because we don't want to be taking taxes just to build up a surplus.

Well, a lot of people said: Don't be so sure about that. Let's not rush into it. Why don't we pay down the debt some more? We are finally doing that.

No, no, they wanted to do this big tax cut because we had a projected surplus. Well, they did their tax cut. They rammed that through here.

Now we are projecting big deficits, and they want to do another big tax cut, even though they are projecting big deficits.

Whatever the fiscal situation is—big surpluses or big deficits—it makes no difference; they are bound and determined to do tax cuts for very wealthy people.

As I understand it, analysis of the President's tax proposal shows that almost 50 percent of the benefits of that tax cut go to the top 1 percent of the population. Almost 75 percent of it goes to the top 5 percent of the population.

So there is this absolutely zealous drive for big tax cuts for very wealthy people regardless of the Nation's fiscal situation and regardless of the fact that this proposal is going to drive us deeper into deficit and deeper into debt. Isn't that the situation?

Mr. CONRAD. It is the situation. And what is most stunning about it is that it is all done at the worst possible time: at a time we are at war, the cost of which none of us can know; and also on the eve of the retirement of the baby boom generation, a cost we do know because the number of people eligible for Social Security and Medicare are going to double.

And I believe this proposal is very clear. If this is adopted, this will head us in the direction of massive cuts in Medicare, in Social Security, and most of the rest of Government as we know it.

I think it is absolutely foreordained, if this is adopted, you will see proposals that will be cloaked in the soft language of reform which will hide deep cuts in Social Security, in Medicare, and all other parts of Government. You can really have no other outcome because you have record budget deficits now; and what this proposal is, is to cut taxes by $1.3 trillion, not counting the interest cost, to increase spending by $1.1 trillion over the so-called baseline, including the interest cost. What you are left with, then, is even deeper deficits, right on the brink of the retirement of the baby boom generation which starts in 2008, which we all know what it will lead to. And I will show, as we go through this presentation, where that leads.

Mr. SARBANES. Will the Senator yield for a further point?

The Senator made reference to the context in which we find ourselves. I am frank to tell you, I think this is a reckless budget resolution. I think the President's budget proposal was reckless. I think this resolution is reckless. As the very able Senator from North Dakota has pointed out, we are in a war, and we have not only the war costs but the reconstruction costs. We are about to do a supplemental of about $80 billion, most of it devoted to that purpose. And there is no one who contends that is anything other than the initial downpayment on the cost.

But, furthermore, we still have the worldwide battle against al-Qaida and

international terrorism. We have to confront the challenge of providing for homeland security. We have other threats around the world, to mention but one, North Korea.

No prudent person would give away their fiscal ability to deal with those situations the way this budget resolution does. It is extraordinary what this budget resolution is doing.

I ask my friend from North Dakota, isn't this an abject failure to reserve fiscal strength to deal with these pressing problems which we know are right there in front of us?

Mr. NICKLES. Mr. President, just a parliamentary inquiry: I would like to remind my colleagues the rules of the Senate are to address the Chair, ask questions through the Chair, not to have colloquies between two Senators.

Mr. CONRAD. I would be happy to answer my colleague by saying this: This process and this budget, to me, is totally disconnected from reality. In fact, I have never seen a greater disconnect with reality than is represented by this budget. Here we are, with record budget deficits, approaching $500 to $600 billion this year, and what we do is increase spending under this resolution, cut the revenue, plunging the country deeper into deficits, when we are at war, the cost of which we do not know, and when we are on the eve of the retirement of the baby boom generation.

Let me just say, this fiscal turnaround that we have seen—when people ask us, well, where did the money go? Here is where it went. Over the period in question, 36 percent went to the tax cuts—both those already passed and those proposed.

The second biggest reason for the disappearance of the surplus is the additional spending caused by the attack on the country and the war; that is, the increased defense spending and the increased homeland security spending.

The third biggest reason is that revenue is coming in below expectation, apart from the tax cut; that is, the tax cut is the biggest single reason. The third biggest reason—close to the second—is that revenue is coming in below what was anticipated.

And the smallest reason, over the 10-year period, is the economic downturn at 9 percent.

The result of all this is that the budget before us—after many of the Members of this body pledged not to take Social Security for other purposes—this is the total amount of Social Security surplus over this period: $2.7 trillion.

This budget takes $2,698,000,000,000 from the Social Security trust fund surpluses and uses it for other purposes, uses it to fund the tax cut, uses it to pay for other things. This budget has deficits. Some have said they are small and short term. Here is what they are. They are not small, and they are not short term. This year we now anticipate a deficit on an operating basis of $558 billion, by far the biggest we have ever had. You see throughout the rest of the decade, we never get below $300 billion in deficits. Again, that is not counting Social Security, not taking Social Security and using it to pay for other things.

Mr. SARBANES. Will the Senator from North Dakota yield for a question about one of his charts?

Mr. CONRAD. I am happy to yield.

Mr. SARBANES. I would like to go back to the previous chart. As I understand it, because of the tax cut and also because we are constrained to do these programs for the war and for homeland security, over this 10-year period we are going to be using $2.7 trillion from the Social Security trust fund to cover those costs; is that correct?

Mr. CONRAD. That is correct.

Mr. SARBANES. As I understand it, if we didn't do that, that $2.7 trillion would be in the Social Security trust fund to help us take care of the extra stress on the system that will come from the retirement of the baby boomers, this upsurge in people taking retirement, so that one needs to understand if you didn't do the tax cut or if you constrained some of these other programs, you wouldn't then be drawing down the Social Security trust fund and, therefore, it would be in a better position to address the extra stress that will come when the baby boom generation retires. Is that the connection one should be making here?

Mr. CONRAD. Let me just say, the Senator has put his finger on what to me is so stunningly irresponsible about this budget. If this money was not being taken and used for other purposes, the surplus money, it could then be used in one of two ways. It could be used to pay down debt that would better prepare us for what is to come, or it could be used, some portion of it, to prepay the liability of what we know is to come. That is what other countries are doing. Other countries, recognizing the same demographic time bomb, are taking the surpluses being generated now in their trust funds and are investing them or they are prepaying the liability.

Instead of paying down debt or prepaying liability, we are using the money for tax cuts and for other expenditures of government that leave us less capable to deal with what is to come.

That is a profound mistake, and we will live to regret it. And we will then face a circumstance in which we will be asked to make even more draconian reductions in the benefits of those programs, or drastic tax increases.

Let me say, the President told us 2 years ago his budget would pay down a record amount of national debt. He said:

> We will pay off $2 trillion of debt over the next decade. That will be the largest debt reduction of any country, ever.

He said then:

> Future generations shouldn't be forced to pay back money that we have borrowed. We owe this kind of responsibility to our children and grandchildren.

I believe the President was absolutely right in saying that. But look at what is happening. There is no record paydown of debt. There is no paydown of debt. Instead the gross debt of the United States is exploding. From $6.7 trillion in 2003, instead of being virtually paid off, which he said would occur by 2008, we are nearly doubling the national debt just in this 10-year period. So the national debt would be $12 trillion at the end of 2013 if this budget is adopted, the plan that it contains.

The President this year told us:

> This country has many challenges. We will not deny, we will not ignore, we will not pass along our problems to other Congresses, to other presidents and other generations.

In this very budget, what we see contained is a call for the biggest increase in the debt limit in the history of the country. They are asking for a $984 billion increase in the debt limit as part of this proposal. That is the biggest increase in the national debt in the history of America.

Mr. SARBANES. Will the Senator yield?

Mr. CONRAD. I am happy to yield.

Mr. SARBANES. This budget conference report is seeking an increase in the debt limit of just under $1 trillion; is that correct?

Mr. CONRAD. Yes, $984 billion. The previous record increase was under the previous President Bush, November of 1990, when they got a $915 billion increase in the debt limit. As you know, the House has different rules than the Senate. We will not conclude action on the debt limit here probably until sometime later. But that is what this budget resolution contemplates, an increase in the debt limit now of $984 billion, nearly a $1 trillion increase in the debt.

Mr. SARBANES. If the Senator will yield further, until when is this additional $1 trillion increase in the debt limit supposed to last? Will they not come back at any point, or are they going to come back again and again seeking increases?

Mr. CONRAD. Under this budget proposal, they will probably have to come back as early as next year——

Mr. SARBANES. Oh, my.

Mr. CONRAD. Late next year and ask for even more expansion of debt because this budget resolution is one constructed on deficits and debt. It is a testimony to deficits and debt. It can only get worse.

It is interesting, the effect on the rest of the budget. For example, the interest costs, we were told 2 years ago the interest costs to the Federal Government over this next decade would be $622 billion. Instead, because of the failed fiscal plan, the interest costs alone will be $2.3 trillion. That is an increase in interest costs of $1.7 trillion. Obviously, we have to pay it because we have borrowed it, and we owe it. But those are dollars that can't buy a

single tank. They can't buy a single weapons system. They can't buy a single airplane. They can't educate a child. They can't house the homeless. They can't do any of the other things the Federal Government has responsibility for. They can't pay down debt. Those are dollars that are just used to service the debt we are running up.

Mr. SARBANES. Would the Senator yield on that point?

Mr. CONRAD. I am happy to.

Mr. NICKLES. I remind my colleagues, they need to ask questions through the Chair, and they need to ask questions and answer questions.

Mr. SARBANES. Mr. President, I would like to put a question to the Senator from North Dakota.

Mr. CONRAD. I am happy to yield.

The PRESIDING OFFICER (Mr. ALEXANDER). The Senator from North Dakota.

Mr. SARBANES. Mr. President, when this administration came into office, it was my recollection that the Federal budget was running a surplus. Therefore, there was not only no increase in Federal interest costs, but we were, in fact, year to year, reducing Federal interest costs and had done so for 2 or 3 years prior to President Bush coming into office; is that correct?

Mr. CONRAD. The Senator is correct. We had actually been in the happy circumstance of not only running a balanced budget, but running a surplus. In fact, we had stopped the practice of taking Social Security trust fund surpluses to fund other functions of Government. It was critically important that we do that because we are getting close to the retirement of the baby boom generation.

Some of our colleagues say to us that, you know, deficits don't really matter anymore. What a profoundly wrong notion that is. Obviously, deficits matter. When the Federal Government is compelled to borrow money, that puts us into competition with others who want to borrow money, that drives up the cost of interest rates, and that slows the economy. That is why when I reviewed this budget, it is not an economic growth budget, it is a budget that will hurt long-term economic growth because of the deadweight of these deficits and debt. That is not just my opinion.

I will get to the point in the presentation where we talk about others who are economists who have been hired by the White House, by the CBO, to tell us the implications of what is being done; and what they have concluded is that this will hurt economic growth because it is all being financed by borrowed money.

What does that mean? When the Federal Government borrows money, we are in competition with the private sector, and that reduces the pool of societal savings. That is a dissavings. When you reduce the pool of societal savings, that reduces the amount of money available for investment and that hurts long-term economic growth.

It is not just this Senator who says that. Interestingly enough, the CBO is headed by a man chosen by our colleagues on the other side, who came directly from the White House. He has done seven long-term models looking at the effect of this budget. In four of the seven, he said deficits would be even worse as a result of this budget proposal. In three he found it would be better, but only on the assumption that Americans, over the next decade, would work harder in preparation for the massive tax increases that will inevitably flow from the adoption of this kind of a budget.

I hope people understand where this is all headed because it is as clear as it can be. Nobody can vote today and say they didn't know. Nobody can vote today and not have their record reviewed and have people look back and say these people led us down a path of deficits and debt that fundamentally weakened the country.

This is a chart from the President's own budget document. This comes from his analytical perspectives, page 43. This is his long-term outlook. We never escape from deficit under the President's plan—never—according to his own estimates. In fact, we are in the sweet spot now. You can see that the deficits here are the smallest they are going to be. Yet these are record deficits. It may look like a small amount of red, but it is the most red we have ever experienced, and it is going to get worse. Under the President's own analysis of his plan, it gets worse because the cost of the tax cuts explode at the very time the cost of the Government explodes because of the retirement of the baby boom generation.

Mr. SARBANES. Will the Senator yield for a question on that chart?

Mr. CONRAD. Yes.

Mr. SARBANES. As I understand it, this chart shows the deficit as a percentage of the gross domestic product and it is almost 14 percent at this point out here; is that correct?

Mr. CONRAD. That is correct. If this were in dollar terms, I could not put it on a chart. The sea of red ink that would follow would not fit on any chart that I am allowed to use on the Senate floor.

Mr. SARBANES. The European Union, when they made the economic agreement with respect to all the European Union countries, set as a requirement that the deficit that a country was running could not be greater than 3 percent of GDP; and countries had to go through a rigorous effort to get below the 3 percent of GDP figure as a deficit.

Yet what the President has given us, and what is reflected in this budget resolution as a first significant step in that direction, is a policy that is going to put the deficit as a percentage of GDP in the double figures. It will well exceed 10 percent.

Mr. CONRAD. What is interesting is that, right now, we would not be eligible to join the European Union because our deficit is in excess of what is required for a member state to join the European Union. We would be disqualified. We are headed for a circumstance in which we would not be qualified for decades to come.

The fundamental reason is contained on this chart, I say to my colleague. This, to me, is the single most important thing to understand. This chart shows the Social Security surplus, Social Security trust fund, the green bar. The blue bar is the Medicare trust fund. The red bar is the cost of the proposed and already-enacted tax cuts. What one can see is that right now we are running big surpluses in the Medicare and Social Security trust funds. In fact, the tax cuts right now, in this part of the time period, are less than the trust fund surpluses.

Look what happens when the baby boomers start to retire and those trust funds go cash negative. It is at the very time that the cost of the President's tax cuts explode. What does that do? That leads us into deep deficits and debt.

I don't want anybody to conclude from this that this Senator doesn't favor some tax cuts because I do. I think they are necessary right now to stimulate the economy, give lift to the economy. But we have to balance the need for short-term additional stimulus both by way of spending and tax cuts, with the long-term need to return to fiscal balance and to prepare for retirement of the baby boom generation.

What is being done here does neither because only 5 percent of the cost of the President's proposed tax cuts in the stimulus package are effective this year, when we need the stimulus, when the economy is weak. Ninety-five percent of the cost is in future years, when it is only going to explode deficits and debt. It will lead to a weakened economic position and will fundamentally alter this country's ability to meet its obligations.

Mr. SARBANES. I am struck in looking at that chart by the extent to which the cost of these tax cuts explodes, as the Senator says, in future years.

For instance, take the year 2023, this is all deficit. But all of this part of that deficit is from the explosion of the tax cut. The balance is from what happens in the trust funds for Medicare and Social Security. But this chart so clearly demonstrates that these tax cuts that are being talked about have built into them a tremendous expanded cost in future years.

It is extraordinarily dramatic because all of that is exploding tax cuts. We are being set on a path that is dooming us to large deficits and large debt.

Mr. CONRAD. Mr. President, I say to my colleague, what this means is not just numbers on a page, not just deficits, whether people care about deficits or not, they matter a lot to the functioning of the economy. They matter a lot to the ability of the United States to keep its obligations.

The implication of all this is much more direct. This is going to compel at a future time, according to the former Congressional Budget Office Director, massive cuts in benefits of Social Security and Medicare, massive tax increases, and massive debt. That can be the only outcome because none of this adds up in any serious way.

For those who say deficits do not matter, Chairman Greenspan of the Federal Reserve believes deficits matter. This is what he said in testimony before the Banking Committee, where my colleague is the ranking member:

There is no question that as deficits go up, contrary to what some have said, it does affect long-term interest rates. It does have a negative impact on the economy, unless attended.

It is not just the view of the Chairman of the Federal Reserve, but the Committee for Economic Development, which is made up of some of the most prominent business leaders in the country, has looked at these budget proposals, and this is what their conclusion is:

No. 1, current budget projections seriously understate the problem;

No. 2, while slower economic growth has caused much of the immediate deterioration in the deficit, the deficits in later years reflect our tax-and-spending choices;

No. 3, deficits do matter;

And No. 4, the aging of our population compounds the problem.

The other day in the New York Times, some of our most able former colleagues and former members of administrations, both Republican and Democrat, put out this op-ed. This is former Senator Kerrey, former Senator Nunn, both Democrats, former Senator Rudman, a prominent Republican, Pete Peterson who was in the Cabinet of a Republican administration, Robert Rubin, former Secretary of the Treasury, and Paul Volcker, the distinguished former head of the Federal Reserve.

They asked the question:

Will Congress stand up for fiscal responsibility?

They said in this article:

Tax cuts are the primary focus of this year's budget debate. To speed enactment, Congress is planning to use a special fast-track procedure called reconciliation. While determining the size of the tax cut to be given fast-track protection in the budget is sometimes dismissed as a procedural matter, it is not. Whatever its size, a tax cut that receives this protection is almost certain to be enacted in later tax legislation. Given the rapidly deteriorating long-term fiscal outlook, neither proposal—

Neither the House nor the Senate proposal—

is fiscally responsible. It is illogical to begin turning back toward balanced budgets by enacting a tax cut that will only make the long-term outlook worse.

Furthermore, the proposed tax cuts are not useful for short-term fiscal stimulus, since only a small portion would take effect this year. Nor would they spur long-term economic growth. In fact, tax cuts financed by perpetual deficits will eventually slow the economy.

When our friends say this is a growth package, it is not a growth package. This is a package that undermines long-term growth. We have six of our most distinguished colleagues, former Senators and former members of the Cabinet, on a bipartisan basis telling us that is the case.

We do not have to just look to the Chairman of the Federal Reserve or former Cabinet members or former Senators; we can look at the people who have been hired by the White House to tell them the effect of their policies. This is what they said.

They showed that the policy being proposed will give a short-term bump, but after 2004, we will get less economic growth than if we did nothing. We would be better off to do nothing than to adopt this policy because it explodes deficits and debt. The deadweight of those deficits and debt will hurt long-term economic growth.

We have another distinguished economist, the head of Economy.com, who did this analysis of two competing proposals, what the Democrats proposed and what the President proposed. This is their conclusion.

The Democratic plan will give almost twice as much economic growth in 2003 and 2004 and not do the long-term harm of the President's proposal because we do not explode the deficits and debt in the way the President's plan and the budget plan before us does.

If we just want to look at reality, since we pursued this course, since we have gone to this notion of borrow and spend, here is what has happened. We have lost 2.6 million jobs.

Mr. SARBANES. Mr. President, will the Senator yield on that point?

Mr. CONRAD. I will be happy to yield.

Mr. SARBANES. My understanding is that the unemployment rate in the course of this administration has gone from 4 percent to almost 6 percent, and that the number of long-term unemployed, people out of work for more than 26 weeks, is now at almost 2 million people. Consumer confidence in the latest survey is at a 10-year low. So we are facing serious economic challenges.

Of course, the Senator suggested, as did the quote from our former colleagues, that you could do some effort to boost the economy this year and next year to try to bring us out of this situation, but the President's proposal does very little of that.

What the President's proposal does is put into place these exploding tax cuts out into future years that will significantly boost the deficit and the debt problem, rather than addressing the immediate challenge we have of trying to give a boost to the economy now. So not only does this budget proposal commit the Nation to a serious long-term fiscal problem, but it fails to do what needs to be done in the short term, in terms of trying to restore jobs and economic growth. I ask my colleague, is that not correct?

Mr. CONRAD. I believe that is correct. I say to the Presiding Officer in response to my colleague, I really do not know what could be more clear. We do not need to just look at economists' projections. We can look at our own history.

We had this attempt in the 1980s to pursue the economic policy that is now being attempted. It did not end happily. It exploded the deficits and debt of the country. It quadrupled the national debt.

Then in the nineties, we took a different approach, the approach of balancing budgets, of investment in technology, of bringing down Federal spending, of raising revenue to balance budgets. What it kicked off was the longest economic expansion in our Nation's history. We turned deficits into surpluses, and we had the lowest unemployment rate in 30 years, the lowest inflation rate in 30 years, and the strongest period of business investment in our Nation's history.

That is a real-world example of two competing views of how to strengthen the economy. Now we are going back to the failed policy of the eighties and doing it at the worst possible time.

Then there was time, before the baby boomers started to retire. Now there is no time. The mistakes that are made now will be paid for by increased debt, by reduced benefits, by increased taxes. That is where we are headed.

And I would quote again our most distinguished colleagues warning us:

Congress cannot simply conclude that deficits do not matter. Over the long-term, deficits matter a great deal. They lower future economic growth by reducing the level of national savings that can be devoted to productive investments.

That is the argument I have been making this morning.

They raise interest rates higher than they would be otherwise. They raise interest payments on the national debt. They reduce the fiscal flexibility to deal with unexpected developments. If we forget these economic consequences, we risk creating an unsupportable tax burden for the next generation.

I guess we are in this mode now where we live for the moment. I guess we do not worry or care about what we do now, how it affects the future. But we ought to. The lessons are clear. The warning signs are there.

Every Senator is going to be responsible for their vote. Every Senator can be held accountable in the future for what they did to either strengthen this country or to weaken it. Every Senator is going to have a very clear choice in a few hours: Do they support a budget that plunges us deeper into deficits and debt, or do they say it is time to pull back?

This is the economic record on job creation of administrations going back to President Eisenhower. Every one of them created jobs. This is the first one to lose private sector jobs in 50 years. If we look to public opinion, the American people are saying:

On the home front, Americans strongly agreed with the past week's Senate action to

slash the President's proposed tax cut. Two in three respondents—Republicans, Democrats and independents alike—favored the Senate plan to reduce Bush's $726 billion tax cut by more than half to help pay for the war, shore up Social Security and reduce the deficit.

That is two-thirds of the American people sending us a message. I do not think we should do budgets based on polling, but I do think we ought to do it based on common sense, and common sense ought to tell us that exploding deficits and debt when we are at war, exploding deficits and debt when the baby boom generation is about to retire, exploding deficits and debt when we know it will harm long-term economic growth, is truly a fool's errand, and we will live to rue the day we made shortsighted decisions.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. CONRAD. I yield whatever time he may consume to the Senator from Maryland.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. SARBANES. Mr. President, I thank the very able Senator from North Dakota, the former chairman of the Senate Budget Committee and now ranking member, for an extraordinarily perceptive opening statement with respect to this budget resolution.

The Senator from North Dakota has taken a long-term view of where the American economy is going and the challenges we face. He has assumed that role repeatedly, and I think it is extremely important that we not simply live for the moment and that someone point out the direction in which we are going and what the consequences will be.

The vote we are about to cast has consequences. It has consequences for today, tomorrow, and many years into the future. Members of the Senate need to fully appreciate the import of this decision.

I will speak a few minutes about equities in this budget resolution. What needs to be understood is that the whole driving thrust of this budget resolution is to put in place a large tax cut which, under the President's proposal, will go overwhelmingly to people at the very top of our income and wealth scale in this country.

The drive to do that is carried so far that my colleagues on the other side of the aisle are prepared to twist the procedures of this institution like a pretzel in order to push through their large tax cuts because they are encountering considerable resistance to them by people who are stopping and looking at them and saying this is not the responsible thing to do. Indeed, it is a reckless thing to do.

One of my colleagues looking at what they are trying to do said: It never occurred to me, I never thought I would see the day when they would be using these kinds of gimmicks in order to push their agenda.

This is no proper process. This is simply a twisting of process in order to try to get to this tax cut result.

Let's look at what the tax cut does and its implications. The budget, of course, sets all our national priorities. We make fundamental decisions within the budget: How much support we will provide for particular programs, what we will do on the tax side. Of course, the aggregate amount of the budget can have a profound effect upon our overall economy, not only this year but extending well into the future. The Senator from North Dakota very carefully and lucidly spelled out those large budget consequences, as is, of course, the responsibility of the leader on the Budget Committee to do.

We know the fiscal situation has deteriorated drastically since this administration took office. In January of 2001, when President Bush took office, the Congressional Budget Office was projecting a budget surplus over 10 years of $5.6 trillion. The President pointed to that surplus as a rationale for doing the 2001 tax cuts. Now, over that same period, the Congressional Budget Office is projecting a $2.1 trillion deficit, assuming that the President's tax proposals are adopted. This is a swing of $7.7 trillion in our fiscal position, a swing from a projected surplus of $5.6 trillion to a projected deficit of $2.1 trillion.

Yet facing this, the whole focus of this budget resolution has been whether to create room within it for another very large tax cut which the President is seeking. This is not going to be a growth package. In fact, there is hardly any stimulus in the President's proposal for this year or next year. Instead, this budget is going to drive us deeper into the deficit and debt hole. It is going to leave us with deficits projected out into the indefinite future. We are really mortgaging away our economic future. This is very bad macroeconomic policy.

In addition, within this budget our urgent national priorities are not being adequately addressed. There is not enough for homeland defense. We have a pressing health care problem in this country with regard to both the uninsured and prescription drug benefits for our senior citizens. We have an affordable housing crisis in which millions of working families cannot afford even a modest apartment in many high-cost cities. The mayors across the country are saying they are getting inadequate support to meet their responsibilities. Our first responders also have very large demands placed upon them. And instead of providing fully for education to give meaning to the Leave No Child Behind educational policy, we are focused on a tax cut proposal seeking to make sure no millionaire is left behind.

It must be understood that if you do these large tax cuts that benefit primarily wealthy people, you will not be able to support a number of programs which people all across the country are crying out for, and you will be boosting the deficit in a completely unreasonable fashion. There is no magic formula; it is all a question of balance. My own view is that a more sensible balance would be not to do these large tax cuts, and instead to strengthen some of these programs, and then to use the balance—most of the money—to hold down the deficit and not boost the debt and not commit the Nation down that path.

Let me talk about one other issue of fairness and equity. I want to note that in almost every previous instance when the Nation went to war, not only did we not cut taxes, we raised taxes in order to help pay for the war and meet its costs. There is a conference committee meeting at this very moment on the supplemental appropriations bill. We expect it to be somewhere in the vicinity of $80 billion, most of that directed to the Department of Defense for the costs of the war and some for reconstruction. It is obvious to everyone this is but a downpayment. No one is asserting this is anywhere near meeting what the full costs will be. So we know there is more to come.

That raises the question of whether this is the appropriate time to commit away significant resources for a tax cut to benefit wealthy Americans. As I said, analysis indicates that almost half of the benefits of the President's proposal would go to the top 1 percent, almost three-quarters to the top 5 percent. Is this the fair and equitable thing to do at the very time when the Nation is being rallied, as it should be, to support our men and women in the Armed Forces?

This is the time when we are talking about sacrifice, and it is appropriate we should be talking about sacrifice at a time like this because one cannot follow the events taking place now in Iraq without a deep appreciation of the sacrifice our fighting men and women are making and the risks they are taking every minute.

Let me ask this question: What sacrifice are those who are most favored in our society in terms of their economic position making at this critical juncture in our Nation's history? Not only are they not making a sacrifice, but indeed they are getting a very large tax cut which will place our economy in a more difficult position as we move into the future. What a sad commentary that these excessive tax cuts, which will contribute to deficits, which will build up the debt and the burden of paying the interest on that debt and, indeed, paying down that debt, will fall upon the fighting men and women when they return home and undertake their economic activities moving out into the future.

They are now being called upon to make a double sacrifice, the sacrifice of serving in the Middle East and the sacrifice when they return home of helping to pay off this debt that has arisen in large part because of these enormous tax cuts that are being given to those at the very top of our income

scale. Where is the fairness and the equity in this approach?

The Nation faces serious challenges. We have our men and women at this very moment in danger abroad. It is a time for all to sacrifice. What sacrifice here at home will the beneficiaries of the tax cut be making? This is such a sharp contrast with previous occasions when the Nation has gone into war. In most instances, not only did we not give a tax cut, recognizing we had to pay for the war, we, in fact, increased taxes in order to meet that burden.

At the beginning of World War II when Winston Churchill became Prime Minister, he told his nation, ''I have nothing to offer but blood, toil, tears and sweat.'' Our young men and women positioned in the Middle East are called upon to sacrifice even as we debate this budget resolution. There will be sweat, there will be tears, there will be toil, and there will be blood on their part. What sacrifice will be made by those who are the most well off in our society under this budget resolution? None whatsoever. In fact, not only are they making no sacrifice, but they are programmed to reap benefits, extensive benefits, at a time when the Nation is facing critical challenges. Should not those most advantaged be making their own sacrifice instead of seeking to reap a large economic benefit?

I urge the defeat of this budget resolution. I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I would like to go back to the editorial, the opinion piece that was in the New York Times written by three of our former colleagues: Senator Kerrey, Senator Nunn, Senator Rudman—Senator Rudman, a Republican who was on the Budget Committee. Senator Nunn and Senator Kerrey took great interest in budget affairs here in the Senate. Also, Pete Peterson, the former Secretary of Commerce, Republican; former Secretary of the Treasury Robert Rubin; and the former head of the Federal Reserve, Mr. Volcker; warning us that what we are about to do here is not fiscally responsible.

They said in this article—and I want to read an extended version of this for my colleagues because I think it is critically important it be in the RECORD before we vote. They said:

> The fiscal outlook is much worse than official projections indicate. These projections assume that the tax cuts enacted in 2001 will expire at the end of 2010. They also assume that discretionary spending, the part of the budget that pays for national defense, domestic security, education and transportation, will shrink continuously as a share of the economy. Neither of these assumptions is realistic.
>
> Moreover, the official projections do not include the costs of war and reconstruction in Iraq. And they ignore the inevitable need to reform the alternative minimum tax, which is not indexed for inflation and will apply to some 40 million households within 10 years—up from two million today.

Let me just say with respect to the alternative minimum tax, boy, have a lot of people got a surprise coming. They think they are going to get a tax cut under this plan. But there is this little thing nobody talks about called the alternative minimum tax that only applies to 2 million taxpayers today. By the end of this period of the budget, it is going to apply to 40 million taxpayers. It costs $600 billion to fix. Not a dime of it is in this budget.

> Under more realistic assumptions—

They go on to say in their opinion piece—

> the deficit projections are cause for alarm. A recent study by Goldman Sachs includes this forecast: if the president's proposed new tax cuts are enacted, a Medicare prescription drug benefit is approved, [which he has also proposed], the A.M.T. is adjusted and appropriations grow modestly, the deficits over the next 10 years will total $4.2 trillion—

That is double the amount I have been talking about in my assessment of this budget this morning—twice as much as what I have been warning my colleagues about—

> even if the Social Security surplus is included.

It will be $4.2 trillion of deficits. In other words, if the Social Security trust funds are used to pay for other things, the deficit will be $4.2 trillion.

> If [the Social Security trust fund] is not included, the deficit would be $6.7 trillion.

That is just over the next decade.

> Under these circumstances the ratio of publicly held debt to gross domestic product climbs within 10 years to near 50 percent, from 33 percent just two years ago.
>
> And all of this happens before the fiscal going gets tough. Looming at the end of the decade is a demographic transformation that threatens to swamp the budget and the economy with unfunded benefit promises, like Social Security and Medicare, of roughly $25 trillion in present value. Our children and grandchildren already face unthinkable payroll tax burdens that could go as high as 33 percent to pay for these promised benefits.

They conclude:

> It is neither fiscally nor morally responsible to give ourselves tax cuts and leave future generations with an even higher tax burden.
>
> And yet tax cuts are the primary focus of this year's budget debate.

Mr. President, in just a few hours we will vote on this budget. This will be a time of choice. This won't be a decision just for this year. This will put in place revenue hemorrhages and increased spending that will put us on a never ending escalator, going in just one direction—straight down into deeper deficits, in deeper debt, right on the brink of the retirement of the baby boom generation. It will only escalate those trends, leaving us in a totally unsustainable position.

The tax cut that we are voting on is not what has been advertised, $350 billion in the Senate—oh, no. The tax cut in this plan, in this budget resolution that is before us, is $1.3 trillion; $550 billion reconciled to the Finance Committee, $725 billion provided elsewhere in the resolution—a tax cut of $1.3 trillion, with an additional interest cost of some $300 billion, for a total reduction in revenue of $1.6 trillion just over the next decade, when we are already in record budget deficits.

This is a proposal that borders on the preposterous. It borders on the absurd. I sometimes come to work thinking the Senate of the United States has become like Disneyland: It is all illusion here. It is totally detached from reality. It has all become the politics of sound bite. Substance has absolutely fallen by the wayside, and there is no serious concern where all this leads. But it is inevitable. This leads to massive deficits and debt that can only undermine the strength and security of this economy, that can only endanger the economic lives of the American people.

This is profoundly wrong, and I urge my colleagues to think—to think, to pause. I know there is a rush to judgment here. We are on a Friday afternoon right before a 2-week break. Members want to leave.

But what is going to be decided here has profound consequences for the future of our Nation; a $1.3 trillion tax cut—not paid for, not offset by spending reductions, but paid for by borrowed money and by looting the trust funds of Social Security and Medicare. That is what is about to happen here.

Virtually every economist has told us, when you take tax cuts like this and, instead of paying for them with spending reductions, you borrow the money, you weaken the economic vitality of this Nation. You take money out of the societal savings, the pool of societal savings, thereby reducing the money that is available for investment, thereby weakening the economic strength of our Nation.

That is exactly what our former distinguished colleagues are telling us. I repeat their concluding paragraph:

> Congress cannot simply conclude that deficits don't matter. Over the long term, deficits matter a great deal. They lower future economic growth by reducing the level of national savings that can be devoted to productive investments. They raise interest rates higher than they would be otherwise. They raise interest payments on the national debt. They reduce the fiscal flexibility to deal with unexpected developments [such as the terrorist threat on this country].

''Terrorist threat on this country''—that is not part of their op-ed. I add that because we all now know the devastation that something unanticipated can cause to this country.

> If we forget these economic consequences, we risk creating an insupportable tax burden for the next generation.

Now, I know, in politics, we often live for the next election and there is not too great a concern for the future. But, colleagues, I urge you to think carefully about the decision that is about to be made because it will have profound consequences for this Nation. I believe it will weaken our country, not strengthen it. I believe it will damage long-term economic growth, not improve it.

Does that mean that on this side we are against any tax reduction? No. I

would actually support more tax reduction in this year than the President proposes in order to give lift to the economy at a time of serious weakness. But, over the 10-year period, we simply cannot afford $1.3 trillion out of the revenue stream, when we are already in record deficit, and when we face the retirement of the baby boom generation, and we are at war, the cost of which is unknown.

I know the other side must believe it has the votes to pass this budget. We have had no role in it. We were locked out of the conference committee. Oh, we were invited to the first meeting, and never invited back. So this is a budget that was constructed in a conference committee that excluded the minority.

That is not the way the business of Congress is supposed to be done. There was not one member of the minority present when this scheme was hatched to come out here with a budget reconciliation number that suggests there is a different number in the Senate than in the House. In fact, both committees have been given an instruction of $550 billion for the reconciliation provision. But then, in a sleight of hand, the Finance Committee is told, there will be a supermajority point of order if you carry out the instruction you have been given.

Never been done before. Never been done before.

And when the package comes back from the conference committee, even though there never was a reconciliation, never was a working out or a meeting of the minds between the House and the Senate, the higher House number will still enjoy privileged protection on this floor.

That is a total perversion of the reconciliation process. And, my colleagues, it may benefit you today, it may hurt you tomorrow, because what goes around comes around. And the real victim is fiscal responsibility. The real victims are going to be those who are asked to pick up the tab for what we are going to be spending; the real victims are going to be those who have to shoulder the burdens that we all know are coming. And we are telling them: We are taking our money while the getting is good, and we are sticking you with the tab.

I guess that is the message that is going to come from this Senate today. I find it profoundly disappointing that is the way, apparently, the votes will fall, that it is OK to run up the tab, forget about the future, stick it to the kids. That is what this vote will be about.

Mr. SARBANES. Mr. President, will the Senator yield on that point?

Mr. CONRAD. I am happy to yield.

Mr. SARBANES. I just note, the kids they are sticking it to are the ones who are fighting now in the Middle East. They are out there making a sacrifice now, and they are going to come home and be called upon to make a further sacrifice in order to carry this deficit and this increased debt.

And why are we having the deficit and the increased debt? In order to give a large, excessive tax break to very wealthy people. Where is the equity in that or the fairness in that? None whatever. None whatever.

But when you connect it all together, that is exactly what is happening. In order to give these large, excessive tax cuts, we are going to run these deficits and debt. And the burden on these young men and women who are there fighting, will be greatly increased, and they will have to pay it off over the rest of their lifetimes when they come home, having made that sacrifice.

Where is the sacrifice, in this budget resolution, on the part of those most advantaged in our society? Where is their sacrifice at this critical juncture in our Nation's history?

Not only is there no sacrifice, but they are reaping excessive benefits. This budget resolution ought to be defeated.

I thank the Senator for yielding.

Mr. CONRAD. I say, Mr. President, in response to my colleague, I believe this budget really is a triumph of ideology. And it is a sad—a sad—commentary on this body that we pass something that is this disconnected from reality.

At some point we are going to have to join together to try to dig out of this mess because this is going to damage the country in a profound way. I just hope that at some point reason returns.

This is not a conservative document. There is nothing conservative about this. This is radical and reckless and dangerous, and it should be defeated. We should go back, and we should restrain spending, and we ought to restrain our appetite for tax cuts. We ought to have the courage to stand up and tell the American people what we all know is true: That when this Nation is already facing record budget deficits, and we are at war—the cost of which we cannot know—and on the brink of the retirement of the baby boom generation, we simply cannot do everything they would like us to do.

We cannot have every spending program that they would like. We cannot have every tax cut that they would like and be responsible to the future. The result will be a weakened America, not a growth package. There may be a little bit more growth in the short term—not as much as if we had a more robust stimulus package—but, over time, the deadweight of those deficits and debt, because all of this is being borrowed—is all borrowed money—the deadweight of those deficits and debt suppresses economic growth, weakens our economy, reduces investment.

If you do not have investment, you cannot grow. You cannot have investment unless there are savings that are available to invest. When the Federal Government runs deficits, that reduces the pool of societal savings that are available to invest.

This is an economic package that simply cannot stand scrutiny.

I am happy to yield.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. SARBANES. Mr. President, as this presentation draws to a close, I ask unanimous consent to print in the RECORD a column by David Broder from March 23 entitled ''Cutbacks To Our Children.''

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Mar. 23, 2003]

CUTBACKS TO OUR CHILDREN

(By David S. Broder)

Under the shadow of war with Iraq, the House and the Senate last week fought a series of skirmishes over the federal budget for next year. One big, overriding question was at stake: Would President Bush and the Republican majorities in Congress step up to the costs of battle, of homeland defense and of national obligations at home, or would they pass the costs on to future generations?

The answer, sadly, is that youngsters yet to be born will see their choices limited and their prospects blighted by the decision of today's politicians to press ahead with an unaffordable tax cut even while the costs of war and reconstruction make earlier spending estimates wildly unrealistic.

The possible doubling of the national debt in the next decade will drive up interest costs that must be paid every year—billions of dollars that will not be available for Social Security, Medicare or any of the myriad responsibilities of the government here and abroad.

But the squeeze is not all prospective. Some dangerous economies are being forced this year—cutbacks that will have long-term damaging consequences for American society.

This was brought home to me from an unexpected source in a group interview last week with six state attorneys general—four Democrats and two Republicans—who were in Washington for a professional conference. Their theme was one I had heard before, not just from social workers, academics and supposed bleeding-heart liberals but from police chiefs, prosecutors and other hard-nosed denizens of the criminal justice system.

It is the irrefutable evidence that the most effective anti-crime strategies—and the least expensive—are early childhood education, after-school programs and serious mentoring of youngsters who otherwise are almost certainly fated to be dropouts, delinquents and, yes, prison inmates.

Larry Long, the South Dakota attorney general and a 30-year career prosecutor, put it this way: ''I can tell you that by the time kids of 12 or 14 are brought into the juvenile justice system, they are lost. All I can do is warehouse them—at huge expense. The sooner and faster we reach kids, the better the chance of their being saved.''

Long and his counterparts from Colorado, Delaware, Maine, Montana and New Mexico described what they are doing to reach vulnerable youngsters—especially those being raised by single mothers still in their teens—and to help those parents stabilize lives often blighted by drugs or other addictions. But they also confirmed that many of their initiatives are on the chopping block, as states struggle with declining revenue and runaway health care costs for the elderly.

''These are proven programs that work,'' said Montana Attorney General Mike McGrath, ''but our budget crisis is so severe we may not be able to meet the federal matching requirement''—the dollars a state must put up to qualify for a grant from Washington.

That is why they express such dismay at what they are hearing out of thee Washington budget proceedings. The briefing paper that all the state law enforcement officials were given by the advocacy group Fight Crime: Invest in Kids spelled out some of the cuts included in the Bush budget.

Funds for the 21st Century Community Learning Centers after-school program would be cut form $1 billion to $600 million. The memo to the attorneys general says that cutback would take a half-million children each year out of those-centers, even though unsupervised youngsters make the hours form 3 p.m. to 6 p.m. the peak time for serious and violent juvenile crime.

The Bush budget increases Head Start funding by $148 million, just about enough to keep pace with inflation, but the program now serves only six out of 10 preschoolers who are eligible. Several other early childhood block grants and programs are ticketed for reduction or elimination.

The picture is similar for other Justice Department an Education Department programs aimed at preventing juvenile delinquency.

''This is so shortsighted,'' said Maine Attorney General Steven Rowe. ''For $300 billion, one-fifth the [10-year] cost of the new tax cut, we could fully fund all of these programs'' for the next decade.

That kind of investment would not only save lives, the attorneys general said. It would save money. ''We are spending $75,000 a year every time we incarcerate someone under 18,'' said Delaware Attorney General Jane Brady. ''We have to jail them, educate them, counsel them and try to rehabilitate them. It would be so much better to help them while they are young.''

It's another example of the long-term costs will incur today's budget decisions.

Mr. SARBANES. I want to quote a couple of paragraphs from the column:

Under the shadow of war with Iraq, the House and the Senate last week fought a series of skirmishes over the federal budget for next year. One big, overriding question was at stake: Would President Bush and the Republican majorities in Congress step up to the costs of battle, of homeland defense and of national obligations at home, or would they pass the costs on to future generations?

The answer, sadly, is that youngsters yet to be born will see their choices limited and their prospects blighted by the decision of today's politicians to press ahead with an unaffordable tax cut even while the costs of war and reconstruction make earlier spending estimates wildly unrealistic.

The possible doubling of the national debt in the next decade will drive up interest costs that must be paid every year—billions of dollars that will not be available for Social Security, Medicare or any of the myriad responsibilities of the government here and abroad.

But the squeeze is not all prospective. Some dangerous economies are being forced this year—cutbacks that will have long-term damaging consequences for American society.

He then cites conversations he had with a number of attorneys general of the States, pointing out that cutting back on programs for young people will have disastrous consequences.

Once again, that is the connection that has to be made to giving these large tax cuts. I listened to my colleague from North Dakota as he talked about the procedure. I put a question to him. It strikes me as all a charade, is it not? As I understand it, we are going to pass a budget resolution that is going to have a tax cut figure in it. The Finance Committee in the Senate will be told they cannot reach that tax figure. They have to have the lower tax figure, as I understand it. But then when they go to conference to reconcile their tax figure with the higher House tax figure, let's say they settle at the higher tax figure, the House tax figure, the full amount, then they can bring it back to the Senate and that is protected under the special reconciliation procedures. Is that how it will work?

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. I would say to the Presiding Officer, in response to my colleague, it is truly a perverted result we have here. Aside from the substance of this budget, which I find appalling, the procedure is even worse. The procedure that was designed to provide a fast-track procedure to reduce deficits has now been seized upon to expand deficits. If that isn't standing history on its head, I don't know what is.

What they have done here is, they couldn't get a vote out of this Chamber to have a tax cut bigger than $350 billion. So what they did is, they went into a secret meeting in a room with the minority locked out, and they conjured up a scheme that says both committees are given an instruction, the tax committees, to cut taxes under these special fast-track procedures by $550 billion and another $725 billion on top of that outside of the fast-track procedures.

And with respect to those that are given the special protection, the $550 billion, the Senate Finance Committee is told, oh, wait a minute, there will be a supermajority point of order if you report anything more than $350 billion. But don't worry about that because when it goes to a conference committee between the House and the Senate, you can come back with the bigger number and still enjoy the protections, the special provisions of reconciliation that take away a Senator's fundamental right to debate and amend. That is what is happening here.

I say to my colleagues, we will rue the day this procedure is adopted. It has never been done before—never. What is going to happen here is going to fundamentally alter the Senate. The Senate was designed by the Founding Fathers to be different than the House of Representatives. It was designed to let a determined minority slow things down, to reconsider. But when it comes to reconciliation, forget it, because we have become just an extension of the House of Representatives. It will render the Finance Committee of the Senate irrelevant. All the Members of the Finance Committee should be aware of that. They are going to be irrelevant to this discussion because what is going to matter is what comes out of a conference with three or four people from both Chambers. They will come back here with whatever they decide. It will be an up-or-down vote, and a simple majority will pass it. And the fundamental role of the Senate is altered and diminished, and the strength of our Founding Fathers, the constitutional structure they created to protect this Nation, weakened. This is big stuff that is about to happen here. This is history-making stuff that is about to happen here. It is a dark day for this Chamber and for this country, in this Senator's view.

I yield the floor and 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. CONRAD. 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. CONRAD. While the Senator is waiting, I would like to show my colleagues what we have faced, what we were told would be the surpluses over the next decade. The Congressional Budget Office made their estimates 2 years ago, when they gave us a range of outcomes they said we could expect over the next decade. This is what they told us 2 years ago. They said this gray area were the possible outcomes, from least favorable to most favorable. They adopted as a prediction the midline. That is what told us we were going to have $5.6 trillion of surpluses over the next decade.

I showed this chart repeatedly back in 2001, when we were considering the tax cuts, and warned my colleagues that we should not count on any 10-year projection. Some of my colleagues said: You are being way too conservative. We won't have the midpoint of this range of possible outcomes; we will have much more than that because the tax cuts will produce more revenue.

That is the same song we are hearing now. They said: No, we won't have $5.6 trillion in surpluses; it will be much more than that because the tax cuts will kick off additional economic activity and that will bring us even more revenue.

Well, let's go back to a reality check and see what happened. This red line is what has happened. It is below the bottom of the projections that were made just 2 years ago. That is where we really are. We are not at the midpoint. We are not at the low point of the range of projections. We are below the bottom. All those who said if you just cut taxes, you get more money, that is dream world stuff. It didn't work. It didn't come close to working. They were wrong. They weren't just a little bit wrong, they were totally wrong. The result is deep deficits and debt that will burden this society for decades to come. That is the fact.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I want to give a little different vantage point

on some of these issues, and then maybe other colleagues will wish to speak.

I have heard kind of a continual part of the debate offered by our colleagues in opposition to this resolution that this is a terrible budget resolution. They say it is bad, worse, evil, preposterous, and absurd.

Wait a minute. At least we have a budget. Frankly, budgets are not easy. How much money are we going to spend, and how much are we going to tax? You always have a lot of people who want to spend more, maybe tax less, maybe tax more. I have heard a lot of comments that maybe we should be taxing a lot more. In the budget resolution, we assume the tax cuts we passed in 2001 would be continued in years 2011, 2012, and 2013. They would sunset at the end of 2010. I guess my colleague on the other side would like to have those tax cuts made tax increases in the years 2011, 2012, and 2013. That is about half of the tax cut that is in this bill. We need to do that. We need to address those tax cuts sometime between now and 2010. I doubt it is going to happen this year. If it does—I guess a bill could be offered and, if it is, it is debatable. I doubt that will be part of the tax bill that will be proposed under the reconciliation procedure.

In the President's proposed reconciliation growth package, he would like to have that happen quickly so we can get the economy moving. The economy is not moving very quickly. Some people presupposed that they knew exactly what was going to be in the tax bill. We tell the Finance Committee to cut up to $350 billion in the Senate. The House is $550 billion. We go to conference.

Most people count votes. I count votes around here. I think I know where the votes are going to be. I know Chairman GRASSLEY pretty well. I doubt we will come back from conference with something we cannot pass in the Senate. We will make that decision probably 5 weeks from now, not today. I hope we do things to grow the economy. The economy is going down. It needs help. I will mention to our colleagues that our colleagues had a stimulus or growth package. Theirs was almost all spending; 75 percent was spending, with very little tax relief. I guess their idea of a growth package is to grow government.

Our idea is, wait a minute, let's contain the growth of Government and have some incentive to grow the economy. Historically, in the tax arena—I happened to be elected in 1980, so I go back to that point. In 1980, the Federal Government took in $517 billion, and the maximum personal tax rate per individual was 70 percent. Ronald Reagan was elected President, and 8 years later the maximum tax rate was 28 percent. If you listen to the dialog we just had, you would think revenues would have fallen. We reduced tax rates from 70 percent to 28 percent. That happened over the first several years of the Reagan administration.

In 1990, total revenues to the Federal Government almost doubled, from $517 billion to over a trillion dollars. So we cut tax rates dramatically. But guess what. Revenues went up. Then I looked back a little closer. Well, President Bush increased the rate from 28 percent to 31 percent in 1990. When President Clinton was elected in 1992, he raised the rate from 31 percent to 39.6 percent. I have heard discussion about all these ''massive'' tax cuts for the wealthy and benefits to the wealthy. So far, the wealthy, the higher income tax brackets, are reduced a great big 1 percentage point, from 39.6 to 38.6. That is all that happened. Evidently, they say that is the reason we have this enormous deficit, which is absurd.

What do we do on the lower income? We took lower income rates that were 15 percent and made those 10 percent and made that retroactive. Then we passed a $500 per child tax credit. That is law. Now it is $600. So we have done a lot of things for lower income, to make them basically not pay Federal income tax, some of which was retroactive, or pay a lot lower rate.

I keep hearing all this class warfare and that these deficits are caused by the tax cut, and some people don't like tax cuts and they want to have tax increases, I guess, in the outyears. But I don't think that will help the economy. Some of us want to help the economy.

I looked back and, historically, we have done some things in this body, with bipartisan support, that helped the economy. We reduced capital gains rates in 1997 over the objection of the Clinton administration. They eventually signed the bill. We reduced the rate from 28 to 27 percent and it helped create and foment a lot of growth.

If you look at total growth in revenues in the last several years, in 1998, 1999, and 2000, revenues exploded to the Federal Government—I think in part because we cut capital gains rates. So we can cut rates on occasion and it will help the economy. I am absolutely convinced that it had a great deal of economic stimulus when we cut the rates in 1997 and revenues exploded to the Federal Government. Unfortunately, in the last couple of years, revenues have declined a lot, mostly because the stock market has declined a lot.

So people talk about, wait a minute, we expected $5.6 trillion surpluses over the next 10 years. That was estimated by CBO. They were way wrong because the stock market had already started crashing. NASDAQ, which was exploding in the late nineties, declined by 50 percent between March of 2000 and December of 2000. CBO missed it. They didn't know what that would mean as far as projections. CBO did not forecast the terrorist attack on 9/11 and the disastrous impact that had on the economy and what that has caused in outlays.

I wanted to make a couple of those points. We need to grow the economy and we have a stimulus package that I believe will pass the Senate—and probably a comparable figure will pass the conference. It is a little bit more than our colleagues on the Democrat side wanted, except it is mostly on the tax side, not the spending side.

The other criticism is, wait a minute, this budget is so terrible. Well, at least it is a budget. It is critically important that we pass it. Last year, we didn't even have a budget on the floor of the Senate. One passed through the Budget Committee; my compliments to the chairman for that, but we didn't have a chance to even vote on the floor of the Senate. I think people can be pretty critical, but I think we need to be a little more reserved. It is important that we pass a budget.

I urge our colleagues to be mindful, if we do not pass a budget, one example would be: One could come up on a bill next week, and the bill might be a small authorization bill. Someone can offer an amendment to it and say: Let's spend $1 trillion on a new program, maybe it is prescription drugs or some other type of program that sounds really good. Let's spend hundreds of millions of dollars on education. Sounds good. Let's spend hundreds of millions of dollars—we could do all those things, and if we do not pass this budget today, there would be no 60-vote point of order. Spending would be running rampant. We would be totally out of control. We would have no caps on appropriated caps and no limit on the $2.2 trillion we are spending today, and there is no limit on the demand for Federal spending. It could get out of hand very easily. The only limitation we would have would be the potential threat of a Presidential veto.

We need to govern better than that, and we need to show some discipline. If we remember those 51 votes when we passed the budget resolution, there were countless amendments, almost all of which on the Democrat side were: Let's grow spending; let's increase spending. Deficits are not caused just on the revenue side, they are caused by spending more than we take in.

I wanted to make those points in response to our friends and colleagues on the other side.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, we can debate economic theory for a long time. What is not open to debate is what has factually occurred. Let's go back. Two years ago, we were told this was the range of outcomes looking forward in terms of the budget surplus. The Congressional Budget Office and the President's Office of Management and Budget said they adopted the midpoint of this range. We are going to have $5.6 trillion of surpluses. Our friends on the other side said: Oh, no, it is going to be better than that because we are going to cut taxes; it is going to lead to bigger surpluses; it is not going to be the midpoint of the range of possible outcomes, it is going to be even better than that.

That was fantasy world stuff. We tried their approach. It failed. It did not even come close, not even hailing distance of what happened. Here is what happened. We wound up below the bottom of the range of projected outcomes with deficits and debt as far as the eye can see.

What is the answer of the other side? Let's do it again. Let's try it again. Let's dig the hole deeper. Let's run up more deficits, add more debt, and that will strengthen the country. Does anybody honestly believe that more deficits and more debt are going to strengthen the country when we are on the eve of the retirement of the baby boom generation that is going to explode the cost to the Federal Government, and these folks come forward with tax cuts that explode at the very same time when we are already in record deficit? I tell you, is there no common sense left?

Here is what our Congressional Budget Office, headed by their appointee, straight from the Council of Economic Advisers of the President of the United States, tells us if we adopt this proposal. He has done seven different models. He used their dynamic scoring, the idea that we are going to get more money if we cut the taxes. What did he find? In four of the cases, the deficits are even bigger. In three of the seven, the deficits are somewhat smaller, although all of them massive.

What does he say:

> CBO estimates show lower deficits relative to so-called static scoring only by assuming large tax increases beginning in 2014.

Hello, is anybody listening? He is saying, all those who said the problem is they are not using dynamic scoring, they are not showing the positive effects of the tax cuts, if we just do that, we will see the deficits are not going to be so bad. So we turned it over to their guy, straight from the President's Council of Economic Advisers, and he comes back and says to us: Oh, no, the deficits are not going to be smaller, they are going to be bigger because of the deadweight of deficits and debt. You cannot take on all this borrowing and strengthen the country. You weaken the country.

Then he looked at three other possibilities. He ran three other models. Do you know what he said: Yes, the deficits could be somewhat smaller than would otherwise be the case, but that is on the theory that people are going to work harder over the next decade in preparation for the massive tax increases to come.

Let me repeat that: The only way the deficits are smaller than so-called static scoring is if you assume the American people are going to work harder in anticipation of the massive tax increases to come to deal with these deficits that are exploding out of control.

If anybody can seriously come out here and justify this proposal and these budgets, come on out, let's debate it. I do not see them. Where are they? Come on out here; let's debate. Let's debate what the effect of this budget is, $1.3 trillion of tax cuts on top of an initial $1.1 trillion of spending when we are already in record deficit on the eve of the retirement of the baby boomers, we are at war, a cost of which we do not know.

There is only one possible outcome: More deficits, more debt in a way that is totally unsustainable, and that will lead to massive cuts in Social Security and Medicare and all the rest of Government. That is what is coming next.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I have sought recognition to comment about the pending budget resolution. I was very much impressed with the comment by the distinguished Senator from North Dakota who really questioned if anybody is listening. I think the answer to that question is generally no. The positions in this Chamber are really frozen. We are looking at a 50–50 vote to be broken by the Vice President, and, realistically, we are going through the motions of a debate.

Then the Senator from North Dakota says: Let's have a debate. We have been having a debate today. We have debates lots of days, but most of the time we talk right by each other. The proliferation of charts adds more confusion than clarity. I do not know that there are very many viewers on C-SPAN2 who even flick on their sets with the monotony of the kind of debates which we have in the Senate, which I would say is a blame attached universally on all sides and to all Members.

The one factor I think is most important is that we get a budget just to get a budget. We have a lot of argument about tax increase, no tax increase, what is the amount of the tax increase. An arrangement has been worked out really to sort of save face with all parties involved here so we could come to some terms and move on.

Last year, we did not have a budget. When the Democrats were in control of this Chamber, there was no budget resolution offered on the floor of the Senate, and I do not say that in a partisan way. I think too often there is debate and there are arguments which are partisan Democrats versus Republicans bickering, much to the dissatisfaction of the American people. But not having a budget resolution was very detrimental to the whole appropriations process where we could not curtail spending and have a discipline. For those who may be listening on C-SPAN2 or for a few people in the galleries, there are no Senators on the floor to listen, 60 votes are required to increase spending beyond the budget allocation if there is a budget.

Sixty votes are hard to come by, but if only 51 votes, or a majority of those present, are required, then spending goes up.

I visited Israel earlier this year, and the Palestinian Authority has a new finance minister. I was delighted to learn that the Palestinian Authority has a budget. I exchanged views with him that the Palestinian Authority had something the Senate did not have. The Senate did not have a budget. It was not reported out last year by the Budget Committee. It is vital we have a budget.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. I would like to correct the record with respect to one thing the Senator from Pennsylvania said, I think inadvertently. The Budget Committee did report a budget last year. It did not come to the floor, but the Budget Committee did report a budget. The determination was made not to bring it to the floor. That determination was made because the Senate had a 10-year budget, the House had a 5-year budget. The Senate had used the more conservative OMB estimates. The House had used the more liberal OMB estimates.

It was very clear there would not be a reconciliation between the two.

I will be happy to yield in a moment.

The Senator, the ranking member of the Budget Committee, and I determined that we would bring a 2-year budget to the Senate. We did that. That required 60 votes to pass because it was not a product of the committee. We got 59 votes for that 2-year budget in the Senate; it required 60 votes.

The further facts are that we had all Democrats voting for it, we had 8 Republicans voting for it, including the ranking member of the Budget Committee, the ranking member of the Appropriations Committee, and others, but because we did not have 60 votes, it did not prevail.

It should also be known that the Appropriations Committee, on a unanimous vote, adopted the spending recommendation contained in the budget resolution passed in the committee. They adopted it on a unanimous vote.

Because of differences in the House, there was no final conclusion on most of the appropriations bills. They were held over to this year. And interestingly enough, the conclusion was a total that was within $2 billion of what we had proposed from the Budget Committee. So there was almost no difference—on over $700 billion of spending—almost no difference between what we proposed and what was ultimately passed in the early part of this year.

I am happy to yield.

Mr. SPECTER. Mr. President, when the Senator from North Dakota says there was ''almost no difference,'' $2 billion, I respectfully disagree with him that that means ''almost no difference.'' Regrettably, around the Senate Chamber, and the House Chamber, we think $2 billion does not amount to very much.

The question I have for the Senator from North Dakota is in a context where the 2-year budget was turned down and there had been a 1-year budget prepared by the committee, as articulated by the Senator from North

Dakota who was the chairman last year and who specifies differences between the House and the Senate where there were different assumptions made and many differences; that is what a conference is about. If the Senate had passed a budget, having failed on a 2-year budget, and had gone back and brought to the floor a 1-year budget with differences, that is what a conference is about.

Why didn't the distinguished Senator from North Dakota, then-chairman of the Budget Committee, proceed to get a budget, take it to the House, and have a conference so we could have a budget?

Mr. CONRAD. I didn't make that determination. That was made in a higher pay grade than mine.

The budget we had done in the committee was a 10-year budget, and the budget in the House was a 5-year budget. We had used the more conservative CBO assumptions, and they used the Office of Management and Budget assumptions. We went to a 2-year budget because we thought that had the best prospects of securing the votes necessary to actually have a budget blueprint in the Chamber. We did get 59 votes. We did get a unanimous consent agreement from the appropriators to stick to that number.

For other reasons there was disagreement with House appropriators outside of the budget with respect to priorities.

I say to my colleague, no question, we would be better off to have a budget. That is a fundamental responsibility. It did not happen last year for lots of reasons. I have tried to enumerate some of those.

I personally am committed to the budget process. I think it is critically important. I agree with the Senator with respect to that observation.

Mr. SPECTER. Mr. President, my followup question is, Would the Senator from North Dakota identify who made the decision? The distinguished Senator from South Dakota is on the floor now. Was the decision made by Senator DASCHLE, the majority leader?

Mr. CONRAD. The decision, it is fair to say, was a collective decision and probably was the wisest course given the circumstances we faced at the time.

We could ask the 41 who voted against the 2-year budget: Why did they fail to vote for what was a bipartisan budget proposal right here on the floor of the Senate that would have provided the budget blueprint? They had the chance; 59 Members voted for it, for a budget outline; 41 did not. The question ought to be directed to the 41 who voted no.

Mr. SPECTER. If I may proceed to question one step further. I think the Senator from North Dakota talked about apples and oranges. This body does not have to go to a 2-year budget, if it does not choose to, to produce the 60 votes when the customary practice is a 1-year budget.

I don't recollect with precision, but my instinct is that I supported the 2-year budget. I have supported votes to try to get this to conference to be resolved.

When the Senator from North Dakota says probably it was a wise decision, there is a lot of disagreement about that. I believe it is the duty of the majority party to bring a budget to the floor. I admire an effort to bring the 2-year budget. I think we ought to have a 2-year budget so we can spend more time on oversight, a subject sorely neglected. If that does not succeed, it does not take 59 votes to bring a 1-year budget to the floor. That is the duty of the party that controls the Senate.

When you talk about a majority of the appropriators agreeing to stick to the budget, or unanimous among the appropriators, that does not mean a whole lot because that does not bind the Senate to the figure.

I note the presence of the distinguished Senator from South Dakota on the floor. Might I inquire if the Senator from South Dakota would care to respond as to why we did not have a budget?

The PRESIDING OFFICER (Mr. ALLARD). The Senator from North Dakota has the floor.

Mr. CONRAD. The Senator from North Dakota reclaims my time, and I say to the Senator from Pennsylvania, the Senator from Pennsylvania voted no. We had a 2-year budget. The Senator said he supported a 2-year budget; he voted no. The Senator had a chance last year to vote for a 2-year budget. He voted no; 59 Senators voted for it. We had an opportunity.

Mr. CRAPO. Will the Senator yield?

Mr. CONRAD. I will not yield until I finish. The Senator had an opportunity. Every Senator had an opportunity. And it is not the typical order to have a 1-year budget in the Senate. We deal with 5-year or 10-year budgets, not 1-year budgets.

Last year, in an attempt to achieve a budget on a bipartisan basis, we brought a 2-year budget to the floor. It was rejected; 59 Senators voted aye. It was a bipartisan vote; 41 voted no. They had their chance to have a budget, and they decided not to.

The PRESIDING OFFICER. The Democratic leader has sought recognition and is recognized.

Mr. DASCHLE. Mr. President, I appreciate this colloquy.

The distinguished Senator from North Dakota did everything within his power to reach the bipartisan consensus required to achieve a budget last year. I give him great credit for the efforts he made, in so many ways, to reach across the aisle, to find that bipartisan consensus throughout the year.

Unfortunately, we had very little response or help.

When we came to the conclusion, finally, that perhaps the best thing to do would be to move a 2-year budget resolution, as he correctly noted, we did get a bipartisan consensus on that but not enough to reach the 60 votes. Unfortunately, had the Senator from Pennsylvania chosen to support that resolution, we would have had the necessary 60 votes and hopefully worked out the remaining differences with our House colleagues in spite of the chasm that existed between their proposal and ours.

I appreciate very much the clarification made by the Senator from North Dakota. I again thank him for his efforts and the contribution he has made to this debate.

I also thank him for his earlier presentation to the Senate. My only regret is that more people could not have had the opportunity to see it. I think it is very instructive. I am inclined, almost, to go through the charts once again just because they are so good and they have such a compelling message, but I will leave that to our distinguished manager on budget matters. I appreciate very much the presentation he has made.

Mr. President, I come to the floor with sadness and with great regret at the position the Senate finds itself in today. I don't know that we have a clear indication whether the votes are there for this resolution. I hope we do not. But I assume our Republican friends would not come to the floor if they didn't have the votes.

I am troubled by this resolution for a number of reasons. First, I am troubled by the obsession with tax cuts that appears to be so much a part of the motivation behind the construction of this resolution, an obsession with tax cuts that led the majority leader of the House a couple of days ago—I guess it was last week—to say:

> In the face of war, nothing is more important than cutting taxes.

I have thought about that quote on so many occasions:

> In the face of war, nothing is more important than cutting taxes.

I assume by that he meant nothing in terms of the commitment we make to our military, nothing in terms of the commitment we make to homeland security, nothing in terms of the commitment we make to education, to the needs of people at every level.

So it is troubling to me, first, that this obsession with tax cuts articulated so succinctly by the House majority leader could be so much a part of this resolution. This obsession with tax cuts, as noted by the distinguished Senator from North Dakota, will cause us to experience deficits and accumulated debt unprecedented in this country. We are told, as a result of this resolution, we will see unified deficits exceeding $300 billion. We anticipate under this resolution there will be a $1.95 trillion increase in the accumulated debt for the period 2002 through 2011.

We began, 2 years ago in the 107th Congress, with a projected surplus of $5.6 trillion. We will now experience accumulated deficits of $1.95 trillion, leading us to a $7.6 trillion swing in our

fiscal circumstances in just 24 months. That, too, is unprecedented.

As the distinguished Senator from North Dakota noted, the ranking member of the Budget Committee, close to 40 percent of that swing is attributed to the tax cuts previously enacted or incorporated within this resolution. I don't know the degree to which we can calculate a direct connection between higher interest rates and the demise in our economy as a result of the fiscal problems we are likely to face if we adopt this resolution. But the deficits and the debt anticipated and actually outlined in this resolution present unprecedented and extraordinarily complex—in some ways, unimaginable—fiscal challenges as we look to the future over the next decade or so.

I suppose some would argue that the tax cuts of this magnitude could generate an economic recovery that could bring about an improvement in both the deficit and debt projections and the economy. We will hear that argument, I am sure, throughout the day.

But in a letter that addressed the President's economic stimulus package, 450 economists have said this package will not generate economic activity and will probably cause a loss of jobs. The CBO has actually reported that it is possible we could see a net decline in economic growth of just under 1 percent if the President's economic proposal, as it has been presented, goes into law.

There is no economic stimulus involved here. The CBO says it. Most of the major mainstream economists say it. Therefore, we can't be motivated by any expectation that economic stimulus somehow drives the need for these tax cuts.

On Wednesday, in the New York Times, there was an article coauthored by five public servants who, between them, helped pull our country out of four severe recessions in the last 30 years: former Secretary Robert Rubin, former Commerce Secretary Peter Peterson, former Senators Warren Rudman and Bob Kerrey, and former Chairman of the Federal Reserve Paul Volcker. This is what they had to say about the economic stimulus and the tax cuts incorporated in this particular resolution:

> Given the rapidly deteriorating long-term fiscal outlook, neither proposal is fiscally responsible. It is illogical to begin the journey back towards balanced budgets by enacting a tax cut that will only make the long-term outlook worse. Furthermore, the proposed tax cuts are not useful for short term fiscal stimulus, since only a small portion would take effect this year. Nor would they spur long-term economic growth. In fact, tax cuts financed by perpetual deficits will eventually slow the economy. . . .
>
> They lower future economic growth by reducing the level of national savings that can be devoted to productive investments. They raise interest rates higher than they would be otherwise. They raise interest payments on the national debt. They reduce the fiscal flexibility to deal with unexpected developments. If we forget these economic consequences, we risk creating an insupportable tax burden for the next generation.

You can't be any more unequivocal, any more clear than that. Our best, most experienced minds in the country urge us, advise us, plead with us: Do not make this choice. Five percent of the tax cuts incorporated in the reconciliation package that we anticipate will be before us in a few weeks—5 percent of the total tax cuts assumed in this resolution will be realized this year: $61 billion, less than 1 half of 1 percent of our GDP.

Yet what do the economists tell us? The economists tell us: First, if you are going to have an economic stimulus package, do it now. Make it immediate. Make it broad based. Make sure it is fiscally responsible.

On those three counts, the tax cut legislation anticipated within this resolution all fail. So that leaves me with a third concern. The third concern is what it does to our national investment.

This resolution assumes a $168 billion cut in domestic investments over the course of the next 10 years. That means there will be cuts in homeland security, cuts in education, cuts in law enforcement, cuts in health care for veterans, cuts in infrastructure—cuts in all of those specific needs that make this country stronger.

I am troubled by that. I am troubled by the realization that, in part, I believe supporters of this resolution wish to reduce the flow of Federal funds to these investments for ideological rather than economic or fiscal purposes.

So, Mr. President, this is a very difficult day for our country, a day when we will commit to deficits unlike we have ever seen before, a day when, as a result of those deficits, we are likely to see economic circumstances get worse, not better, a day when, by the admission of those who support this resolution, we can anticipate dramatic cuts in the investments in those areas for which there is great need.

We have talked at length on the floor over the course of the last several months about homeland security and how badly our first responders need help and the importance of addressing the needs of the States as they confront their own immense fiscal challenges.

We have talked about the need for providing additional funding for the No Child Left Behind Act, how critical it is that we find a way to bridge the shortfall between the expectations and the unfunded mandates incorporated within that bill, and the reality that funding for these programs does not just materialize unless we appropriate it.

Serious problems with regard to law enforcement: As crime goes up, our investments in law enforcement, under this resolution, go down.

Problems in Medicaid for the States: The shortfall has never been greater. And the health concerns that nursing homes and hospitals are experiencing, all through rural America in particular, are commensurate with the shortfall that we find in this resolution.

So we can do better. While there are those who continue to talk about the budgets of last year, I think our focus now must be on the budget before us. And I think the first test legislation must pass before we support it ought to be: Do no harm. There is a lot of harm done in this resolution, and that is regrettable.

I hope our colleagues will think very carefully prior to the time they cast their vote. I will be casting a vote in opposition to the resolution. I urge my colleagues to join me.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, there has now been an opportunity to obtain the vote referenced by the Senator from North Dakota, and it was not a resolution for a 2-year budget at all. It was an amendment made by Senator FEINGOLD which would set caps for 2 years. But that is not a 2-year budget resolution.

The idea of a 2-year budget resolution has been discussed widely in this body for many years and has been advocated by the distinguished Senator from New Mexico, Mr. DOMENICI, who chaired the Budget Committee for many years. It is a proposal that I have long supported.

I, frankly, did not remember any resolution for a 2-year budget coming to the floor when it was mentioned by the Senator from North Dakota. But if it had come to the floor, if there had been a resolution for 2 years, I would have supported it because of my longstanding sense that the Congress does an inadequate job of oversight, finding out what is happening in the executive branch, because we spend so much time on the budget and then on the appropriations process.

As chairman of the Subcommittee on Labor, Health and Human Services, and Education, it occupies months of time. So if it can be done in 2 years, then it would be a big savings.

But I recall very well when the Feingold amendment was offered. And there was a major effort by appropriators, significantly, to adopt it, which would set a cap. I refused to back that because I thought it was inappropriate to have a way out for the Budget Committee, which had not established a budget.

The budget law was passed in 1974, and for 27 years, this body has had a budget—until last year. And if the Budget Committee could avoid or evade its responsibility in coming up with a budget, and then have a simple cure by having an amendment offered which would set a cap, what motivation would there be for a budget?

To set a cap is not to have a budget resolution. A cap simply means what the total expenditure will be. It does not mean what the budget will allocate for various categories of expenditures.

We spend a protracted period of time in establishing a budget, and we have

many votes. In the last, during what we called a vote-a-rama, we voted dozens of times on specific amendments. So you do not have a budget resolution when you establish a cap.

I ask unanimous consent that the RECORD Vote Analysis be printed in the Record—this is compiled by the staff of the Republican Policy Committee—and that a similar document be printed in the RECORD, provided to me by the Senator from North Dakota, which repeats that the Feingold amendment establishes discretionary spending caps for fiscal year 2003 and fiscal year 2004, which is the same 2-year period.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the 107th Congress, 2d Session, June 20, 2002]

SENATE RECORD VOTE ANALYSIS—VOTE NO. 159

DEFENSE AUTHORIZATION/BUDGET ENFORCEMENT, HIGHER SPENDING

Subject: National Defense Authorization Act for Fiscal Year 2003 . . . S. 2514. Feingold motion to waive the Budget Act for the consideration of the Feingold amendment No. 3915, as amendment.

Action: Motion Rejected, 59–40.

Synopsis: As reported, S. 2514, the National Defense Authorization Act for fiscal year (FY) 2003, will authorize a total of $393.278 billion in new budget authority for national defense programs (last year's bill provided $343.284 billion). The Administration requested $396,396 billion, including $3.5 billion pay for a shift to accrual accounting for civilian employee health and retirement benefits; this bill will not make that shift. The bill was reported on largely party lines due to a cut in the Administration's request for funding for missile defense programs. Democrats favored the cuts and Republicans opposed them.

The Feingold amendment, as amended, would modify and extend various budget enforcement mechanisms. It would extend the statutory discretionary spending cap points of order through 2007, but would set caps for only the next 2 years. It would cap discretionary spending budget authority for FY 2003 at $768.1 billion and for FY 2005 at $784.4 billion (the cap for FY 2002 was $710 billion); for FY 2003, separate spending caps (a firewall) would apply to defense and non-defense spending. The ''pay-go'' point of order on revenues and mandatory spending would be extended through 2007 (the pay-go point of order requires any decrease in revenue or increase in mandatory spending to be offset with either a corresponding increase in revenue or decrease in mandatory spending; it takes a three-fifths majority (60) vote to waive this point of order). The pay-go point of order would expire at the end of the year following a year in which an on-budget surplus was reported. $25.4 billion in advance appropriations would be permitted in FY 2003. The current bar on delayed obligations would not be extended.

Senator GRAMM raised a point of order that the Feingold amendment violated section 306 of the Budget Act. Senator FEINGOLD then moved to waive the Budget Act for the consideration of the amendment. Generally, those favoring the motion to waive favored the amendment; those opposing the motion to waive opposed the amendment.

Note. A three-fifths majority (60) vote is required to waive the Budget Act. After the failure of the motion to waive, the point of order was upheld and the amendment thus fell.

Those favoring the motion to waive contended:

Argument 1

This amendment would extend expiring budgetary restraints. Those restraints, which apply to both mandatory and discretionary spending, are urgently needed. Most of the provisions of this amendment are noncontroversial. However, some Senators have objected to a few of its provisions. The main objection they have raised is that the amendment would supposedly allow too much discretionary spending. They have suggested that if we had adopted a budget resolution as a free-standing measure we could have avoided this supposed problem. In response, we concede that a budget resolution has not been adopted by the full Senate this year, but the Budget Committee did pass such a resolution. It set spending at a level that was just $9 billion higher than the President requested. Both the Budget Committee's resolution and the President's proposed budget increased discretionary spending significantly over last year's level of $710 billion in order to increase defense spending by $45 billion and homeland defense by $4.5 billion. When one takes those numbers out, one finds that the spending cap proposed in the Budget Committee will increase non-defense spending by less than 1 percent this year. Further, we think that in many respects it is just a more honest version of the President's budget, because the largest differences are that it will not assume spending cuts in particular areas requested by the President because everyone knows Congress is going to fund those areas. Overall, non-defense discretionary spending will rise less than 1 percent under the Committee's budget. This amendment would take the discretionary limits in the Committee's budget for 2 years. We believe that those limits are very frugal. Our colleagues' only other substantive objections to this amendment are that it would allow an increase in advance funding and would not retain current restrictions on delayed obligations. Neither of those objections give sufficient reason to vote against this amendment. The proposed increase for advance appropriations is marginal, and the delayed obligation restrictions would not be renewed by this amendment solely because they are so complex they are never applied. The final argument against this amendment is that it should not be offered to the defense authorization bill. We disagree. This bill sets a limit on the amount that can be appropriated for defense; the defense appropriations bill is the largest spending bill considered each year. Considering an amendment regarding total Federal spending on this authorization bill therefore makes sense. The point of order that has been raised is that this amendment is not germane. This point of order should be waived.

Argument 2

Congress has been spending discretionary funds like drunken sailors the last few years, but the fact remains that the biggest threat to our Nation's long-term solvency is entitlement, not discretionary, spending. Yes, this amendment would allow $9 billion more in discretionary funds to be spent than the President requested, but we are more than willing to accept that increase in our $2 trillion budget if it means we are able to retain the pay-go point of order. If we do not retain that point of order, we will soon be faced with massive increases in entitlement spending, primarily on health care, that will need only simple majority votes to pass. Further, we note that once we put back in place that binding point of order, the President would still have his veto power to strike down any bill that he thought spent too much. We urge colleagues to be realistic. If we do not reinstate the pay-go rule, we will net end up $9 billion deeper in debt, but hundreds of billions of dollars deeper in debt. The trade-off is very acceptable.

Those opposing the motion to waive contended:

The Democrats, who are in the majority, have utterly failed in their responsibility to bring up and pass a budget resolution this year. Because of that failure, budget enforcement mechanisms that are expiring will not be renewed. When we consider spending bills in the coming weeks, we will be doing so without any budget blueprint to restrain spending and without rules to keep spending in check. Given this dismal situation, many Members may be tempted to vote for the Feingold amendment under the principle that some restraints will be better than nothing. However, it would be a mistake if they were to do so. This amendment would reinstate spending restraints only after substantially increasing the amount of money that could be spent. First, for next year, it would increase spending by $9 billion more than the President requested. Second, it would increase to $25 billion—a new record level—the amount of ''advance appropriations'' that could be passed. A third problem is that it would not renew a ban on a particular type of budget gimmick—deferred obligations—that was passed in the 106th Congress.

All of these matters could have been resolved if they had been dealt with appropriately on a budget resolution. We could have offered amendments and had debate on a wide variety of ideas instead of debating little bits and pieces on unrelated bills. Our Democratic colleagues have created a terrible mess, but they are still trying to push through budget enforcement procedures that would allow them to spend more money. We are not going to go along with these efforts. We encourage them to bring a budget to the floor; it is not too late. All Senators would have their rights to debate and offer amendments protected, and the resolution would be considered under the normal procedures that would ensure it would pass (or be rejected) by a time certain. If they were to follow that course, a bipartisan result would be likely. If they continue with this path, though, they are not going to get anywhere. The President has made clear that, unlike last year, he is not going to accept any increases in spending over his request. Spending has been going through the roof; it is time to draw a line against further increases. Therefore, we oppose the motion to waive the Budget Act for the consideration of this amendment.

YEAS (59)

Democrats (51 or 100%)		Republicans (8 or 17%)
Akaka	Inouye	Chafee, L.
Baucus	Jeffords[1]	Collins
Bayh	Johnson	Domenici
Biden	Kennedy	Gregg
Bingaman	Kerry	McCain
Boxer	Kohl	Shelby
Breaux	Landrieu	Snowe
Byrd	Leahy	Stevens
Cantwell	Levin	
Carnahan	Lieberman	
Carper	Lincoln	
Cleland	Mikulski	
Clinton	Miller	
Conrad	Murray	
Corzine	Nelson (FL)	
Daschle	Nelson (NE)	
Dayton	Reed	
Dodd	Reid	
Dorgan	Rockefeller	
Durbin	Sarbanes	

YEAS (59)—Continued

Democrats (51 or 100%)		Republicans (8 or 17%)
Edwards	Schumer	
Feingold	Stabenow	
Feinstein	Torricelli	
Graham	Wellstone	
Harkin	Wyden	
Hollings		

NAYS (40)

Democrats (0 or 0%)	Republicans (40 or 83%)	
	Allard	Hutchinson
	Allen	Hutchison
	Bennett	Inhofe
	Bond	Kyl
	Brownback	Lott
	Bunning	Lugar
	Burns	McConnell
	Campbell	Murkowski
	Cochran	Nickles
	Craig	Roberts
	Crapo	Santorum
	DeWine	Sessions
	Ensign	Smith (NH)
	Enzi	Smith (OR)
	Fitzgerald	Specter
	Frist	Thomas
	Gramm	Thompson
	Grassley	Thurmond
	Hagel	Voinovich
	Hatch	Warner

NOT VOTING (1)

Democrats (0)	Republicans (1)
	Helms[2]

[1]Official Business.
[2]Necessarily Absent.

Mr. SPECTER. And I conclude, Mr. President, by asking the Senator from North Dakota if establishing caps for 2 years amounts to a budget resolution for 2 years.

The PRESIDING OFFICER. Who seeks recognition?

The Senator from North Dakota.

Mr. CONRAD. Mr. President, I suppose reasonable people could differ on what constitutes a budget for 2 years. The amendment that was offered last year was an attempt to adopt the budget that had been formed in the Budget Committee.

And what that amendment provided—and I have it before me now and the Senator is correct—was caps on spending.

It provided, for fiscal 2003, an overall amount for discretionary spending of $764,722,000,000. For the highway category, it provided $28.9 billion in outlays. For the mass transit category, it provided $1.445 billion. For the conservation spending category, it provided $1.922 billion.

It provided the framework—perhaps that is the best way to say it—of the budget that we had constructed in the committee. It was an attempt to give the appropriators the budget framework to go forward so they could do their work.

That is what the attempt was. I think it is fair to say it was not a full budget resolution. I would say that to my colleague. A full budget resolution is not a 2-year document. What the Budget Committee does with the full budget resolution is either a 5-year or a 10-year allocation of resources, both for taxing and spending. But it became evident we did not have the votes for that.

So what we tried to do was put in place this framework of a budget for 2 years, with caps set for 2 years, with the categories specified for the 2 years; but, more than that, to also provide an extension of pay-as-you-go provisions to include the budget enforcement mechanisms that were otherwise going to lapse and to provide the other elements that were important for the consideration of the individual decisions that the appropriators have to make.

I note my colleague from Massachusetts is here. He has asked for time. I yield 15 minutes to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Very briefly, Mr. President, I frankly expected more from the Senator from North Dakota. When he says, and I read his words, adopt a budget formulated in the Budget Committee, there was nothing in the Feingold amendment about a budget formulated in the Budget Committee. When the Senator from North Dakota recites a long list of categories and then says they provide a framework, there were no categories in the Feingold amendment. There was no framework there. When the Senator from North Dakota says it was not a full budget resolution, he really ought to say there was no budget resolution at all because that is the fact.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I tried to be as frank and forthcoming as I could be. When the Senator says there were no categorizations, there were. I would be happy to enter it into the RECORD. It is not true to say there were not. There were.

You had the discretionary spending amount and the other elements that I described for the highway category, for the discretionary category. I don't know what the Senator is looking at.

Mr. SPECTER. Will the Senator yield for a question?

Mr. CONRAD. Let me finish the thought and then I will be happy to yield.

Maybe we are looking at different things, but I offered an amendment to the Feingold amendment providing for these categories, providing for the discretionary amount, providing for these other categories. That appears in the RECORD as an amendment numbered 3916 to amendment No. 3915.

That is what I am discussing here.

I do yield 15 minutes to the Senator from Massachusetts. I am sorry. Would the Senator from Massachusetts withhold. The Senator from Pennsylvania wanted to ask a question. I am happy to yield to him.

Mr. SPECTER. I discussed this informally with the Senator from North Dakota, and he handed me a vote, which I read from, which was the Feingold amendment which established caps for 2 years. The Conrad amendment had nothing to do with what the Senator from North Dakota handed me. But these will be in the RECORD, and people who read the RECORD can come to a conclusion themselves. I think there is absolutely no doubt not only that this is not a full budget resolution but that it is no budget resolution at all.

I yield the floor.

Mr. CONRAD. Mr. President, perhaps it does no good to prolong this. But this was the chance we had to put in place the spending limits for last year and this. It was our chance to establish what a budget resolution does. A budget resolution outlines what are the resources available, and it was our best chance to put in place that structure, to have the Appropriations Committee know what was available to them. That vote was held.

I am happy to yield to the Senator from Massachusetts.

The PRESIDING OFFICER. The acting minority leader has the floor.

Mr. CONRAD. I have yielded to the Senator from Massachusetts for 15 minutes.

The PRESIDING OFFICER. Has the Senator from Pennsylvania sought recognition?

Mr. SPECTER. Mr. President, when the Senator from North Dakota said the amendment put in limits, he is correct. The Feingold amendment did seem to put in limits. When he says that is what a budget resolution does, he is correct also. A budget resolution does put in limits. But a budget resolution does much, much more. A budget resolution specifies categories. It is an elaborate document that specifies categories of expenditures, and that was not in the Feingold amendment.

Mr. CONRAD. Mr. President, the Senator is correct on that. I have no interest in saying it is something it was not. The Senator is correct on that. But I would say to the Senator, this was our best chance to put in place a budget framework to give the Appropriations Committee an indication of what was available to them to spend and not to spend more than that and to put in place the pay-as-you-go restrictions and to put in place the other budget enforcement mechanisms so that the functioning of the Congress could go forward.

I understand the Senator, for whatever reason, decided to oppose that. I just say to him, that was our best chance of putting in place the framework for a budget. It didn't happen. All of us can take responsibility. I will take my share of responsibility. I regret very much that the budget that I took out of the committee didn't come

to the floor and we didn't have a chance to conclude action on it. I was pleased that we were able to get bipartisan agreement, at least with respect to that budget framework. I wish it would have passed. I think that would have been a good thing. But it did not.

I yield 15 minutes to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, the budget that passed the Senate 2 weeks ago was not a good one. The budget which returned from conference today is much, much worse. It provides for far larger tax cuts—totaling more than a trillion dollars. It provides less resources to meet our urgent domestic needs in education, in health care, and in homeland security. It relies on an unprecedented parliamentary gimmick in a desperate attempt to force a bigger tax cut through a reluctant Senate. The Republican leaders who controlled this conference had a single goal—more and deeper tax cuts primarily benefitting the wealthiest taxpayers. This budget clearly shows that they are willing to sacrifice the well being of the American people and make a mockery of the budget process to achieve their goal. We should have the courage to reject it, and enact a responsible budget in its stead.

The conference report nullifies nearly all of the improvements which were made to the budget on the Senate floor. A majority of Senators reduced the size of the overall tax cut. The Republicans in conference raised it back up by $400 billion, from $857 billion to $1.23 trillion. A majority of Senators reduced the amount of tax cuts which could be fast-tracked under the reconciliation process to $350 billion. The Republicans in Congress are attempting to substantially increase that number through a parliamentary gimmick. On the floor, a majority of Senators voted repeatedly to provide additional resources for our top domestic priorities. The Republicans in conference eliminated most of those gains, reducing domestic spending this year by $7 billion. Less for education. Less for health care. Less for homeland security. A majority of Senators should now defeat this irresponsible conference report.

The manner in which the conference report deals with the size of the tax cut is particularly disturbing. It has been designed to maximize the amount of new tax breaks which can be fast-tracked through the Senate. The $350 billion limit on the amount the Finance Committee can report out under reconciliation is a sham. Under this budget resolution, when the tax bill returns from conference, it can provide for up to $550 billion in new tax breaks and still be protected by reconciliation. That is outrageous. Only 2 weeks ago, a bipartisan majority of Senators said $350 billion would be the limit. It was all the Nation could afford. In just 2 weeks, the number has grown by $200 billion. Why? Because the Republican leadership is desperately trying to save the President's ill-advised elimination of the tax on dividend income. That is not a tax cut to help working families and stimulate the economy. That is a tax boondoggle for the wealthy few. Half of all the tax benefits from the elimination or reduction of the dividend tax would go to the richest 1 percent of taxpayers, and 80 percent of the benefits would go to the wealthiest 10 percent of taxpayers. It is unaffordable. It is grossly unfair. No one can claim with a straight face that this is a moderate budget.

The impact on education is devastating. The Republican conferees cut $20 billion in education and training resources over the decade from the Senate passed budget. They stripped the Murray amendment which would have increased funding to make real the promise of No Child Left Behind. They stripped the Kennedy-Dodd-Collins amendment which would have increased the Pell grants of 4.8 million students struggling to pay higher tuition costs. To my constituents in Massachusetts this will mean a loss of $24 million in Pell aid. The Republican leaders who dictated this conference report ignored the education concerns of a bipartisan majority of Senators. And that same bipartisan majority should now reject this shameful budget.

The budget resolution before us actually reduces funding for the No Child Left Behind Act school reform and cuts over half a million children from after school programs. How can President Bush abandon his unequivocal promise of full funding for the school reforms required by the No Child Left Behind Act? That legislation was signed into law with great fanfare by the President just a year ago. But when the klieg lights go out and the bunting comes down and the cameras leave, the money isn't there. The Republican budget provides $8.9 billion less than we promised America's children. Six million children are being left behind.

On the floor of the Senate, we added an additional $40 billion to help the uninsured obtain health coverage. This was an expenditure which even the White House supported. But not the Republican conferees. They deleted it so there would be $40 billion more to finance their reckless tax cut scheme. Helping families get health care is obviously not a priority for them.

This budget has far less funding than is necessary to provide a meaningful prescription drug benefit for all seniors. It follows the administration's grossly unfair plan requiring the elderly to give up their family doctors and go into HMOs in order to obtain any real assistance with the cost of their drugs. Yet Republicans defeated amendments to increase the amount of money available for the prescription benefit and to make the benefit available to all seniors, not just those in HMOs. As a result, many seniors will continue to go without the medication they need every day to stay well.

The budget also contains the administration's plan to convert much of Medicaid into a block grant, reducing the long-term funding which is available to provide health care for the needy. The Republican block grant program would leave many innocent victims in its wake—sick and needy children and their parents, the disabled, and low-income workers and elderly. States are, in fact, being given a financial incentive to cut back coverage for those in need.

The administration plan would even abolish the highly successful CHIP program, which is providing five million children with a healthy start in life. CHIP would be rolled into the block grant, with no guarantee that all of these children would continue to receive health care coverage.

Budgets are the way a nation sets its priorities, and the priorities in this Republican budget are profoundly wrong for America. It fails to address the real problems of real families. It appears to have been drafted in a sound-proofed room so that the voices of working men and women, students and senior citizens could not be heard.

In the 2 years since President Bush took office, the well-being of American families has declined at an alarming rate. Ask most Americans how their lives have changed since President Bush took office, and they will tell you: declining job security; disappearing retirement savings; plummeting school budgets; rising college tuition; skyrocketing health care and prescription drug costs; Federal budget deficits threatening the future of Social Security and Medicare.

With the economy stagnating and continuing threats from terrorists, these are not normal times. Our responsibility in Congress is to pass a budget that meets the challenges of our time. Instead of more tax breaks for the wealthy, we should be concentrating on our national security and our economic security.

Surely, when our troops come home from Iraq, we want them to come home to a strong economy, with jobs that let them care for their families and save for a secure retirement. We want them to come home to better schools for their children, not schools facing drastic budget cuts, fewer teachers, and crowded classrooms. We want them to be able to afford health insurance, and know that their families will receive the quality health care they need.

This budget fails all these tests. It rejects the steps needed to restore the economy, and instead embraces ideologically rigid policies that have not worked and will not work. In 2001, President Bush pushed a $1.3 trillion tax cut through Congress that disproportionately benefits the wealthiest taxpayers. Now, at his urging, this Republican budget calls for an additional $1.3 trillion in tax cuts, even more heavily slanted toward the rich. That

is not the solution to the problems facing America's families. That is a strategy that will only add to their problems.

Huge numbers of working men and women have lost their job security. As layoffs mount, they live in fear of being the next to be let go. There are 2½ million fewer private sector jobs in America today than there were just 2 years ago. Those looking for a job are finding it increasingly difficult to obtain one. The number of long-term unemployed workers has increased by nearly 200 percent since President Bush took office.

Health insurance is becoming less and less affordable for millions of workers and their families. Over two million more Americans are without health insurance today than there were 2 years ago. One in ten small businesses which offered their employees health insurance in 2000 no longer do. The average cost of health insurance is rising at double digit rates—up by 11 percent in 2001 and another 12.7 percent in 2002—nearly four times the rate of inflation. The health care squeeze on working families is getting tighter and tighter.

The cost of higher education is rising beyond the reach of more and more families. The gap between the cost of college tuition and the tuition assistance provided by the Federal Government has grown by $1,900 in the first 2 years of the Bush administration. As a result, the number of worthy students being denied the chance to go to college is growing each year.

For millions of families, their retirement savings have seriously eroded in the last 2 years. The value of savings in 401(k) plans and other defined contribution plans has declined by $473 billion in the last 2 years. Many middle-aged workers who thought their retirements were secure are suddenly being forced to consider staying in the workforce longer and reducing their standard of living in retirement.

These are the realities American families face today. It is no surprise that consumer confidence has dropped more than fifty percent since President Bush took office.

To all these problems, the Bush administration has one answer—more and more tax cuts predominately benefitting the wealthiest taxpayers.

In this current situation, the most irresponsible action Congress could take would be to accept the proposal of the Bush administration to enact major new permanent tax cuts. Yet, that is what this budget resolution does. The combined cost of the President's plan to exempt dividend income from taxation, accelerate the tax cuts for the upper income brackets, and make the 2001 tax cuts permanent would be over $1.3 trillion in the next 10 years. The conference report provides full funding for this plan. It will lead to an immense increase in the deficit which would trigger an additional $300 billion in interest costs on the larger national debt. We cannot afford the loss of an additional $1.6 trillion from the Treasury. Temporary tax cuts to stimulate the economy are affordable, but the President's large, permanent tax breaks are not. If the Republican plan is adopted, the Federal Government will not have the resources to meet urgent domestic needs in education, in health care, and in homeland security. The Republican plan will raid the Social Security Trust Fund for $2.6 trillion over the decade, threatening the benefits of future retirees.

If Congress accepts the Republican budget resolution, the on-budget deficit will be nearly $4 trillion by 2013. More than three-quarters of that amount is directly attributable to the Bush tax cuts enacted in 2001 and the additional cuts proposed in 2003.

The impact these new tax cut proposals will have is clear from this budget. When the President says ''no'' to obviously-needed spending on urgent domestic priorities such as education and health care, he says the war on terrorism requires us all to tighten our belts. The burden of these sacrifices falls mainly on low and middle income individuals and families. Yet the President refuses to ask the wealthiest taxpayers to share the burden. In the midst of his repeated calls on others to sacrifice, he is advocating over $1.3 trillion in new tax breaks primarily for those with the highest incomes. Such a policy is wrong and unfair.

Under the President's ''economic growth'' package, households with annual income over $1 million would receive an average tax cut of nearly $90,000 each year. In contrast, households in the middle of the income spectrum would receive an average of less than $300 a year in tax benefits. Exempting dividend income from taxation will take $400 billion out of the Treasury over the next 10 years. Half of that enormous amount—$200 billion—will go directly into the pockets of the richest 1 percent of taxpayers. The White House apparently sees no need for the wealthiest taxpayers to share in the national sacrifice. It cannot be wartime for middle America but still peacetime for the rich.

Despite the enormous amount spent on tax cuts, this budget resolution still does not provide the kind of stimulus that is needed to get the economy moving, nor does it provide help to those who are hurting the most. Under the Republican plan, less than $40 billion of the $1.3 trillion in new tax cuts will go into the economy this year when a stimulus is needed—less than $40 billion. There is no extension of unemployment compensation benefits to help the long-term unemployed.

There is no aid to States and local communities which are struggling with an increased demand for the health care and human services they provide, at the same time their revenues have sharply declined. This budget will not help to bring an early end to economic stagnation.

A recent analysis of the President's proposal to eliminate the income tax on corporate dividends determined that it is one of the least effective forms of stimulus, generating less than a dime of stimulus for every dollar of Federal revenue lost. This is further proof that the Republican tax cut plan is not about stimulating a stagnant economy, it is about further enriching the already wealthy.

The Nation cannot afford the tax breaks in this Republican budget. The President's tax cut proposals must be scaled back substantially to a far more affordable level.

Which of these choices will make the American community stronger and better able to face the challenges of the future? The decision to pass more and more tax cuts for the richest among us is a decision to ignore America's greatest needs. Now is the time for Congress to bring our policies back into line with our national values. Rejecting this conference report would be a good start.

Unfortunately, most Congressional Republicans have made their choice. For them, bigger tax cuts have a higher priority than educating kids, providing a secure retirement for seniors, and making health care available and affordable to more Americans.

The priorities clearly revealed in this Republican budget are not the priorities of the American people. Their voices have been shut out of the room where the real decisions are being made. If Congress does not change this budget, the American people will change Congress next year.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Mr. President, I ask unanimous consent that the vote on the adoption of the pending budget conference report occur at 4 p.m. today, with the time until then divided equally for debate.

The PRESIDING OFFICER. Is there objection? The Senator from North Dakota.

Mr. CONRAD. Mr. President, I am constrained to object. We hope to have agreement in the very near future, but apparently somebody needs to be contacted who has not yet been contacted. I say to my colleagues, I apologize. I thought we had agreement, but I am just informed we need to wait another few minutes before we can reach agreement.

The PRESIDING OFFICER. Objection is heard.

The Senator from Idaho.

Mr. CRAPO. Mr. President, I wish to speak on the conference report. I think it is important we put into perspective the debate we are having today. You heard a lot of talk, if you listened to this debate, about the potential danger of tax relief at a time like this in our economy. You heard a lot of talk about skyrocketing deficits and what is the responsibility or the cause of those deficits, and the circumstances around which this budget has been brought to the floor.

I wish to step back a bit and look at my personal experience in Congress as an example of what it is we are really looking at, what the perspective is with regard to this debate.

I ran for Congress in 1993. At that time, we had massive deficits, in the neighborhood of $200 billion, $300 billion, $400 billion, $500 billion, and had been having those deficits for years. I ran on a balanced budget platform. I argued for a lot of other issues, but one of the main issues I talked about was the need to balance our Federal budget. I got elected, got here to Washington, and have been involved in a debate over a budget each year since I served in Congress. Now I am in my 11th year.

In each year, what happens is, whoever is the leadership in Congress proposes a budget. The budget can be a 5-year budget, which is what we used to have, or a 10-year budget, such as the one before us. The important point to note about all these budgets is the year that counts, particularly with regard to spending, is the first year of the budget.

Yes, we are here talking about a 10-year budget, but next year we will be back in front of the Congress with a new budget, and the first year of that new budget will not necessarily be the same year, the same as the second year of this year's budget. In other words, we do not just adopt this 10-year budget and then go on from there and live with the budget constraints contained in each of those 10 years. We do a new budget every year. So what really counts is the first year of the budget. It is important for people listening to this debate to understand that dynamic in order to understand what is really being said by those who are arguing about what should be the policy of this budget.

It is true that with regard to tax relief, once tax relief is adopted, it is permanent until a Congress changes it, and it plays out for a period of years. But it is the spending side of the budget that gets changed, especially the discretionary spending side of the budget that gets changed and redone by Congress every year. You have to look very carefully at the spending proposal. What happens, frankly, is that those who want to see more Federal spending, those who want to see our economy basically nationalized, with the Federal Government controlling ever-increasing aspects of the economy and spending ever-increasing dollars, frontload the spending into that first year of the budget. Then they have very prudent spending patterns in the second through the tenth year of the budget or the second through the fifth year of the budget, knowing they can come back next year with a new first year and change the whole spending dynamic.

The debate we are in right now is just another aspect of the traditional debate we have been having in Washington for the last couple of decades between those who do not want to see tax relief and those who want to see tax relief, and between those who want to see the Federal spending increase versus those who want to hold spending down.

We have heard a lot of talk, as I have said, about budgets and deficits. There has been a lot of accusation made about who caused the deficit that we face. President Bush, as you know, when he first became President proposed major tax relief which this Congress adopted. It was adopted for a 10-year timespan and will expire at the end of 10 years from the day it was adopted in 2001, if it is not continued.

That tax relief has provided needed relief to the American people. That tax relief is today being attacked on this floor as a cause of the budget deficits when, in reality, I think most Americans are very well aware we have had dramatic increases in spending required by the attack on 9/11 by terrorists against our Nation and the significant increases in spending on homeland security, by the war in Iraq, and the increased spending for our national security that has been driven by the need to make sure we have the strongest military we can to protect and preserve our Nation against terrorists and rogue nations overseas.

We have seen spending increases in other categories that have been far beyond the growth of the economy. In the categories discussed by Senators on this floor today—education, health care, the environment—spending has gone through the roof for very good reasons: the defense of the war on terrorism, the defense of our homelands, the defense of our Nation. Nevertheless, spending has skyrocketed at the same time the economy has collapsed. So we see revenue going down at a time when spending is going up. That is what is causing these deficits. It was not President Bush's tax relief.

We can argue about whether giving tax relief is going to actually in a dynamic economy strengthen revenues or reduce revenues, and I would like to talk about that a little bit in a minute. The fact is, wherever one comes down on that debate, the true core of the causes of the deficits we are dealing with right now was not the tax relief; it was the increases in spending and the collapse of the economy we have seen not only in the United States but across this globe.

There has been a lot of talk about the fact we really have an obsession with tax cuts. There is definitely a strong commitment on the part of many of us to obtain tax relief because we believe strongly that it is through proper management of the tax collection side of our budget that we will provide the economic stimulus to our Nation that is needed. But if there is an obsession on the one side for tax relief, then it must also be said there is an obsession on the other side with spending.

Those very Senators who stand on the floor and talk about the fact we cannot support increased tax relief, we cannot have more tax relief, are the very same ones who when we debated this budget in the Senate they proposed over 80 amendments. There were over 80 amendments that we dealt with. If we tally up the increased spending that was proposed in the bevy of amendments when we considered this budget, it was almost an additional trillion dollars of spending that was proposed.

This budget is a lean budget, but it is one that meets the needs of this Nation in the critical areas that we must address. Again, we are having that age-old battle between whether we should keep taxes low and, in fact, even reduce them further or whether we should keep taxes high and stop tax cuts from being made and allow previous tax relief to expire and thereby let taxes go up so we can sustain higher levels of Federal spending in the budget. That is what this debate is about.

If we do nothing, if we let the current law stay as it is and have no tax relief and have no additional spending, we will still see deficits in the neighborhood of $200 billion in the budget year 2004 we are working on. So, again, I think it is important to set the parameters.

If we look at the proposals of the one side who are now objecting to the President's tax relief, they also have a stimulus package. Their stimulus package, however, does not contain so much tax relief. It contains mostly spending, on the theory, apparently, that we can spend ourselves into prosperity by having the Federal Government put a massive focus on spending to strengthen our economy.

We simply disagree with that. Notably, the spending in this stimulus package is frontloaded. Recall what I talked about with regard to how these budgets work. It is the first year of the budget that we really have to focus on on the spending side, and the frontloaded spending in the alternative stimulus package that is proposed results in a deficit, if it were to be adopted, that is even higher than the deficit that is contained with the President's tax relief proposal in this budget. According to the analysis, the deficit would be $382 billion, but it would not be because of tax relief. It would be because of spending. That is the key difference, again, in the debate we are having today.

There has been some discussion about the fact that we did not get a budget last year, and why we did not get a budget. The Senator from North Dakota asked some of us who voted against what he calls a 2-year budget that was proposed last year, why we voted against it. Well, I will tell my colleagues, it was the same old debate. That proposal, though it was not actually a full-blown budget, was one which extended the caps and it extended the point of order for the budget points of order that we need as protection in this budget and had some increased spending in some categories. The spending

proposals were, once again, too high. They were far beyond what the President had proposed in his budget that was focused on building a path back toward balance.

The reason we voted against it was because we did not believe in the spending levels they had proposed. With regard to those important budget protections, the extended caps on the budget and the budget points of order and the like, we did later on adopt those and extend them into April of this year. It is those spending caps and budget points of order that this budget now proposes to put back into place.

There has also been some talk about whether the manner in which this budget is being brought forth with the reconciliation instructions, being different between the House and the Senate, is proper. Frankly, I have looked at it. As I see it, it is very straightforward. The reconciliation instructions provide for $550 billion of tax relief over the next 10 years. With regard to that proposed tax relief, it is very clear that with the current support in opposition to that proposal, the Senate cannot pass that kind of tax relief. So it is proposed in this budget reconciliation that the Senate committee cannot exceed $350 billion, as the Senate committee puts together the tax package contemplated by this budget, and the House committee cannot exceed the $550 billion. The reconciliation between those two numbers will occur when the tax committee in the House and the tax committee in the Senate write the actual detailed tax language and they seek, if those bills are passed, to conference those bills.

It is a very normal and standard approach, in my opinion, of bringing together the differences between the House and the Senate, letting that debate be resolved at a time when the House and the Senate have put the details to the tax packages.

As has been said many times, what we are adopting today is a budget. It creates a number for tax relief. It does not say what kind of tax relief will occur. There are proposals and I am going to talk about those proposals, but the budget that we are talking about allows the House and the Senate tax committees to write their own proposals. We do not know what they are likely to adopt—well, let me say we think we know what they are likely to focus on, but we do not know the details of how they will adopt it.

I will talk about the tax relief argument for a minute. It has been said again today, multiple times, that we are talking about tax relief for the wealthy. As I said, I have served in Congress now for over 10 years, and during each of those 10 years—the 6 years I served in the House and going on 5 years I have now served in the Senate—we have had debates over tax relief. We have had tax relief proposals of all different kinds, everything from proposals to reduce the income tax rates to proposals to eliminate the marriage tax penalty, to proposals for child tax credits, and so forth. Every single time that a proposal for tax relief has been made, since I have served in this Congress, it has been attacked as tax relief for the wealthy. Even the proposal to eliminate the marriage tax penalty was attacked as tax cuts for the wealthy.

Why? Because that is something that seems to work when people do not look at the details behind what kinds of tax relief are being proposed.

Well, what kind of tax relief is being proposed by the President? First, he is proposing that we accelerate the tax cuts that were put into place in 2001. That includes expansion of the 10-percent bracket, hardly a tax cut on the wealthy; acceleration of the 2006 rate schedule; acceleration of the 15-percent bracket; and an increase in the standard deduction for married filing jointly, hardly tax cuts for the wealthy; acceleration of the child credit increase, hardly tax relief for the wealthy; an increase in the AMT exemption amount. There is one where people from all different categories could get caught up in it but particularly I hear about this one from small business owners. I certainly hope all small business owners in America and others are not considered to be wealthy simply because they own their own business.

It also includes an increase in the expensing options for small businesses and other businesses, all businesses.

Mr. President, I have just been notified I can now make a unanimous consent request, and I will do so.

Mr. REID. Mr. President, if I could direct a question through the Chair to my friend, who is acting majority leader.

The PRESIDING OFFICER (Mr. SUNUNU). The Senator from Nevada.

Mr. REID. Could I have some indication how much longer the Senator from Idaho is going to talk? We may not be able to make the 4 time.

Mr. CRAPO. Maybe 5 minutes.

Mr. REID. We have four speakers, and if the time is equally divided between now and 4, I am not sure we have enough time for all of our speakers.

Mr. CRAPO. I do not expect to go more than another 5 minutes.

Mr. REID. I am wondering if the majority is going to use all of their time, if we decide to vote at 4, which will be beyond 15 minutes. Does the Senator think he would have authority to allow us to have another hour of that time and the majority have what remains?

Mr. CRAPO. I am not authorized to make that agreement at this point. Should I forego making the unanimous consent request?

Mr. REID. Yes.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. The point I was making is that the first thing the President was talking about doing was accelerating the tax relief that was implemented in 2001, tax relief which was attacked then for being a tax cut on the wealthy but certainly was not so.

The other thing the President has proposed is to make all of that tax relief permanent. That would be making the elimination of the marriage tax penalty permanent, making the elimination of the estate tax permanent, making the increase in the expansion of the 10-percent bracket and the other tax relief provided for all taxpayers in America permanent. These proposals benefit every taxpayer in America. On a percentage basis, they favor those in the lower income brackets far more than those in the upper income brackets.

The bottom line is, whether you use percentages or numbers, people can play with the numbers and say this is a tax cut for wealthy or middle income or whatever, but on a percentage basis these tax relief proposals benefit those in the lower income tax brackets more than any other bracket.

In order to facilitate our effort to conclude this debate at the 4 p.m. time, I will forego the remainder of my comments.

I conclude by pointing out this is another angle on the traditional debate we have virtually every year between those who want to see spending maintained and increased and those who want to see the Federal budget controlled and implement tax relief. The American people can see through these arguments. The American people understand the value and stimulus tax relief can provide to the economy of this Nation at a time when our economy dramatically needs the right kind of fiscal policy to be adopted by this Congress.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I yield 10 minutes to the Senator from Michigan.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, the budget before the Senate, like the President's budget which it reflects, represents the wrong priorities: Too many ill-advised cuts in too many critical area to help pay for a tax cut which is too large, too inequitable, and which will worsen our fiscal situation without providing our economy the jump-start it needs.

The budget resolution that passed the Senate, while irresponsible, was a small improvement over the one reported from the committee. The Senate managed to make an irresponsible budget resolution slightly less irresponsible. The huge tax cuts the President proposed, a majority of which would go to upper income folks and which most economists agree would provide our economy with almost no jump-start that it so desperately needs, were scaled back some. But the conference report before the Senate today pushes us right back to where we started.

Notwithstanding our current record deficits, a war in Iraq and its expected aftermath, the full cost of which is not

yet known, and a baby boom generation that will soon retire in record numbers, the conference report contains tax cuts that total about $1.3 trillion over the next 10 years and, with the expected interest costs added in, $1.6 trillion.

As recently as January of 2001, the Office of Management and Budget projected a 10-year surplus of $5.6 trillion. Now we are back into a huge deficit hole and will be there for the foreseeable future. In fact, this conference report projects total deficits of $1.4 trillion over the next 10 years, including record deficits of over $300 billion this year and next.

The right type of small tax cuts could stimulate the economy by being effective in the short term and going to working families and small businesses who will spend the money now, instead of mainly going to the wealthiest among us who do not need tax cuts. Tax cuts that drastically worsen our long-term fiscal situation, that will not help out in the short term, and that would require cuts to many other priorities are not what our economy needs and not what our people are asking us to adopt.

How much money is going to whom in 2003? The President's tax cut proposal gives about half of the tax cuts to the wealthiest 5 percent of American taxpayers. People can try to put a different gloss on numbers, but there are two bottom lines: One bottom line is this proposal puts us deeper into a deficit ditch and pays for tax cuts mainly going to upper income folks by borrowing; the other bottom line is that the 2003 tax cut proposal of the President gives the wealthiest 5 percent about 50 percent of the money involved in these tax cuts.

Simple equity, as well as an economic stimulus, suggests if we are going to have tax cuts, they should be broad based, providing, for instance, every working family of four with an immediate tax cut of $1,200. That would be an economic stimulus. That would be equitable. That is not what is before the Senate.

There are a number of other things we ought to do in talking about equity and economic stimulus. We ought to extend unemployment benefits for those whose benefits have expired and were not previously extended. We ought to provide short-term incentives for businesses to invest immediately. We ought to provide some assistance to our struggling states for education, homeland security, Medicaid, and highway and other infrastructure improvements. Those measures would be better for our economy today, our fiscal situation in future years, and the many other challenges that lie ahead. They would also address today's problems today without passing the costs on to future generations. One symbol of those future generations are the men and women who now are putting their lives on the line for us in the war in Iraq. It seems to me unthinkable that when we welcome them home—hopefully with the parades and the welcome and the hugs they deserve—we would also tell them: By the way, the war you are fighting is going to be paid for by you and your kids, not by us; we are going to borrow money, not to pay for this war; we are going to borrow this money to pay for a tax cut that mainly goes to the wealthiest among us.

This approach in this budget is wrong on three counts. Number one, we should not be cutting taxes. We ought to be paying for the war now. Number two, if we are going to borrow money, if we have to borrow money for the war, we obviously should borrow it for the war, not for a tax cut. Finally, if there are going to be tax cuts, the tax cuts ought to go not only to those who need the tax cuts the most but those who will spend the money now, giving our economy the jump-start it needs.

We need a lift in this economy, not one that will kick in years down the road or will further explode the deficit, but a fiscally responsible lift that will kick in now. The job loss numbers released a week ago by the Labor Department reinforce the need for a stimulus plan that will create jobs now, in 2003, when we need it.

The proposed tax cuts are not only sharply slanted toward the wealthiest among us, they would do virtually nothing to assist our financially strapped States. As a matter of fact, the tax cuts as proposed may harm them. Just the proposed dividend tax provision alone would actually strip my home State of Michigan of over $100 million in revenue in 2004. And economists, including multiple Nobel Prize winners, agree the tax cut will not provide the boost that this economy needs.

I was also very disappointed to see the conference report excluded an amendment that I offered and that was adopted by the Senate in the budget resolution which we adopted.

Mr. REID. Mr. President, I ask my friend to yield. I am rising for a unanimous consent request so Members have an idea when this will be concluded.

Mr. President, I have been in discussion with the majority, and I ask unanimous consent the vote on adoption of the pending budget conference report occur 2 hours from this time, and that Senator LEVIN be allowed to complete his statement on our side, and Senator DURBIN would have 15 minutes, Senator GRAHAM of Florida 15 minutes, Senator FEINSTEIN 10 minutes, Senator BIDEN 10 minutes, and Senator BYRD 30 minutes.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. I also need some time to wrap up, I say to my colleague, in maybe 10 minutes. Maybe we can work these all down in a way that fits within the time constraints.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I think it is totally appropriate.

The PRESIDING OFFICER. Is there objection to an additional 10 minutes being allocated to the Senator from North Dakota?

Mr. REID. We need to make sure we have enough time for the majority. If we do 2 hours, they would be limited, instead of 30 minutes, to 20 minutes. The only reason I say that is Senator NICKLES, when he started today, said they would not need a lot of time. I know 110 minutes compared to 20 minutes is not very much.

Mr. CAPO. I am authorized to agree to 90 minutes for the Democrats and 30 minutes for the Republicans. But I am not authorized to reduce that 30 minutes at this point, so I would have to object.

The PRESIDING OFFICER. Is there objection?

Mr. REID. If I could modify my request, I will try to pare down the time here. Let's make it 95 minutes here and 35 minutes on the other side.

The PRESIDING OFFICER. Is there objection?

Mr. DORGAN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Reserving the right to object, I just had a chance to visit for a moment with the Senator from Nevada. I would like to be able to speak for 20 minutes between now and the time the vote occurs.

Mr. REID. I withdraw my request.

The PRESIDING OFFICER. The request is withdrawn.

The Senator from Michigan has 3 minutes remaining.

Mr. LEVIN. The amendment to which I referred, which was adopted by the Senate, was aimed at closing down certain abusive tax haven loopholes. We would have taken the money which we would receive by closing down these abuses and applied half of it to the deficit, the other half going to education in areas where we are cutting education.

It is unconscionable to me that corporations, too many of them, have renounced their United States citizenship and opened phony offices in Bermuda from which they can then pretend that their businesses operate, keep doing their business here in the United States, using our police departments, our fire departments, our schools, and all of our other services—inverting, as it is called—getting the benefits of citizenship here but avoiding paying taxes.

People ask, how come revenues are going down? There are a lot of reasons why revenues are going down. One of them is the tax cuts which were adopted here which were proposed by President Bush. Obviously, a slowing economy has had an effect, too. But one of the other reasons we lost revenues is that we have too many corporations that are avoiding paying their fair share of taxes through a very large number of tax avoidance schemes.

We have seen some of these tax shelters. We have seen some of these special-purpose entities used by Enron and

others. We have seen a whole host of ways folks can avoid paying their fair share of taxes. It seems to me, in the middle of a war, the most unconscionable one of all is those corporations that renounce their citizenship and open up a fake office somewhere else in order to avoid paying taxes which they should be paying, and at the same time using our roads, our schools, our banks, our patent laws, our law enforcement, our fair trade laws, our workforce, and not contributing their fair share to pay for those benefits. It was really unfortunate that the conferees decided to strip this budget resolution of language that was aimed at closing down that particular loophole.

This budget emphasizes the wrong priorities. It burrows us deeper into the deficit ditch. It continues our reliance on the Social Security surplus. And it fails to provide the stimulus which is needed to improve our sputtering economy. It rises to a new level of irresponsibility and it should be defeated.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I want to respond to something my colleague from Idaho indicated during his remarks when he stated that marriage penalty relief has been attacked as a tax cut for the wealthy. I know of no example of that. I do know that on our side, Democrats moved to accelerate that relief in 2001, but virtually every Republican voted against it.

I would be happy to have that vote printed in the RECORD at this time, so people can check the record and determine whether or not that allegation has merit or not. I ask unanimous consent that be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Record Vote 112, May 17, 2001]

RECONCILIATION (TAX CUT), (MARRIAGE PENALTY)

H.R. 1836—Amendment No. 654: ''Economic Growth and Tax Relief Reconciliation Act of 2001''.

Conrad-Kennedy-Johnson amendment which accelerates the elimination of the marriage penalty in the standard deduction and the 15 percent tax bracket to fully eliminate the penalty in 2002; offsets by delaying the reduction of the top two tax brackets from 2009 to 2010; and provides a trigger mechanism to protect the Medicare HI trust fund, requiring the Treasury Secretary to adjust the marginal tax rate reductions in any fiscal year in which the rate cuts would result in an on-budget surplus smaller than the Medicare HI trust fund surplus.

Amendment Rejected.

YEAS (44)

Democrats (42 or 84%): Akaka, Bayh, Biden, Bingaman, Boxer, Byrd, Cantwell, Carnahan, Clinton, Conrad, Corzine, Daschle, Dayton, Dodd, Dorgan, Durbin, Edwards, Feingold, Feinstein, Graham, Harkin, Hollings, Inouye, Johnson, Kennedy, Kerry, Kohl, Landrieu, Leahy, Levin, Lieberman, Mikulski, Murray, Nelson (FL), Reed, Reid, Rockefeller, Sarbanes, Schumer, Stabenow, Wellstone, Wyden.

Republicans (2 or 4%): Chafee, L., McCain.

NAYS (56)

Democrats, (8 or 16%): Baucus, Breaux, Carper, Cleland, Lincoln, Miller, Nelson (NE), Torricelli.

Republicans (48 or 95%): Allard, Allen, Bennett, Bond, Brownback, Bunning, Burns, Campbell, Cochran, Collins, Craig, Crapo, DeWine, Domenici, Ensign, Enzi, Fitzgerald, Frist, Gramm, Grassley, Gregg, Hagel, Hatch, Helms, Hutchinson, Hutchison, Inhofe, Jeffords, Kyl, Lott, Lugar, McConnell, Murkowski, Nickles, Roberts, Santorum, Sessions, Shelby, Smith (NH), Smith (OR), Snowe, Specter, Stevens, Thomas, Thompson, Thurmond, Voinovich, Warner.

NOT VOTING (0)

Democrats (0).
Republicans (0).

Mr. CRAPO. Will the Senator from North Dakota yield?

Mr. CONRAD. I am happy to yield.

Mr. CRAPO. I believe what I said was that, as I had been here over 10 years, we debated that proposal several times and every time it has been debated it has been attacked as a tax cut for the wealthy. I can tell you from my own personal experience, that is the case. In fact, today it is part of the proposal being talked about and it is being attacked as a tax cut for the wealthy.

Mr. CONRAD. I say to my colleague, as I indicated, we on this side moved to accelerate that relief in 2001. In fact, I offered the amendment.

Mr. CRAPO. We will take a look at that and see why the vote was different.

Mr. CONRAD. All but two on your side voted against it.

Is the Senator seeking time?

The PRESIDING OFFICER. Who yields time?

Mr. CONRAD. I yield 10 minutes to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 10 minutes.

Mr. DURBIN. Mr. President, I reduced the time I requested because I know I have colleagues on the floor seeking recognition and we want to wrap this up in a timely way.

Let me say to those following this debate, one, the greatest Illinoisan of all times once said:

> A speech the world will little note nor long remember.

I think the same can be said of this debate. The United States will little note nor long remember this debate on the Senate floor. But it will remember what happened today when we see the outcome. The outcome is going to be devastating for the economy of the United States for years to come.

The reason is, of course, America is preoccupied, as it should be, with the war in Iraq. We are so proud of the achievements of the men and women in uniform. We have watched every single day the wonderful unfolding of the change in Iraq, offering a new opportunity. I think the reason we are focused and so positive about the military accomplishment is we know the men and women involved in that decision showed both courage and vision.

Sadly, when it comes to the economy of the United States, the other party and the administration in the White House show political calculation and myopia. Instead of dealing with the real economic challenges of America in a sensible, fair, and evenhanded way, we have a Republican budget resolution which will be devastating. It will be devastating in creating the largest deficits in the history of the United States of America.

What happened to this Grand Old Party, this party of fiscal conservatism? Today, we find it is the party of record deficits and record debt. A party which once said, we don't want to leave a legacy to our children of debt, is in fact creating that debt with this budget resolution.

There are some things you can argue are beyond the control of the White House or anyone in Congress. One of those things is the cost of this war and the war on terrorism. I will gladly concede that those are things which could not be calculated 2 or 3 years ago and cannot be calculated today in terms of their cost. But the real problem with this budget resolution is this President's fixation with creating massive tax cuts for the wealthiest people in America. It is the age-old Republican answer to every single problem: When in doubt, cut taxes for wealthy people.

This is done in the belief that if the wealthiest people in America just had a little more money to spend, things would get so much better. We tried this. A little over 2 years ago, the President came in with the first round of his tax cuts for the wealthy, and he said: Just watch what happens.

We watched. The economy continues to plummet. We continue to lose jobs. In fact, if you look at the Bush record since the President took office: 2.5 million fewer private sector jobs under this President; long-term unemployment up 184 percent; over 2 million more Americans without health insurance; 1 in 10 small businesses has dropped health insurance for their workers; the average cost of health insurance rises by double digits; the gap between tuition and Federal student aid has grown $1,900 more under President Bush, retirement savings have been decimated, consumer confidence dropped by 51 percent, and the Bush budgets have turned a projected $5.6 trillion Federal surplus into a $2 trillion deficit.

How can one President in 2 years and 3 months have dealt such body blows to the American economy? He did it with the wrong policies, a policy of tax cuts for the wealthy that failed in the first round and will fail again. This budget resolution enshrines those tax cuts and says to our children and future generations: Get prepared to pay off this debt because we have to give tax breaks to wealthy people today.

My friend from Idaho says: Oh, that's just class warfare. I am reminded we were recently visited by Warren Buffett, one of the most wealthy men

in America. He said: If this is class warfare, I have something to report: My class is winning.

It certainly is, because if you look at the President's overall tax cuts, and the amount of money that average taxpayers can expect, look at these numbers: $265 for the typical taxpayer in tax relief; and yet for people with over $1 million, $88,873 on an annual basis.

Think about that for a moment. We are saying to the average taxpayer: We are going to give you a modest bicycle and some roller skates. We are saying, for the millionaires: You need a luxury car.

That is the idea of fairness and justice when it comes to the Republican side of the aisle.

Well, it has been absolutely devastating. When you take a look at it in terms of the Bush tax plan, nearly 50 percent of American taxpayers will receive less than $100. They just get the roller skates. The people who are millionaires end up with the luxury limos.

Is that what America is all about, particularly in time of war, when we have children from average, middle-income working families risking their lives for this Nation? Is this the best we can do? To offer a tax cut to the wealthiest people in this country? To say at this time of uncertainty about the cost of the war, and what we will need as a nation, that the best we can come up with is a plan from the White House to give tax breaks to the wealthiest people?

Take a look at this budget conference report and I will tell you what you will find. The Republican approach shortcuts education dramatically. The President passed No Child Left Behind. He said: We are going to help our schools move forward.

We need $9 billion, Mr. President, next year. Your budget provides $400 million—not nearly enough. While school districts face bankruptcy, States are deep in deficit, this administration cannot find the money for education. But it can find the money for tax cuts for wealthy people.

I will tell you, the No. 1 issue I find among families and businesses in Illinois—the No. 1 issue—is not this whole question of tax cuts; it is the cost of health insurance. This administration, in this budget, has done absolutely nothing to deal with the most serious problem that businesses and families face today—nothing. It is better, they believe, to give a tax cut to wealthy people than to deal with real issues that families and businesses face every single day.

You want to deal with tax cuts? Let me tell you one that I find overwhelmingly popular in my town meetings. The Senator from New York has suggested it, Mr. SCHUMER: a $12,000 deduction each year for college education expenses. Think about working families whose kids get into good schools and face tuition that they never would have dreamed of and debt that they couldn't imagine. Imagine if we could give them tax assistance, give them tax help: $12,000 deductibility.

But, no, the Republicans say that isn't the way to invigorate America. That isn't the vision of the future. Their vision is to make sure the wealthiest among us have more money to spend.

I don't get it. It is classic Republicanism, but it is a classic failure—a failure which over 2 years and 3 months has driven the American economy into the rut.

In my State, we have lost tens of thousands of manufacturing jobs, faced record unemployment rates, and this administration believes the way out of it is to provide tax cuts for the wealthiest people.

I salute the Senator from North Dakota. His leadership on this has been extraordinary. He and the Congressman from South Carolina, JOHN SPRATT, have spoken out in honest terms about what we face as a nation. Some of the things the Senator said during the course of the debate are not necessarily politically popular, but they are courageous and they show vision. That is what our military forces are doing in Iraq. That is what we should do here, nothing less. Instead, we are dealing with political calculation and kind of shortsightedness that we will pay for for many generations.

I will vote a resounding no on this budget resolution.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I thank the Senator from Illinois.

Does the Senator from Florida seek time?

Mr. GRAHAM of Florida. Yes.

Mr. CONRAD. Mr. President, I yield 12 minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM of Florida. I thank the Senator.

Mr. President, the real priorities of the President and those who wrote this budget can be seen by comparing two numbers: The tax cuts authorized in this resolution total $1.3 trillion over the next 10 years. Over the same 10 years, the Federal budget will run deficits totaling $1.4 trillion.

The priority of those supporting this resolution is crystal clear: tax cuts today, in exchange for an even higher mountain of debt that will be paid by our children and grandchildren.

So strong is the lust for tax cuts, the conference committee on the budget has gone so far as to develop an unprecedented gimmick by which the Senate and the House of Representatives will consider a portion of these tax cuts later in the year.

Under normal procedures, a conference report is to be a consolidated single resolution of all of its issues. We are presented with what is called a conference report, which has a dramatic difference between tax cut allowances in the House—$550 billion, over 10 years—and tax cuts allowed in the Senate—$350 billion.

The goal of the majority is to give the appearance of limiting tax cuts to the Senate-passed limit of $350 billion, while paving the way for fast-track tax cuts of $550 billion.

During the debate on the Senate's budget resolution a couple of weeks ago, I voted against any tax cut in the budget. Why? Because, in my judgment, they do not reflect our Nation's priorities.

This budget should seek to reduce the national debt. It should seek to strengthen and reform Social Security. It should seek sufficient funds to modernize the Medicare Program and add a meaningful prescription drug benefit. It should provide funds for programs the Federal Government has committed itself to which are so critical in the lives of our children.

This budget includes no adequate money for these priorities. It is laser like in its focus on tax cuts. The tax cuts allowed by this budget are not only irresponsible, they are misdirected. Although their advocates claim their purpose is to create jobs and stimulate economic growth, these tax cuts will not do the job. That is especially true of the proposed tax cut on stock dividends.

To truly stimulate the economy, any tax cuts should be targeted so they boost demand for consumer goods and services. Most economists agree that this is best achieved by directing the tax cuts to low- and middle-income families and small businesses.

I personally would prefer a short-term reduction in the payroll tax, paid for by general revenue, holding the Social Security and Medicare trust funds whole.

The tax cuts contemplated by this resolution are directed at upper income families who are the least likely to boost their purchases of goods and services.

We had a debate a few moments ago as to whether this was class warfare. That is in the eyes of the beholder. But one thing that it clearly is: It is intergenerational warfare.

It is warfare against children, with cuts in education, the failure to fund the No Child Left Behind Act, which we passed 2 years ago, cuts in childcare, cuts in women's, infant's, and children's health care.

The irony of this intergenerational warfare against children is that they will end up paying, during their adulthood, the cost of the deficits which we are adding today.

It is also intergenerational warfare against older Americans. Some would argue that this budget includes $400 billion for a Medicare prescription drug benefit. They know full well that $400 billion is inadequate to provide an affordable, comprehensive, universal prescription drug benefit for America's seniors.

Why do we know this? Last year, 52 Senators voted for a plan, which I had

offered, to provide to Medicare beneficiaries real drug benefits, with no gimmicks, no gaps, no hidden ''gotchas.''

With inflation and the change in demographics of the older population, such a benefit would now cost $619 billion over 10 years.

Limiting a prescription drug benefit to $400 billion means that 89 percent—89 percent—of Medicare beneficiaries, those who have elected to stay in the fee-for-service Medicare Program, will go without prescription drug coverage, unless they either have very low incomes or very high drug costs.

The only way to provide a drug benefit within this budget's framework is to limit the benefit to a relatively small number of Medicare beneficiaries.

If they should happen to live in an area that offers health maintenance organization coverage—and millions of our seniors do not—Medicare beneficiaries will have no choice but to move into managed care plans because there is no other way that they will be able to access the lifesaving prescription drugs they need. It is wrong to force seniors to make this choice. It is irresponsible to approve a budget that ignores vital priorities such as modernizing the Medicare Program, securing Social Security's future, reducing the national debt, while promoting massive tax cuts for the wealthiest of Americans.

I urge my colleagues to take responsibility for our actions, to pay for our obligations now—not to pass a budget that promotes unaffordable tax cuts, tax cuts with consequences that will be felt now, particularly by children and older Americans, tax cuts with costs that will be passed on to future generations to pay.

Therefore, I shall vote no on this budget resolution and hope that we might have an opportunity later in the year to reconsider this misguided proposal.

I ask unanimous consent that an item which appeared in the New York Times of April 9, titled, ''No New Tax Cuts,'' which was authored by former Senators Bob Kerrey, Sam Nunn, and Warren Rudman, as well as Peter Peterson and Robert E. Rubin, and Paul A. Volcker be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 9, 2003]

NO NEW TAX CUTS

(By Bob Kerrey, Sam Nunn, Peter G. Peterson, Robert E. Rubin, Warren B. Rudman and Paul A. Volcker)

With a war in Iraq and looming post-war costs, growing pressures for a prescription drug benefit, increased expenses for domestic security and a ballooning budget deficit, Congress must exercise restraint on both revenues and spending to prevent fiscal policy from spiraling out of control. The consensus in favor of long-term budget balance must be re-established. This issue is now directly before Congress as it debates the federal budget.

The fiscal outlook is much worse than official projections indicate. These projections assume that the tax cuts enacted in 2001 will expire at the end of 2010. They also assume that discretionary spending, the part of the budget that pays for national defense, domestic security, education and transportation, will shrink continuously as a share of the economy. Neither of these assumptions is realistic.

Moreover, the official projections do not include the costs of war and reconstruction in Iraq. And they ignore the inevitable need to reform the alternative minimum tax, which is not indexed for inflation and will apply to some 40 million households within 10 years—up from two million today.

Under more realistic assumptions, the deficit projections are cause for alarm. A recent study by Goldman Sachs includes this forecast: if the president's proposed new tax cuts are enacted, a Medicare prescription drug benefit is approved, the A.M.T. is adjusted and appropriations grow modestly, the deficits over the next 10 years will total $4.2 trillion—even if the Social Security surplus is included. If it is not included, the deficit would be $6.7 trillion. Under these circumstances, the ratio of publicly held debt to gross domestic product climbs within 10 years to nearly 50 percent, from 33 percent just two years ago.

And all of this happens before the fiscal going gets tough. Looming at the end of the decade is a demographic transformation that threatens to swamp the budget and the economy with unfunded benefit promises, like Social Security and Medicare, of roughly $25 trillion in present value. Our children and grandchildren already face unthinkable payroll tax burdens that could go as high as 33 percent to pay for these promised benefits. It is neither fiscally nor morally responsible to give ourselves tax cuts and leave future generations with an even higher tax burden.

And yet tax cuts are the primary focus of this year's budget debate. To speed enactment of tax cuts, Congress is planning to use a special fast-tract procedure called ''reconciliation'' in the budget resolution. While determining the size of the tax cut to be given fast-track protection in the budget is sometimes dismissed as a procedural matter, it is not: whatever its size, a tax cut that receives this protection is almost certain to be enacted in the later tax legislation. Members of Congress should not therefore approach the budget decision with the idea that a tax cut given such status now can be easily scaled back later.

The president has proposed a cut of $726 billion, which the House has already approved. The Senate has reduced the cut to $350 billion.

Given the rapidly deteriorating long-term fiscal outlook, neither proposal is fiscally responsible. It is illogical to begin the journey back toward balanced budgets by enacting a tax cut that will only make the long-term outlook worse. Furthermore, the proposed tax cuts are not useful for short-term fiscal stimulus, since only a small portion would take effect this year. Nor would they spur long-term economic growth. In fact, tax cuts financed by perpetual deficits will eventually slow the economy.

The tax cuts now before Congress do not pay for themselves. No plausible array of matching spending cuts or offsetting revenue increases has been, or will be, proposed to close the gap resulting from a large new tax cut.

We believe that there should be no new tax cuts beyond those that are likely to provide immediate fiscal stimulus, and that avoid growing revenue loss over time. If, however, Congress decides it must approve a tax cut, it should pass the Senate's. While a $350 billion tax cut does not fit our definition of fiscal responsibility, it comes closer than a tax cut of $726 billion. Moreover, Congress should reestablish the pay-as-you-go rule in which tax cuts and entitlement expansions must be offset. The discipline of this rule greatly contributed to the elimination of budget deficits in the 1990's and is clearly needed again.

Congress cannot simply conclude that deficits don't matter. Over the long term, deficits matter a great deal. They lower future economic growth by reducing the level of national savings that can be devoted to productive investments. They raise interest rates higher than they would be other otherwise. They raise interest payments on the national debt. They reduce the fiscal flexibility to deal with unexpected developments. If we forget these economic consequences, we risk creating an insupportable tax burden for the next generation.

The PRESIDING OFFICER. Who yields time? The Senator from Florida.

Mr. GRAHAM of Florida. Mr. President, how much time would the Senator from Florida like?

Mr. NELSON of Florida. The good ranking member of our committee was going to allocate 10 minutes to me.

Mr. GRAHAM of Florida. Taking the position of the ranking member of the Budget Committee, I shall allocate 10 minutes to my colleague.

The PRESIDING OFFICER. The Senator is recognized for 10 minutes.

Mr. NELSON of Florida. For that to come from the senior colleague of my State, who not only can I call friend but also my senior Senator, my mentor, I am very grateful. I find that as in most of the cases, his and my ideas are very similar, as he has just expressed so about this budget.

I want to start my remarks by telling a story. In 1978, I came to the House of Representatives and became a freshman member of the Budget Committee. Twenty-two years later, I come to the Senate, and I am a freshman Senator put on the Budget Committee.

In the second term I had in the House, we had a newly elected President, President Reagan. I felt that the President, having won a significant victory, was owed a certain deference with regard to his tax policy. On a very close vote, I was one of the handful of votes that allowed President Reagan to pass his budget in 1981, and his tax cut.

In a couple of months, I realized that I had made a mistake. I took to the floor of the House of Representatives and stated that I had made a mistake because what we had done was to cut the tax revenues so much so that the revenues were plummeting at the same time we were increasing expenditures of Government. Prior to the Reagan administration we were still running deficits, but it was about a $20 billion deficit, annual deficit—that is, $20 billion more that the Government was spending than it had coming in tax revenue—but if you look on a chart, what happened after that was the expenditures were going up and the revenues were coming down. And the annual amount of borrowing that the Government had to do was all the greater,

swelling the national debt, causing a huge expenditure for the Federal Government of annual interest on the additional amounts that we were borrowing each year. It was taking us into the economic ditch. We were in fiscal chaos. I will never forget one of my dear friends in the House, who shall remain nameless but who was one of the preeminent economic spokespeople of the time for the trickle-down, supply-side economics theory, stated—and I found it revealing—We do not worship at the altar of the balanced budget anymore.

Well, that was certainly true because in the decade of the 1980s, the annual deficit swelled to around $250 billion a year. The national debt doubled and tripled, and that big tax cut I said was a mistake in 1981 had to be undone—not once, not twice, but three times over the course of the decade of the 1980s—ultimately, into the 1990s. Then sounder fiscal minds prevailed. The budget was ultimately balanced to the point at which almost nirvana was achieved in the late 1990s and the year 2000. And lo and behold, here we were in a surplus.

Had we been fiscally conservative—let me repeat that statement—had we been fiscally conservative, we could have been good stewards of those surpluses, and we could have provided for the additional spending that clearly we were going to have to do, particularly in the defense of the country, even though we didn't know at the time that September 11 would happen. And we had the very real probability that we could pay off the national debt over the course of 10 or 12 years.

I tell that story because that is a personal story I have lived. It is a story of personal experience that I come to this Senate Chamber today to tell as to why I voted against this budget resolution when it came through the House and why I am going to vote against it today. Because it is not sound fiscal policy; it is not conservative fiscal philosophy. It is exactly the opposite. It is reckless fiscal policy when you drive revenues down, increasing expenditures, particularly in time of war and the kinds of occupational expenses that we are going to have to be expending, that we are already expending in Afghanistan, that we have been expending in Bosnia for 7 years, and how many years are we going to have to expend it in Iraq, which I support.

It brings us back to this mindless fiscal policy driving us into the economic ditch.

I say to the ranking member of the committee, I am just getting wound up. I know you have lots of others to talk.

I am just getting into my message, but you get the drift of my message. I know you want to allocate time to other folks. I will sum up.

I have always tried to conduct myself in public office looking to what is the workable solution, what is the commonsense solution. Most folks want Government to work, and they want their elected representatives to perform so that Government will perform and function well.

When you adopt fiscal policy such as this, driving the annual deficit higher and higher, when there is no prospect in the future anytime soon of bringing it into fiscal balance and getting close to a balanced budget. That just doesn't comport to common sense. You can do all of the legislative sleight of hand and fiscal ''now-you-see-it-now-you-don't,'' as has been done by this budget resolution, but that doesn't get away from the hard economic fiscal reality that we are going in the opposite direction.

Do I support tax cuts? Of course I do. In the first year, I voted for a version that went as high as $1.2 trillion over a 10-year period. What we passed was supposedly $1.35 trillion. But the reason I didn't vote for that was that we knew that wasn't accurate; that it was going to be closer to $2 trillion in tax cuts over 10 years.

Would I like to have those tax cuts? Of course, but every decision we make here has to be balanced as to how is it going to perform in the functioning of the economy. What you want is an economy that hums. You want an economy that functions, that is a robust economy.

We are going in the opposite direction, where we fall off revenues so much at the time of expenses going so high that it causes the markets to get shaky because people do not have confidence in the markets.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CONRAD. Mr. President, I yield an additional few minutes to the Senator.

Mr. NELSON of Florida. Mr. President, I will not take the time because so many others have such beautiful ways of expressing themselves and they want to speak and I want to hear. I will conclude by saying I love this Senate, and I love these Senators. I love the Senators on this side of the aisle, and I love the Senators on that side of the aisle.

The only disappointment I have had is when this place gets too partisan so it cannot work out a solution, and when this place gets too ideologically rigid so that you cannot find a consensus in the commonsense middle ground, and that is what is happening to us in this budget debate.

Someday we will learn because we will have to make Government function in the way that the people all across America want it to function.

I would venture that every single Member of Congress, on both sides of the aisle and both sides of the Capitol, can agree on one thing: We need to get the economy moving again.

Every priority that we speak about up here—whether it's health care, retirement security, national defense, battling terrorism or even cutting taxes—every one of our priorities is easier to achieve when the economy is booming.

The fundamental disagreement is on how we get the economy going again.

When talking about the economy, I tend to trust economists. But these tax cuts that are the centerprice of the administration's economic growth package, don't have a lot of fans among the Nation's economists. In fact, 450 economists, including 10 Nobel laureates, oppose his tax cuts because they won't create jobs or stimulate the economy. Meantime, the President was able to find just 13 who support his ''stimulus'' plan.

And still, here we are, ignoring not only the better judgment of experts, but ignoring a majority of Senators who were able to agree on a smaller tax cut package. Only 2 weeks ago, this body agreed to reduce the reconciled tax cut package from $726 billion to $350 billion. Yet, in 2 short weeks, the administration and the majority party have found a way to game the system of reconciliation to ram through a higher tax cut number against the collective will of the Senate and the budget process.

Over the years the budget process has endured many changes, but always with the intention of creating procedures that allowed Congress to be fiscally responsible as we plan for 10 years of spending priorities. The games that were played with the system this year have completely undermined the purpose of our budget process. As a result, we are in grave danger of plunging the country off a cliff into massive deficits and debt—threatening the education of our children, the financial security of our seniors, and the strength of the Nation.

Given all the uncertainty we face, this tax cut we're forcing through is irresponsible. If the economy doesn't improve, or it peacekeeping in Iraq takes longer than expected, or if we face another conflict or terrorist act, we're going to have to find a way to pay for it. Fiscal responsibility cannot be predicated on a hope that all goes right, it requires planning to ensure financial stability should anything go wrong.

This is no way to budget. We are not planning for the rainy days ahead. We're hoping that the economy gets going again. We're hoping that America doesn't have to defend itself again. We're hoping that homeland security costs don't mount or that more terrorists don't strike.

Meantime, unemployment is growing, there are more uninsured Americans, we're about to have more veterans, our schools are not receiving the funds they need, the baby boomers are retiring, and we're cutting taxes?

Sooner or later, we are going to have to pay for all of this or, more likely, our children will.

If any of these worst-case scenarios occur, we will have to raise taxes or we will have to cut programs such as Medicare and Social Security or we will have to keep up deficit spending.

No matter what, future generations are going to be forced to pay for the sacrifices we have refused to make.

Our budget process and sound fiscal policy have become the latest casualties of political expedience. This is not the time for a tax cut, and certainly not one this large.

Mr. CONRAD. Mr. President, I thank the Senator from Florida, Mr. NELSON. He is a very valuable member of the Budget Committee. He has been steadfast and resolute on fiscal responsibility. As he has made clear, he does not believe this budget represents that. The truth is, it does not. This is a budget that is going to explode the deficits and debt of the United States at a time of already record deficits. It takes $1.3 trillion away in revenue and increases expenditures by $1.1 trillion. There can only be one result, and that is more red ink, more deficits, more debt, and a threatening of the economic security of the Nation.

How much time does my colleague from North Dakota need?

Mr. DORGAN. About 15 minutes.

Mr. CONRAD. I yield 15 minutes to the Senator from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota is recognized for 15 minutes.

Mr. DORGAN. Mr. President, I recall an article by David Broder some while ago. He is one of the thoughtful columnists in the Washington Post. I think perhaps he is considered the dean of thinkers in Washington, DC, who write regular columns. He said in the first sentence:

> I am going to commit class warfare—not because I want to, but because that is the only way I can describe what is happening.

Let me not act as a volunteer to commit class warfare, but I will say some things that others who are in a habit of doing so will describe as class warfare. We have proposals to cut taxes before us. We have plans offered by those who support this budget that will say to those who make $1 million in income in this country that we want to give you an $80,000-a-year tax cut. That is what they are proposing if you are lucky enough to receive $1 million in annual income. And if you are, God bless you. I am sure you work hard for it. But if you are lucky enough to be in that category, the majority party plan says we think you should have an $80,000-a-year tax cut. If we say that, is that class warfare? Is that what it is called?

It seems to me it is logical for us to ask a question. When you are deep in debt, should you be talking about giving the most affluent in this country another tax cut? They got a very large tax cut 2 years ago. Should you talk about another one that will go largely to the most affluent in the country? I don't think so.

Let me go to the specifics. Everybody speaks in generalities. We use a lot of charts and we talk about the numbers on the charts. But we seldom go right to the resolution itself. We have a budget resolution before the Senate. It comes from a conference between the House and the Senate, which our side was not part of because the conference was not bipartisan. It was a conference of the Republicans in the House and in the Senate, deciding together what kind of a budget they wanted to bring to the House and Senate from that conference.

Let me describe what they brought to the floor of the Senate. Here is what they propose. Ask yourself: Is this Republican economics, is this conservative values, or a conservative doctrine? It is not a part of a conservative doctrine with which I am familiar.

On page 5, they say: (4) Deficits (on budget).—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

> Fiscal year 2003: $512 billion.
> Fiscal year 2004: $558 billion.
> Fiscal year 2005, $487 billion.

If I keep going to fiscal year 2013, there are very large budget deficits year after year after year.

Does anybody care about that around here? Is there anyone who calls themselves a conservative who is willing to stand up and say this matters? No. The only thing you hear is the chanting from the other side that says you know what this is, this is a growth plan.

Let me be the first to admit this is the financial fertilizer that promotes growth. The problem is it promotes growth in deficits and debt and nothing else. Even the nonpartisan Congressional Budget Office reviewed this nonsense and said this is not a growth plan. This isn't going to promote growth in the economy. Don't take it from me because I belong to a political party. Take it from the nonpartisan Congressional Budget Office. They say it is not a growth plan. Take it from 10 Nobel laureate economists. They say this is not a growth plan.

My colleague from Florida just described a bipartisan op-ed piece in the New York Times. Former Senators Kerrey and Nunn; former Senator Rudman; former Treasury Secretary Rubin; former Chairman of the Federal Reserve, Paul Volcker; former Commerce Secretary, Peter Peterson—Republicans and Democrats alike—say this is not a growth plan. This is a serious problem for this country. We have people on the conservative side telling America let's spend money we do not have, often on things we don't need, and let's have the kids fighting the war come back and be saddled with the debt. This is fundamentally irresponsible.

It is not a surprise then I am not going to vote for the conference report. This does not make sense.

On page 5, for fiscal year 2003, they propose with this budget a $512 billion debt. Do you know what they will say? ''How on earth can you say that? We are not proposing $512 billion in debt.'' What they do is take the Social Security trust funds for that year and reduce this and say: Our debt is only in the $300 billion range. You can do that if you want to loot the Social Security trust fund and use those revenues for a purpose for which it is not intended. I guess you can do that, but how many people are you fooling in this country? What does the word ''trust'' mean? Is ''trust'' a forgotten word in this town, in this Chamber?

They are the ones who say in the budget on which we will be voting that they want $512 billion in debt for fiscal year 2003 and $558 billion in 2004, and on and on. In fact, what they are also saying on page 6 is very interesting. I would just love for one of them to stand up and say: Sign me up for this, count me in, I am a big cheerleader; in fact, bring some pom-poms to the floor. We believe we ought to double the national debt from $6 trillion to $12 trillion. Sign us up. In fact, put on some sweaters. Put the letters on the sweaters: We are for higher debt; we are for doubling the debt; we are for giving tax cuts mostly going to upper-income people to increase Federal indebtedness.

I would just like somebody to stand up and be honest about that. Just tell us that is what you are for. Instead, we get this nonsense: We are for a growth plan. Growth of what? The only thing you are growing is debt. Deny that. Then take a look at your resolution. Stand up with pages 5 and 6 and deny it. Do I hear anybody denying it? I guess not. I guess they understand page 5 and 6 is what they wrote because this was not a bipartisan conference. Democrats were not involved in writing this. It is what they wrote, page 5 and 6, let's double the Federal debt and decide it does not matter. I just do not understand this thinking.

This is a remarkable country. In the McCullough book about John Adams, he writes about how John Adams used to write back to Abigail when he was posted in Europe as they were forming this new country of ours. He would plaintively ask Abigail in his letters: Where is the leadership going to come from? Where will the leadership be to help create this new country of ours? Who will be the leaders?

Then he would say: There is really only us. There is just me, George Washington, Thomas Jefferson, Ben Franklin, Madison, Mason—just us, he would say. It turns out, with two centuries of hindsight, it was some of the greatest human talent ever assembled, and they created a remarkably strong democracy.

It is important from time to time to ask the same question John Adams asked: Where is the leadership? Where is the leadership going to come from? Who will stand up and say: Let me lead; let me make tough choices? Regrettably, we do not see many leaders say that. My colleague, Senator CONRAD, is one of those leaders. There are precious few others.

Some of my colleagues who have stood up and fought valiantly to say this budget resolution will hurt this country, it will move this country deep

in to debt, are willing to assume some leadership in saying that, but there are not enough in the Senate who want to say: Let me assume some leadership. There is not enough here. I regret that.

This country is not going to move ahead by leaving some behind. In this plan, they say, we must increase defense spending, we must increase homeland defense spending, we must cut taxes deeply, and we will shrink all other domestic discretionary spending to pay for it. That is not a plan.

What we are seeing in Iraq today is something quite remarkable, something that makes all of us enormously proud, first of all, of what our soldiers have done to liberate the Iraqi people. But then it bothers us a lot to see this looting all over the country of Iraq. That is what happens when you do not have civil order in a country, when there is no civil authority and no government.

Government means essential functions. It means law enforcement. It means building schools and educating children. It means roads, providing for the common defense—that is what government is. So when people talk about let's just give very large tax cuts and we will just decide to shut everything else down, I say, yes, let's cut some spending, let's tighten our belts in the right way. But let's not decide in this country to provide a budget resolution to America that on page 5 and page 6 says at this moment in America when we are at war—the war in Iraq and the war against terrorism—when we have an economy that is sluggish, when we have so many difficulties, let's embark on an irresponsible fiscal policy that doubles the Federal debt and has budget deficits every year as far as the eye can see.

As John Adams would ask: Where is the leadership? Where is the leadership to move this country responsibly toward the future of economic opportunity and growth and hope?

When this war is over and the young men and women, sons and daughters of America, come home to their loved ones—and we hope and pray that is soon—we have to get about the business of taking care of business at home. We have an economy that is a mess. Those who make investments in our country, those who work for a living, those who build businesses—all of them want to be American people who are confident about the future because our economy is all about confidence. If they are confident, then they do the activities that manifest that confidence. They take a trip, buy a car, buy a home, make a purchase, and the economy expands and new jobs are created. If they are not confident, they do exactly the opposite.

This budget document takes us toward deep Federal debt, and deeper Federal deficits year by year. This is not a document that is responsible. This is not a document that is a growth document. This is a document that takes America backward, not forward. None of us here would come to the Chamber of the Senate and say, Let's have higher income taxes. But at the very least we ought to decide we should not have very large tax cuts at a time when we are doubling the Federal debt, at a time when we are at war in Iraq and at war against terrorism.

The easiest lifting in American politics is by those who shuffle around saying: I am for tax cuts; it does not matter what the consequences are, I am for tax cuts. The consequences are, of course, to say let's do now what we want to do and have our kids pay for it. Let's have America's children bear the burden of the responsibility of this mistake. I think that is a horrible mistake. I wish very much I could come to the floor to support this budget. My colleague, Senator CONRAD, made a persuasive argument earlier today. He used a great deal of charts.

Let me use two of them. I mentioned what is on page 5 and 6. Here is the chart on debt. That is where it is headed, from $6 trillion to $12 trillion. That is not my number, that is on page 6 of the budget resolution. That is not my number, that is what the Republicans are proposing. I do not mean that just because they are proposing this, I am saying this is irresponsible. It would not matter to me who proposed it. If my side was proposing it, I would say it is irresponsible. It is a fiscal policy that does not add up, and everybody in this room knows it.

There is debt every single year, unless you loot the Social Security trust fund. We can make a chart that is a little better than this if one takes the Social Security money and misuses it. But we keep the Social Security trust fund in a trust fund, where the word ''trust'' means something to everybody.

This is what we have for 10 years. One can paint a barn with this red ink. Red ink is all we see. It is not a growth plan. The only thing that grows in this plan is debt and deficits, and that is why I am going to vote no.

I appreciate the time my colleague has offered me to describe my strong feelings about what this budget will do to this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. I yield 12 minutes to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa.

N O T I C E

Incomplete record of Senate proceedings, today's proceedings will be continued in the next issue of the Record.

EXTENSIONS OF REMARKS

AN ESSAY ON THE AIR FORCE NATIONAL SECURITY FORUM AND THE AMERICAN ARMED FORCES

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. SKELTON. Mr. Speaker, recently, Mr. Brian L. Cornelius, a resident of Higginsville, MO, submitted an outstanding op-ed for the Higginsville Advance newspaper. The words composed by Mr. Cornelius are very meaningful and well written, and I wish to share them with all Members of the House of Representatives.

NOW MORE THAN EVER PRAYERS BETTER THAN PROTESTS

(By Brian L. Cornelius)

In May of 2002, I had the distinct privilege of attending the 49th Annual National Security Forum (NSF) at Maxwell Air Force Base in Montgomery, Alabama. I attended this event on the nomination and request of Congressman Ike Skelton. The National Security Forum is held in conjunction with the Air War College of the Air Force and includes members of every branch of the U.S. Military.

As background, the primary purpose of the forum is a frank and candid exchange of views on national security matters among invited civilian guests, Air War College students, and senior military and civilian leaders. Over 130 civilian guests from the fields of business, education, government, law, media and medicine attended the National Security Forum.

The tragedies surrounding the September 11, 2001 terrorist attacks were still fresh in my mind when the 2002 National Security Forum commenced eight months later. I was in New York City ten days before the terrorist attacks of September 11th occurred. I stood and looked with awe at the World Trade Center. Our hotel was less than three blocks from the twin towers, and was later closed due to the damage it sustained when the towers collapsed.

The format of the NSF places all attendees in seminar groups with Air War College students (those in the military). Each day, all the seminar groups attend a morning and afternoon lecture together and then break out into their respective seminar groups to discuss the issues raised during the lecture. These lectures were presented by several people from both military and civilian life. The presenters list included the Chairman of the Joint Chiefs of Staff, the Secretary of the Air Force, the Middle East editor for a national magazine, a national network news Pentagon correspondent, and other very impressive people from the media, think tanks, and military personnel. I have seen several of the presenters on national news outlets such as NBC, CNN and Fox News in the months since attending the National Security Forum.

The National Security Forum operates on a ''non-attribute'' method to encourage an honest and robust dialogue on the issues discussed. Therefore, anything said by anyone attending the Forum cannot be directly attributed to that person without the person's consent. The only other request of civilian attendees to the National Security Forum is that we share what we learned with our local communities.

With the above background, I would like to share with my community a bit of what I learned while attending the National Security Forum last May. It is particularly relevant while the war with Iraq is on going.

I went into the National Security Forum with a bit of skepticism and a healthy dose of intimidation. While my father was a veteran of World War II, I knew little of military protocol, and I wondered why the military would want the opinion of a common guy from Lafayette County. I was also a little bummed that I had to travel on Memorial Day and be away from my family. I was intimidated by the thought of staying on a military base for several days, especially after the events of the prior September.

Once the NSF began, and I entered the room where my seminar group met, my skepticism and intimidation turned into complete respect, and the deepest feeling of privilege and honor I have experienced. The military members of my seminar group caused this metamorphosis.

While the vast majority of Air War College students are officers in the United States Air Force, all other branches of service are also represented. Officers from foreign militaries also attend this year-long advanced training. I was told that it is more difficult for an officer to gain acceptance into the Air War College than it is for a Lieutenant Colonel to be promoted to full Colonel. Each and every military member of my seminar group was of the rank of Lieutenant Colonel or Colonel.

The military members of my seminar group were the most impressive people I have ever had the privilege to meet. While I wish I could tell you about all of these people serving our great country, I will confine this article to two representative samples.

Air Force Colonel Tony Hinen sat next to me for most of the week. While he has served in various capacities, I was most interested in his experience as a pilot of the huge tankers that refuel fighter jets and other planes during long missions. Colonel Hinen, a graduate of the Air Force Academy, is a dedicated Christian, husband and father. He has a keen insight into our world today, and was in training in Afghanistan when the September 11 terrorist attacks occurred.

Army Lieutenant Colonel Eddiy Daly sat across from me in our seminar group. An Airborne Ranger, Lt. Col. Daly made a combat jump in the Panama Canal campaign. Like local hero Stanton Thompson, Lt. Col. Daly received the Army's highest award for action taken in a non-combat or civilian situation. While piloting a plane for a civilian parachute jump club, Lt. Col. Daly climbed in and out of the plane, while flying it, to free the last jumper off the plane whose parachute gear had become hung up on the plane. After several attempts, Lt. Col. Daly finally cut the jumper free of the plane. The jumper safely parachuted to the ground and Lt. Col. Daly safely pulled himself back into the plane, by the pilot's seat belt, and landed the plane. Lt. Col. Daly is also a dedicated husband and father.

It was a very humbling experience for me to be in a room full of these very impressive men and women serving our country. Their grasp of our security issues was only equaled by their desire to serve their country to the best of their abilities.

National Security Forum seminars included topics such as ''Lessons Learned or Unlearned—Enduring Freedom and Beyond'', ''Middle East Challenges and the U.S. Security Policy'', and ''The Changing Security Environment and U.S. Military Strategy''.

Of the daily seminars that all NSF attendees were required to attend, the environment in the Middle East was often a topic. The speakers on Middle East challenges were civilian experts from a national news organization and a research think tank. Many other speakers during the week also talked about the situation in the Middle East.

While I am not allowed to directly quote anyone, I distinctly remember that each and every presenter at the National Security Forum was certain that Iraq, and Saddam Hussein, possessed weapons of mass destruction. Most, if not all, of these experts also felt that it was not a matter of ''if', but ''when'' these weapons would be used.

Various positions and arguments were made for what the United States should do, if anything, in regards to Iraq. One speaker eloquently pointed out that the world is in a place that it has not been in since the Roman Empire. One country dominates the world in military and economic might for the first time in centuries. With the end of the cold war and the dismantling of much of the old Soviet Union, our United States of America is the dominant military and economic power in the world.

The consensus during the NSF seemed to be that the United States would end up having to deal with Iraq, in one way or another. The only debate was whether we, as a nation, should deal with Iraq before a crisis situation arises or in response to a crisis situation. In other words, do we try to prevent a potential crisis by taking a preemptive action, or should we wait to see when and/or if a crisis event occurs to react?

I went into the National Security Forum as a ''hawk''. That is, I thought it to be the responsibility of the United States to use its economic and military assets to right the wrongs committed across the globe and to work to protect all people from tyrants, terrorists, and corrupt regimes. If not us, I thought, then who? I supported President Clinton's military decisions on Bosnia and Somalia, just as I supported former President Bush's decision on the Gulf War.

After attending the National Security Forum, I believe I am still a ''hawk''. However, now that I personally know members of our military who very well could come directly into harm's way, I am less hawkish than before. I watch the reports on the war in Iraq with a much deeper anguish and a much greater appreciation for our military personnel. These men and women are regular folks like you and me, who have to perform extraordinary duties, under extreme circumstances, because it is their duty.

I am certain that it has been that way throughout history. Whether it be my dad, Walter Cornelius, who was a bombardier on a B–29 in the Pacific Theater, or my uncle Bud Bramblett who served in the infantry in the Korean War, or Gary Evans who served in a combat outfit in Vietnam, or Darrell Jeffries who is a veteran of the Gulf War, or Stanton

Thompson who has served through several conflicts and crises, or a host of others I do not know or have the room to remember here, the members of the United States Armed Forces are just regular people who in normal everyday life are mothers, fathers, neighbors, friends, businessmen, teachers, or just plain old folks like me.

These ordinary folks are called upon to do extraordinary duties during a time of war or crisis. They are not allowed the luxury of protesting a war. In fact, they are called upon to put their very life on the line in order to protect the right of the protester or to bring that right to the oppressed.

Attending the National Security Forum was a very humbling and very rewarding experience. If I learned anything while there, I learned that those serving in our military are an extremely impressive group of people. They do not take their duty lightly and they are very aware of all the costs of war and conflict. I also learned that our elected and military leaders know a lot more about our world and the perils we face than I do.

Wars have probably always been debated. While I believe the United States has a responsibility to the global community, I am not absolutely sure of what that responsibility should be. However, I trust our leaders to make the correct decisions based upon the evidence they face. I realize that I know little about world affairs or the evidence that brings our leaders to a decision to take military action. Only as our present circumstance with Iraq becomes history will we know the outcome. While I hope that history will show that the outcome was very positive, I cannot know that to be the case today.

This, however, I do know: I am certain that once a military action ensues, our leaders and the men and women of our military deserve our prayers, not our protests. There will always be time to debate the war. Now, however, more than ever, our leaders and especially those serving in the military deserve our prayers. But for the extraordinary circumstance they have been put into, these great Americans who are serving our country in the combat zone are just regular folks like us. They need us to lift them up in our thoughts and our prayers. In my opinion, through their personal sacrifice and service, these servants have earned it and they deserve it.

TRIBUTE TO AMERICAN LEGION AUXILIARY UNIT NO. 44 OF MARQUETTE, MI, RECOGNIZING THE SUCCESS OF THEIR POPPY SALE FUNDRAISING

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. STUPAK. Mr. Speaker; I would like to recognize a group in my district whose volunteers put in hundreds of hours every year to raise money for local veterans while encouraging public remembrance of veterans on Memorial Day.

The Richard M. Jopling American Legion Auxiliary Unit No. 44 of Marquette recently donated $3,500 in proceeds from its annual poppy sale to the D.J. Jacobetti Veterans Home in Marquette. This money—a truly remarkable sum—will let the Jacobetti Home purchase two portable WelchAllyn machines, used to monitor a patient's vital signs and provide an extra margin of safety for patients needing that support.

There could be no better time than the present, when the welfare of all our veterans and military personnel are in the minds of every American, to recognize the contributions of the Marquette American Legion Auxiliary No. 44. In these times of tight budgets, the efforts of these sterling volunteer service organizations are also critical to meeting the needs of our nation's veterans.

The sight of the Auxiliary's red crepe-paper poppies signals the arrival of spring in Marquette and also reminds the public of the sacrifices our veterans have made to protect our freedom.

Mr. Speaker, American Legion Auxiliary Unit No. 44 of Marquette also sponsors birthday parties for residents of the Jacobetti Home every month of the year.

In addition to the poppy sales and the birthday parties, the Auxiliary supplies gifts for the Jacobetti Home Christmas ''Gift Shop'' and sponsors a ladies friendship group at the veteran's facility.

Mr. Speaker, the world is a better place thanks to groups like American Legion Auxiliary Unit No. 44 of Marquette. I ask you and our colleagues to join me in recognizing and applauding their efforts.

CONGRATULATIONS TO MAINE SOUTH HIGH SCHOOL CONSTITUTION TEAM

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Ms. SCHAKOWSKY. Mr. Speaker, 24 exceptional students from the 9th Congressional District are ready to compete against the smartest and the brightest from around the country in the National finals of the We the People...The Citizen and the Constitution. The 24 students, all seniors from Maine South High School in Park Ridge, IL, have recently won the Illinois State competition and will represent our great State in the national finals.

What does it take to make it into the finals of this prestigious contest? What does it take to make it this far? The answer is clear: Dedication, hard work, and countless hours reading, researching, and studying the great document that is the foundation of our democracy: the Constitution of the United States of America—the symbol of personal freedom and protection.

Each year, the ''We the People'' foundation hosts district, state and national level congressional-style hearings on the history and principles of Constitutional democracy in the United States. Participants are tested on their knowledge of the Constitution and its foundations and applications to our country.

The ''We the People'' contest is an invaluable learning experience for Maine South high school students and other students from around the country. The program helps promote democracy and encourages civic participation in the issues of critical importance to our freedoms by young men and women and I am hopeful they will carry those lessons with them into the future.

I would like to commend the students of Maine South High School's Constitution Team and their academic advisor Dan States for their hard work and great scholastic achievement, and I wish them the best of luck in the National Finals.

TRIBUTE TO THE CITY OF PLEASANT RIDGE, MICHIGAN ON THEIR 75TH ANNIVERSARY

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. LEVIN. Mr. Speaker, I rise to offer my congratulations to the City of Pleasant Ridge, its residents and its elected leadership, on the anniversary of the city's 75th year of incorporation.

The City of Pleasant Ridge is a beautiful bedroom community located, just north of the City of Detroit, in south Oakland County. With tree-lined streets, warmly cared for yards, and historic brick homes, the City of Pleasant Ridge is truly a ''jewel'' in the metropolitan area.

This settlement began in 1913 when Burt Taylor subdivided the Mayday farm. The settlement was incorporated as a village in 1921 and as a city in 1927. This city is now home to over 2,500 individuals and 1,000 families.

The City of Pleasant Ridge has a sense of community that can be seen at the bustling community center where they hold a variety of community events and classes, through the numerous community organizations and wide-ranging activities like the garden tours, auctions, scholarship grants to graduating high school students, active participation in the Woodward Avenue Dream Cruise and so many other wonderful community-wide activities.

The city has also had an impact beyond its borders in the Michigan community. Ashton Berst, an early City Administrator, was one of a dozen local government officials instrumental in forming the Michigan Municipal League. Pleasant Ridge is also the hometown of a former Member of Congress, and Governor of the State of Michigan, James Blanchard.

Mr. Speaker, I ask my colleagues to join me in sending every good wish to the City of Pleasant Ridge on their 75th anniversary. Indeed, they have much to be proud of. My heartiest congratulations to the residents, the community activists, and all of the members of the city administration. I look forward to many more years of working together, and being part of the fabric of this important community.

HONORING TERI JACKSON FOR HER 17 YEARS OF SERVICE TO THE GRAND PRAIRIE CITY COUNCIL

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. FROST. Mr. Speaker, I rise today to honor Teri Jackson of Grand Prairie. Teri has exemplified the finest qualities of leadership and service and today I wish to honor her for her 17 year commitment to the City Council and the citizens of Grand Prairie.

A life long resident of Grand Prairie, Teri began her service on the City Council in the

mid–1980s. She has guided the city through some very important milestones, including negotiations for a Class I horse racetrack, Lone Star Park at Grand Prairie. During these negotiations she was able to secure property for the Grand Prairie Tourism Information Center. The center was able to realize a prime location much sooner than anticipated thanks to the donated property and funds saved.

A Council Member since 1986, Teri has also served as Mayor Pro Tern from 1994–1995, Secretary on the Grand Prairie Sports Facilities Development Corporation since 1993, and as Finance and Government Committee Chairwoman since 1990. In addition she has also held advisory positions on the Regional Transportation Council, EMS task forces, and Compensation Negotiations Committee.

Mrs. Jackson is a graduate from the Prestigious Leadership Texas program for outstanding women in leadership roles. On a national level, she has served on the National League of Cities policy steering committee.

During her years of service to the city of Grand Prairie, Teri has been recognized with numerous awards. She earned the 1994 Athena Award and 1995 Chairman of the Board Award from the Grand Prairie Chamber of Commerce and the 1996 Woman of Distinction from Soroptomist International. On three different occasions she has received the MAP Award for outstanding performance from her employer.

Mr. Speaker, Teri Jackson exemplifies the qualities of dedication and service as both an employee public servant and citizen of Grand Prairie, Texas. I know my colleagues will join me today to honor her.

ARMED FORCES TAX FAIRNESS ACT OF 2003

SPEECH OF

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 9, 2003

Mr. KLECZKA. Mr. Speaker; thousands of former servicemen and servicewomen in five states are currently prohibited from receiving state-financed home mortgages backed by the sale of federally tax-exempt bonds. That is why Congressman HERGER and I, along with 36 of our colleagues, are introducing the Veterans American Dream Homeownership Assistance Act. This legislation is similar to bills we introduced in the 104th, 105th, 106th, and 107th Congresses.

In order to help veterans own a home, Congress created a program where states could issue bonds exempt from federal income tax in order to raise funds to finance mortgages for owner-occupied residences. Five states—Wisconsin, Alaska, Oregon, California, and Texas—implemented such a program for their veterans. Under a little-known provision in the 1984 tax bill, Congress limited the veterans eligible for this program to those who began military service before 1977.

As a result of the 1984 tax bill, veterans who entered military service after January 1, 1977 are prohibited from receiving a low-interest mortgage financed by federal tax-exempt bonds. This means veterans who served honorably in Panama, Grenada, the Gulf War, Bosnia, Afghanistan, and now Iraq cannot benefit from this partnership between the federal government and these five states. Are those who began serving our country after January 1, 1977 any less deserving than those who served before?

This arbitrary cutoff was created to raise additional revenue in the 1984 tax bill by limiting the issuance of tax-exempt bonds. When this provision was enacted, post-1976 veterans were a small percentage of all veterans, without much voice to protest this discriminatory change. But, over two decades later, there are thousands of veterans who have served our nation honorably.

Mr. Speaker, as time goes by, this legislation takes on increasing importance. The State of Wisconsin Department of Veterans Affairs has informed me that if the cap on veterans bonds is not lifted, the State will be forced to disband the program because too few veterans are eligible for the program.

This legislation would simply eliminate the cutoff that exists under current law. Under our proposal, former servicemen and servicewomen in the five states who served our country beginning before or after January 1, 1977 will be eligible to qualify for a low cost mortgage financed by federal tax-exempt bonds. This legislation does not increase federal discretionary spending by 1 cent. It simply allows the five states that have a mortgage finance program for their veterans to provide mortgages to all veterans regardless of when they served in the military.

There is no justification to allow some veterans to qualify for these home mortgages while others cannot. Mr. Speaker, I urge the House to help those veterans who have served after January 1, 1977 to own a home and pass this important legislation into law.

TRIBUTE TO DR. DONALD GERTH

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. MATSUI. Mr. Speaker, today I rise in tribute to a man with a truly distinguished career in academia. To say that Dr. Donald Gerth has made an indelible mark in higher education would only begin to skim the surface of the many wonderful contributions that he has made as an educator since he took his first teaching job in 1947 as a substitute high school math teacher. After more than a half-century of outstanding public service, Dr. Gerth will soon retire from the post of President of California State University, Sacramento. As his family, friends, colleagues, and admirers gather to celebrate Dr. Gerth's illustrious career, I ask all my colleagues to join me in saluting one of Sacramento most outstanding citizen leaders.

Dr. Gerth earned his Bachelor's of Arts, Master's, and Doctorate degrees in Political Science at the prestigious University of Chicago. Upon completion of his education, Dr. Gerth applied his great expertise in Asian political systems by serving as an Air Force Intelligence Captain from 1952–1956. After his stint in the Air Force, Dr. Gerth joined the staff of his alma mater, University of Chicago.

In 1958, Dr. Gerth and his wife, Ms. Beverly J. Gerth, moved west to California and began his forty-five year association with the California State University system. From 1958 to 1963, Dr. Gerth served as Associate Dean of Students and member of the Department of Government from 1958–1963. In 1964, Dr. Gerth accepted the post of Professor of Political Science at California State University, Chico in 1964. During his twelve-year tenure at California State University, Chico, Dr. Gerth also served as Vice President for Academic Affairs from 1970–1976. In addition, Dr. Gerth also lent his valuable services to the university through his roles as Dean of Students, Coordinator of the Institute for Local Government and Public Service and Public Administration, and Co-Director of a Danforth Foundation Research Project on improvement of undergraduate teaching. Dr. Gerth's willingness to tackle a variety of challenges is a testament to his steadfast commitment to bring about positive changes in higher learning.

In 1976, Dr. Gerth was appointed the President of California State University, Dominguez Hills, a post that he would hold for eight years. In July of 1984, Dr. Gerth was named the President of California State University, Sacramento. California State University has experienced significant increases in enrollment and number of degrees awarded under Dr. Gerth's stewardship. California State University, Sacramento is now the sixth largest campus in the twenty three-campus California State University system. In recent years, California State University, Sacramento has initiated many new opportunities for learning such as some year-round programs, evening and weekend offerings, offcampus sites, and technology-based classes via computer or television. It is evident that Dr. Gerth's leadership has played an instrumental role in making California State University, Sacramento one of the most important universities in the state of California.

In addition to his duties as President of California State University, Sacramento, Dr. Gerth is also one of the most influential policy leaders in higher education. Dr. Gerth is the past President of the International Association of University Presidents from 1996–1999. He also served as a member of the Advisory Committee on Higher Education to the Director-General and as a member of the seven-person Steering Committee for the World Conference on Higher Education held in 1998. Dr. Gerth was recently appointed by the U.N. Secretary General and the Director-General of UNESCO to a six-year term on the United Nations University Council, the governing board of the United Nations University is headquartered in Tokyo. It gives me great comfort to know that Dr. Gerth will continue to share his wealth of knowledge and experience in higher education with the world in his retirement.

Mr. Speaker, as Dr Gerth's friends, family, and colleagues gather to celebrate his great career, I am honored to pay tribute to one of Sacramento's most honorable citizens. Dr. Gerth's continuous leadership is a true testament to public service. If a template for commitment to education could be made, it would surely bear the resemblance of my dear friend Dr. Donald Gerth. Although his tenure as university President may soon be over, his involvement in community service and education is, fortunate for us, far from over. I ask all of my colleagues to join with me in wishing Dr. Donald Gerth continued success in all his future endeavors.

TELECOMMUNICATION INDUSTRY

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. BACA. Mr. Speaker, I rise to emphasize the need to revitalize the telecommunications industry. In February, the FCC voted by a three to two margin to allow state regulators to decide how much competitors should pay for leasing networks.

Is this fair? Should long-distance companies be allowed to piggyback on the hard work and investments of other companies? How will this ruling affect consumers? Phone companies will not have any additional incentive to invest in new networks. This ruling will stifle technological change and hurt an industry that already suffered an 11 percent decrease in capital spending last year.

When the FCC issued new regulations in mid February to promote competition, it failed miserably. It missed an opportunity to create jobs in the struggling telecommunications industry. The FCC also missed an opportunity set a national policy to promote facilities-based competition that would have encouraged investment.

As evidence of the weak policy adopted by the FCC, on that day when the FCC issued its decision, the telecommunications industry lost $15 billion in worth. The move to shift decision-making to the States regarding Unbundled Network Elements will only create a quagmire of regulations that will not encourage investment and the creation of jobs.

The people who will suffer the most are the hardworking men and women who depend on this industry. As the Communications Workers of America state, there needs to be a Federal telecommunications policy that will boost the telecommunications industry and national economy.

The FCC missed their opportunity. I hope my colleagues in Congress will revisit this issue in the future.

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

MOTHER OF THE YEAR

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. SKELTON Mr. Speaker, it is my honor to inform you that Betty Ruth Lewis Horine of Warrensburg, MO, has been named ''Mother of the Year'' by the American Mother's Association. Mrs. Horine has demonstrated a strong commitment and dedication to her family.

Betty Horine was born in Annapolis, Missouri, in 1931, to Issom and Ruth Lewis. She was a first generation college graduate, earned her Master's degree in Education and went on to teach for twenty-seven years.

Betty Horine has not only served her community as a teacher but she has volunteered in many different organizations such as teaching church school, helping with Meals-on-Wheels, assisting with the Food Chest, and leading the Girl Scouts, Boy Scouts and 4–H. She is also a member of the PEO, Retired Teachers, United Methodist Church, United Methodist Women, Friends of the Library, and teaches in the Adult Literacy Program. Betty has also been recognized twice for her volunteer work, receiving the Missouri Association of Rural Educators Award for Top Volunteer for Missouri and second she received the Methodist Women Special Mission Recognition Award.

Mr. Speaker, Betty Horine has distinguished herself as a fine educator, community leader, and mother. I am sure that my colleagues will join me in wishing Betty Horine and her family all the best.

TRIBUTE TO GARY QUICK ON THE OCCASION OF HIS INDUCTION INTO THE UPPER PENINSULA LABOR HALL OF FAME

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. STUPAK. Mr. Speaker, I rise today to pay special tribute to a man who is a longtime activist in labor and community service in the Upper Peninsula. Mr. Speaker, I rise to honor my good friend, Gary Quick of Kipling, Michigan.

This is not the first tribute I have done for Gary, but his election to the Upper Peninsula Labor Hall of Fame is an appropriate time to once again reflect on Gary's devotion to his country, his union and his community.

Gary Quick was born in Eagle, Michigan in 1940 and soon moved with his family to Rapid River, in Michigan's Upper Peninsula. After graduation from Rapid River High School, he began working as a sub-assembler at the Harnischfeger Corp. plant in Escanaba.

His leadership potential surfaced quickly, and within just a few years Gary's co-workers at United Auto Workers Local 632 elected him as a steward of the Local. In 1967 he was elected Local 632 Vice President, and in 1969, he was elected Local President.

Between 1966 and 1983, Gary Quick served as a delegate to the UAW's constitutional conventions and was involved with UAW matters at the national level. He also served as a delegate for the Delta County, Michigan, Trades and Labor Council from 1975 until 1984.

In April 1984, Gary's national work with the UAW earned him an appointment as an international representative for the Region 1–D UAW office in Escanaba. In that role, he successfully negotiated union contracts in many employment settings, including health care, education, automotive and aerospace industries. He retired from the UAW in June 2002.

Gary Quick also served his country and his community. He was a United States Army Reservist from 1963 to 1969. He served on the Delta County Road Commission from 1977 to 1982, and was a member of the Blue Cross/Blue Shield Advisory Board, the Labor-Management Board, and the Private Industry Council.

Mr. Speaker, Gary has gone above and beyond the call of duty as a public servant. His work for the labor movement, for his union colleagues and for his community have been an inspiration to all who worked with him in these endeavors.

Mr. Speaker, on April 26, 2003, at a ceremony in Marquette, Michigan, the Upper Peninsula Labor Hall of Fame will induct Gary Quick as a member in recognition of his many accomplishments and long years of service. I ask you and my House colleagues to join me in saluting him on this well-deserved honor.

MEDIA DIVERSITY

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Ms. SCHAKOWSKY. Mr. Speaker, I rise to express my support for media diversity and localism. The Supreme Court has maintained that the First Amendment is designed to achieve ''the widest possible dissemination of information from diverse and antagonistic sources.'' Media ownership diversity is critical to ensuring that we protect the First Amendment. Over the years, the courts have supported the belief of Congress that independent ownership of media outlets results in more diverse media voices, greater competition, and more local content.

A free and open media is central to our democracy. It promotes civic discussion, encourages public participation in policy debates, and ensures representation of ideological, cultural and geographic diversity. I cannot overstate the importance of the FCC's review of media ownership rules in deciding whether the principles of the First Amendment will be embraced in every day reality, or only in theory. Clearly, this is the most important telecommunications issue of our time.

The FCC has announced that it will release a proposal on June 2nd to possibly eliminate or weaken rules that would have major impact on television broadcast ownership concentrations. The rule that bars NBC, ABC, CBS and FOX from merging with each other and the rule that limits one company from owning broadcast stations that reach more than 35 percent of households nationwide could disappear.

The FCC is also examining rules that apply to local markets, including the rule that limits companies in the same market from owning two or more broadcast TV stations; the rule barring an entity from owning a local newspaper and television station in the same market; the rule capping the number of radio stations that an entity is allowed to own in a market at eight; and the rule restricting a single entity from owning more than one television and radio station in the same market, unless it is proven that there is sufficient diversity in the market.

I am adamantly opposed to the FCC relaxing existing rules to allow greater media concentration. Existing rules have been put in place to ensure that local communities have access to varying viewpoints on local issues. These rules must be maintained and should be strengthened, instead of weakened. Nothing at all should be done until the public and members of Congress have a chance to evaluate and comment on any specific proposals to change the current media ownership rules. In my view, that requires ample opportunity to consider and prepare comments, as well as a sufficient number of local hearings to allow all constituencies and all parts of the Nation to voice their views.

Over the last few years, we have seen considerable ownership consolidation in the

media; while at the same time we have seen important public interest protections eliminated. For the first 50 years after enactment of the 1934 Communications Act, people had a right to petition the FCC if they found coverage to be one-sided. The ''fairness doctrine'' required broadcasters to cover issues of public importance and to do so fairly until, in 1987, under immense pressure from the media, it was eliminated. The loss of the fairness doctrine—a major blow to consumers—was supposed to be alleviated by a blossoming of independent, local outlets that would expand diversity by increasing competition. In other words, consumers would no longer be able to use the fairness doctrine to ensure that their views were represented on a specific media outlet but would be able to present those views through competing media in the same market. Unfortunately, the public is now faced with increased concentration—not increased competition—and no longer has the fairness doctrine to fall back on.

In the last 25 years, the number of TV station owners has declined from 540 to 460 and the number of TV newsrooms has dropped by almost 15 percent. Three-quarters of cable channels are owned by only six corporate entities, four of which are major TV networks. Seventy percent of all markets have 4 or fewer sources of original TV news production. In 1975, there were 860 owners of daily newspapers. There are less than 300 today. My constituents and many constituents across the Nation are frustrated that they are unable to hear different viewpoints and, increasingly, that they are unable to get their own viewpoints to others because of barriers to the visual and print media. I believe that there is significant argument for the FCC to recommend reinstatement of the fairness doctrine. At the very least, they should not allow even more ownership concentration that makes the loss of the fairness doctrine even more onerous.

Greater media ownership concentration limits the public's access to diverse viewpoints. Radio provides an example of what can happen when media ownership rules are abolished. In 1996, Congress eliminated the national ownership caps for radio. The result has been greater consolidation in the radio industry. In 1995, Clear Channel owned 1.3 percent of radio stations; today it owns 20.2 percent. In almost half of the largest markets, the three largest corporations control 80 percent of the radio audience. This has made it harder for diverse opinions to be heard. Just last month, Clear Channel refused to air an advertisement in which Congressman DANNY DAVIS and I expressed our opposition to waging war in Iraq. Clear Channel refused to put the advertisement on the air. Fortunately, several independent stations did.

Clear Channel, which owns 1200 stations across the country, has refused to air songs by the Dixie Chicks who have spoken against war in Iraq, it has put out a recommended ''do not play'' list that includes John Lennon's ''Imagine'' and 150 other songs, it has actively worked to support pro war rallies, and it has refused to play paid ads that do not reflect its own views. This is what happens when a few companies control the airwaves. The owners' bias is reflected in what they choose to put on the air and listeners are limited in what they are able to hear.

Part of the problem is that many entities that own media outlets are more focused on their bottom line than the public good and the public's right to hear and express diverse views. The founder and CEO and Clear Channel said in a recent Fortune Magazine article, ''We're not in the business of providing news and information. We're not in the business of providing well researched music. We're simply in the business of selling our consumers products.'' I appreciate Mr. Lowry's candor and I do not dispute his right to pursue profits. However, his statement clearly illustrates the problem. Greater media ownership concentration will hurt our democracy.

We must maintain media diversity and localism. We cannot allow information to be monopolized, rationed or censored because a free and open media is absolutely critical to the functions of a democratic society. The stakes are high and the threat to free speech is all too real.

I urge all the FCC Commissioners to hold and attend more public forums across the country on any specific proposed changes to existing rules, as a major part of their decision-making process.

TRIBUTE TO RICHARD T. THOMPSON, CHANCELLOR OF OAKLAND COMMUNITY COLLEGE

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. LEVIN. Mr. Speaker, I rise to honor a remarkable individual, Richard T. Thompson, Chancellor of Oakland Community College (OCC) upon his retirement from this outstanding five-campus institution.

Beginning his OCC career in 1996, Mr. Thompson was a member of the English, Social Science and Counseling faculty at the Highland Lakes Campus. He also served as Academic Dean and Campus Provost at that campus until 1975.

After 1975, Mr. Thompson held various positions, including Provost of the Orchard Ridge Campus, and College District Vice President for academic and student affairs in 1984. He was promoted to Vice Chancellor of academic affairs in 1988, and served as OCC's Interim Chancellor. In 1995 he was appointed Interim President of Auburn Hills Campus.

On March 19, 1996, Richard T. Thompson assumed the Chancellorship of OCC, as its sixth chief executive officer. This appointment marked the first time in history of the college that an OCC academician was chosen to head its five-campus institution.

Professional and community activities are also a significant part of Mr. Thompson's life. The Providence Hospital Community Board, the Educational Advisory Board, the Oakway Symphony and the Better Business Bureau are some examples of the wide range of interest and service he has provided.

Mr. Speaker, I ask my colleagues to join me in honoring Richard T. Thompson for his dedication and devotion to Oakland Community College, an outstanding institution of higher learning, and for the high quality of education and the inspiration he has provided for its students during his tenure.

I wish Richard, and his wife, Nancy, good health and happiness in whatever paths they choose to take in retirement.

EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT, 2003

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

The House in Committee of the Whole House on the state of the Union had under consideration the bill. (H.R. 1559) making emergency wartime supplemental appropriations for the fiscal year ending September 30, 2003, and for other purposes:

Ms. McCOLLUM. Mr. Chairman, I rise today in support of the fiscal year 2003 supplemental appropriations bill, yet express my sincere disappointment that the amendment offered by Representative OBEY to increase funding for our homeland security needs was defeated on a party-line vote.

I support our troops in the field, and believe it is the responsibility of Congress to provide our armed servicemen and women with the resources they need to achieve victory in Iraq and return home quickly and safely to their families. Just as important, however, is the responsibility of Congress to ensure the safety and security of our hometowns. Representative Obey's amendment would have added $2.5 billion for homeland security needs, including $150 million for State public health and environmental laboratories to deal with chemical weapons attacks, $800 million for the equipment and training needed to let local fire, police, and medical personnel meet the difficult challenges a terrorist attack would entail, and $66 million to help the Reserves train and relocate deployable military hospitals. This amendment would have taken a significant step to protect American communities and neighborhoods.

By rejecting this amendment, the House missed an opportunity to address pressing unmet needs for protection of the American people from terrorist attacks. I am concerned that the failure of the amendment to be made in order will delay for months and perhaps longer the implementation of numerous simple, straightforward steps that we should be taking to prevent future catastrophic attacks against the United States.

For the RECORD, I submit a copy of a letter I received from Minnesota Department of Public Safety Commissioner Rich Stanek, urging support of additional funds for homeland security in the supplemental to assist Minnesota's rising homeland security needs. Representative Obey's amendment would have gone a long way toward meeting this need, but unfortunately the Republican Party in Congress said ''no'' to Minnesota and ''no'' to this new funding.

Protecting our homeland is a nonpartisan issue. Nothing is more important than the security of our hometowns and our families. As this bill moves to conference with the Senate, I hope we can agree that homeland security needs must be above party-line politics.

MINNESOTA DEPARTMENT
OF PUBLIC SAFETY
St. Paul, MN, March 28, 2003.

Hon. BETTY MCCOLLUM,
Longworth House Office Building
Washington, DC.

DEAR REPRESENTATIVE MCCOLLUM: As the United States continues military action to

disarm and liberate Iraq, Minnesota's Office of Homeland Security has taken a number of security measures to assess any potential risks and to ensure the safety of Minnesotans throughout the state.

The State Emergency Operations Center (SEPC) was partially activated at the onset of military action and was fully activated at 8:00 a.m. on March 20, 2003. The SEOC remained fully activated until 11:30 p.m. on Friday, March 21, 2003 and partially activated until 8:00 a.m. on March 24, 2003. In addition, the Minnesota State Patrol was deployed on March 17, 2003 for security purposes to the Flint Hills Oil Refinery, Ashland Oil Refinery, Prairie Island and Monticello Nuclear Plants, and the Minneapolis and St. Paul Water Treatment Facilities. On March 19, 2003, the Minnesota National Guard relieved State Patrol troopers and continued to provide facility security until 7:00 a.m. on March 26, 2003.

State cost estimates to activate the SEOC and to provide facility security total approximately $463,000. The major costs incurred by the state were the facility security costs: Department of Military Affairs, Minnesota National Guard ($368,000) and Department of Public Safety, Minnesota State Patrol ($65,000). There were also just over $30,000 in costs to activate the SEOC which include some operating and overtime costs for other state agencies. These costs do not include any costs at the local level to provide security or to prepare and respond to potential threats.

The cooperation and coordination at the state level has gone very well, and I am pleased that Minnesota has no incidents to report. In a conference call with the Department of Homeland Security, Secretary Ridge assured states that every attempt would be made to seek reimbursement for costs to provide heightened security at critical infrastructure sites. As Congress prepares to act on a supplemental appropriations bill, any funds you can secure for Minnesota's extraordinary costs, particularly in light of the state's budget crisis, will be greatly appreciated.

Thank you for your efforts on behalf of Minnesota. Please feel free to contact me if you have questions or need additional information.

Sincerely,

RICH STANEK,
Commissioner.

AGRICULTURE EDUCATION FREEDOM ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. PAUL. Mr. Speaker I rise to introduce the Agriculture Education Freedom Act. This bill addresses a great injustice being perpetrated by the Federal Government on those youngsters who participate in programs such as 4–H or the Future Farmers of America. Under current tax law, children are forced to pay Federal income tax when they sell livestock they have raised as part of an agricultural education program.

Think about this for a moment. These kids are trying to better themselves, earn some money, save some money and what does Congress do? We pick on these kids by taxing them. It is truly amazing that with all the handwringing in Congress over the alleged need to further restrict liberty and grow the size of government ''for the children'' we would continue to tax young people who are trying to lead responsible lives and prepare for the future. Even if the serious social problems today's youth face could be solved by new federal bureaucracies and programs, it is still unfair to pick on those kids who are trying to do the right thing.

These children are not even old enough to vote, yet we are forcing them to pay taxes. What ever happened to no taxation without representation? No wonder young people are so cynical about government.

It is time we stopped taxing youngsters who are trying to earn money to go to college by selling livestock they have raised through their participation in programs such as 4–H or Future Farmers of America. Therefore, I call on my colleagues to join me in supporting the Agriculture Education Freedom Act.

PERSONAL EXPLANATION

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. RUSSELL. Mr. Speaker, I was unavoidably detained and missed rollcall vote No. 123, on the motion to recommit H.R. 1036 with instructions. Had I been present, I would have voted ''nay.''

HONORING THE UNIVERSITY OF CONNECTICUT WOMEN'S BASKETBALL TEAM ON WINNING THEIR FOURTH NATIONAL CHAMPIONSHIP

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise to pay tribute to the outstanding accomplishments of the University of Connecticut Women's Basketball Team, who defeated the University of Tennessee Volunteers 73–68 to win the NCAA tournament on April 8, 2003.

I would like to offer special congratulations to Head Coach Geno Auriemma who won his second consecutive national title. After losing four senior starters last year, junior Diana Taurasi took control of the team and led them to victory, scoring 28 points.

Mr. Speaker, these extraordinary young women do not need me to tell them that they are champions, or that their accomplishments are appreciated. This year was supposed to be a year of rebuilding, but the Huskies were not going to rest on their laurels. Over the past 2 years they have only lost one game.

Mr. Speaker, I rise today to point out that although they are young adults themselves the outstanding achievements of the this team offers a fine example to our nation's young people. I applaud them for all of their achievements both on and off the court.

IN MEMORY OF CDR WILLIAM W. COBB

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. SKELTON. Mr. Speaker, it is with deep sadness that I inform the House of the death of CDR William W. Cobb of Atlantic Beach, FL.

CDR Cobb was born in Lexington, MO, on November 7, 1920. He was raised in Lexington and Long Beach, CA, and attended Wentworth Military Academy in Lexington. CDR Cobb was a 1943 graduate of the U.S. Naval Academy and was immediately ordered to sea duty in the Pacific. He saw combat action during several battle campaigns on the USS *Indianapolis* and the USS *Wasp.*

After World War II, CDR Cobb completed flight training in 1947 and went on to his first squadron tour in VP–26 from 1947–1949. He subsequently was assigned as Executive Officer and Instructor, NROTC at the University of Missouri in Columbia, before returning to flight duty as the Deputy Director of Plans and Operations, 1503rd Air Transport Wing in Tokyo, Japan. CDR Cobb assumed duties as the Assistant Operations Officer, NAS Moffett Field, California, and from 1958 through 1960, he was assigned duties as Senior Pilot and Patrol Plane Commander in Airborne Early Warning Squadron Three, based in Aguna, Guam.

CDR Cobb reported to the Pentagon for duty in the office of the Chief of Naval Information after a tour as a student at the Army Language School in Monterey, CA. He served under Admiral J.S. McCain, the father of Senator JOHN MCCAIN.

CDR Cobb retired from the Navy in July of 1964 after 24 years of honorable and dedicated service. He had a second career in sales and as a realtor in McLean, VA. He resided in Alexandria, VA, from 1961 to 1990. After a second retirement, CDR Cobb and his wife, Jean, also a former Lexington native, moved to Fleet Landing in Atlantic Beach, FL. His wife, a former Miss Lexington and runner up in the Miss Missouri pageant, passed away in 1999. They were married for 56 wonderful and productive years.

Mr. Speaker, CDR Cobb was a valuable leader in the U.S. Navy. I know the Members of the House will join me in extending heartfelt condolences to his family: his son Rear Admiral William W. Cobb, Jr.; a daughter, Susan E. Cobb; a sister, Mrs. C.C. Shannon; a grandson, granddaughter, and a great-granddaughter.

TRIBUTE TO JERRY D. LYNCH IN HONOR OF HIS SERVICE ON BEHALF OF MICHIGAN VETERANS

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. STUPAK. Mr. Speaker I rise today to honor Jerry D. Lynch, State Commander of the Michigan American Legion, for his tireless service on behalf of all veterans and active duty military personnel through the nation's largest wartime veterans' organization, the American Legion.

I have known and worked with Jerry Lynch for more than a dozen years, both during my time as a Michigan State Representative, and as a U.S. Representative. He has been a champion of veterans' causes for all of those years, and for many years before.

He is devoted to his community. It is no surprise to me that Jerry's first official act as Michigan State Commander after being elected by delegates at the American Legion State Convention in 2002 was to lead his home town Fourth of July parade in Daggett, Michigan.

Jerry knows that bringing the ideals of the American Legion and its goals and values back home to each community in Michigan is critically important to making sure that the contributions of our veterans and our active duty military men and women are honored in every day life. He is a shining example of those ideals.

When our fighting men and women have been performing so valiantly in Iraq and the welfare of all our veterans is on the minds of every American, it is particularly important to recognize the ideals of the American Legion as exemplified in Jerry Lynch.

State Commander Lynch, a Vietnam era veteran of U.S. Navy service, has been active at many levels of the American Legion. He has held positions at the state level, including Zone Commander, Membership Director and has served on the Americanism and New Posts Committees. Prior to that, he served as Commander of the Upper Peninsula Association, was a District Committeeman, and held several offices at Stephenson, Michigan Post 43, including that of Commander.

Jerry's lovely wife Judy is now the Legion's ''First Lady'' and will contribute her own special brand of activism and support to Legion causes. The Lynches have three children, Kim, Kelly and Donald.

Jerry's talents for leadership and service have been his great gift to the American Legion, and to Upper Peninsula veterans in particular. No task was too small—or too big—to get Jerry's attention, if it needed doing. He always comes through.

Mr. Speaker, I rise today asking that you and our House colleagues join me in relaying our respect and our appreciation to Jerry D. Lynch, who exemplifies the American Legion ideal, but more importantly, who is a perfect example of the human ideals of service to his fellow man and remembrance of those who have served before him.

TRIBUTE TO JOHN LAWLOR QUIGLEY

HON. WILLIAM D. DELAHUNT

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. DELAHUNT. Mr. Speaker, I rise today to honor a man who dedicated his life to ensuring that the veterans and working men and women of our country had access to the best quality health care available. He was an individual of the highest integrity and character. Sadly, he passed away on Thursday, January 23, 2003, after a long illness. Hailing from Mashpee, Massachusetts on Cape Cod, his was a life devoted to his fellow men.

John Lawlor Quigley was born on April 29, 1922. He was married to Jean Regan and leaves three children—Jan, Kristen and John. He was also the proud grandfather of nine grandchildren.

He served his country honorably as a member of the United States Marine Corps during World War Two, and earned the Purple Heart for being wounded on Iwo Jima in 1945. After the war, he returned to Massachusetts, determined to become a positive force in his community. He graduated from Georgetown University and Boston College Law School with a law degree before making a run for Massachusetts House of Representatives. Though unsuccessful at his first run in politics, it may have been a blessing in disguise as his work then focused exclusively on veterans and health care issues.

John's commitment to America's veterans and to equal healthcare access for working families was instilled in him from an early age. His father, Lawrence F. Quigley, an 11 term mayor of Chelsea, Massachusetts, was the Commandant of the Chelsea Soldiers' Home, a state facility for homeless veterans as well as those with medical conditions necessitating long term care from 1934 to 1948. John succeeded his father and oversaw the Home for over 3 decades, from 1948 to 1980. The Quigley legacy over the last 7 decades is such that the Home's hospital has been renamed after John's father and in a sense it is fitting that John's final moments were spent in a place that he had nurtured and had truly become part of the fiber of his being.

He also was heavily involved in health care issues nationally. He served as President of the Massachusetts Hospital Association from 1961–62, Director of the American Hospital Association's Region 1 and President of the New England Healthcare Assembly. Membership in these organizations enabled John to tackle the many varied and constantly evolving issues in the healthcare industry. It was a platform he used to good effect. The loyalty of his peers, employees and fellow veterans is proof of that.

In addition to his many personal and professional responsibilities, John also made the time to be an active member of his community through involvement in a number of civic organizations. He lived his life with a concern for his fellow man and genuinely cared about the future of America. John Quigley is an example for all of us and as he looks down on us today, I want to add my voice to the chorus of accolades he has earned many times over for his devotion to veterans, love of country and dedication to family. I salute you and may God bless you.

HONORING PRIVATE FIRST CLASS DIEGO F. RINCON

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. SCOTT of Georgia. Mr. Speaker, today, I rise to give some remarks about one of those noble heroes who gave his life, Private First Class Diego Fernando Rincon, who is from my 13th Congressional District in Georgia, whose funeral will be held today in just a few hours from now at 2 p.m. at the Seventh Day Adventist Church located in my district in Conyers, GA.

As we see on television the joyous faces of Iraq who have been liberated we must never forget the precious price that was paid by our brave and courageous soldiers who gave their lives so that Iraq could be free.

In his last letter to his mother, dated February 22 and received by his family on March 22, Private First Class Diego Rincon wrote:

Hola, Mother,

How are you doing? Good, I hope. I'm doing OK, I guess. I won't be able to write anymore starting the 28th of this month. We are moving out. We are already packed and ready to move to a tactical Alpha-Alpha (in Iraq). Once that happens, there will not be any mail sent out. We will only receive mail that is less than 12 ounces. At least that's what they said.

I'm not sure where exactly we're going [to] be yet, but it is said to be a 20-hour drive in the Bradleys [fighting vehicles].

So I guess the time has finally come for us to see what we are made of, who will crack when the stress level rises and who will be calm all the way through it. Only time will tell. We are at the peak of our training and it's time to put it to the test.

I just want to tell everybody how much you all mean to me and how much I love you all. Mother, I love you so much! I'm not going to give up! I'm living my life one day at a time, sitting here picturing home with a small tear in my eyes, spending time with my brothers, who will hold my life in their hands.

I try not to think of what may happen in the future, but I can't stand seeing it in my eyes. There's going to be murders, funerals and tears rolling down everybody's eyes. But the only thing I can say is, keep my head up and try to keep the faith and pray for better days. All this will pass. I believe God has a path for me. Whether I make it or not, it's all part of the plan. It can't be changed, only completed.

''Mother'' will be the last word I'll say. Your face will be the last picture that goes through my eyes. I'm not trying to scare you, but it's reality. The time is here to see the plan laid out. And, hopefully, I'll be at home in it. I don't know what I'm talking about or why I'm writing it down. Maybe I just want someone to know what goes through my head. It's probably good not keeping it all inside.

I just hope that you're proud of what I'm doing and have faith in my decisions. I will try hard and not give up. I just want to say [I'm] sorry for anything I have ever done wrong. And I'm doing it all for you, Mom. I love you.

Tuesday, I talked with Diego's father, George, on the telephone and I expressed all of our feelings as a grateful Nation when I assured him that his son's contribution will forever be remembered. In addition, we would present him with the RECORD of this tribute to his son along with a U.S. flag that is flying over the Capitol today—the day of his son's funeral. This father of this genuine American hero was touched and moved and we both were in tears and he said, ''Thank you, Congressman SCOTT.'' I said, ''No, thank you, Mr. Rincon, we thank you. The Nation and the world thank you and your son because your son gave us the greatest gift of all, which is this: The gift that someone would lay down his life for his friend and those friends we see joyously celebrating their freedom on television today; friends who are thankful and grateful to 19-year-old Private First Class Diego Rincon.''

Rincon fought the good fight, he finished his course, he kept the faith, and most assuredly

for Private First Class Diego Rincon there is waiting for him an extraordinary crown of righteousness. Rincon has been awarded posthumous U.S. citizenship and I am proud to cosponsor pending legislation that will grant automatic citizenship for all foreign-born soldiers killed fighting for the United States.

God Bless Diego Rincon and God Bless America.

PROTECTION OF LAWFUL COMMERCE IN ARMS ACT

SPEECH OF

HON. BRAD CARSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 9, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1036) to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from the misuse of their products by others:

Mr. CARSON of Oklahoma. Mr. Chairman, I ask unanimous consent to revise and extend my remarks. I yield myself such time as I may consume. I rise in support of H.R. 1036, the Protection of Lawful Commerce in Arms Act.

As my esteemed colleagues have discussed, H.R. 1036 would prohibit civil lawsuits from being brought against gun manufacturers by parties that have been injured by the unlawful use of firearms.

Mr. Chairman, I am a great believer in personal responsibility. It is one of the key principles upon which America was founded. The Protection of Lawful Commerce in Arms Act would strengthen this great notion.

Imposing liability on an entire industry for harm caused solely by the unlawful actions of others is an abuse of the United States legal system—it undermines public confidence in our judicial system and threatens the viability of law-abiding companies.

Frivolous lawsuits against the firearm industry are nothing more than an attack on the Second Amendment. It seems a logical anti-gun tactic to me, if you can't lawfully prevent the sale of guns, then you go after the people who sell guns and make them afraid to sell their lawful products for fear of incurring substantial financial liability. Thus far, these frivolous and merit-less lawsuits have had little success in court. Their only success is in placing an enormous financial burden on gun manufacturers. However, these litigation costs are then passed onto consumers and makes it more difficult law-abiding citizens to own guns. In the end, the ones who suffer the most are law-abiding consumers.

H.R. 1036 would help protect our second amendment rights by protecting legitimate businesses that comply with Federal, State and local gun laws. It is time to stop these frivolous lawsuits that threaten to bankrupt a responsible American industry by blaming the firearm industry for the actions of criminals. I urge my colleagues to support the Protection of Lawful Commerce in Arms Act.

INTRODUCTION OF THE CRIME VICTIMS RIGHTS AMENDMENT

HON. STEVE CHABOT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. CHABOT. Mr. Speaker, I am very pleased to be here today during National Crime Victims' Rights Week with this outstanding coalition to support what I consider to be one of the most important legislative efforts in the 108th Congress—the Crime Victim's Rights Amendment to the United States Constitution.

I'd like to start off by thanking the original cosponsors, some of whom are here. I'd also like to thank Senators KYL and FEINSTEIN for their leadership in the Senate and Attorney General Ashcroft for his continued support of this much needed amendment. And most importantly, I would like to thank the representatives of the victims groups who will speak shortly. Thank you all for coming today to show your support for the Victims Rights Amendment.

Many of the people here today know all too well that violent criminals damage or destroy the lives of innocent victims. According to the Department of Justice, in the year 2001, there were almost 1.5 million violent crimes committed in the United States. On any day, on any street corner, a mother, father, son or daughter can become the next victim of a rapist or murderer. For too many years these victims' voices have been silenced in a criminal justice system that recognizes only the rights of the accused. Thankfully, that is all beginning to change.

Currently, 32 States, including my home state of Ohio, have passed victims rights amendments to their constitutions. We have also enacted Federal victims rights statutes. Unfortunately, these laws have not been consistently applied, and many victims still are not treated with dignity and respect.

A constitutional amendment is absolutely needed to help facilitate a balance between the rights of victims and those of defendants. Only through an amendment to the Constitution can victims receive the justice they deserve.

This amendment would empower crime victims by allowing them to confront their assailants in court and at sentence or parole hearings. It would protect victims by requiring that they be notified about the release or escape of the perpetrator from custody and by requiring that the victim's safety be considered in determining a release from custody. Finally, the amendment would restore victims by guaranteeing them the right to seek restitution from their attackers.

These rights, like others guaranteed in our Constitution, would become fundamental, and citizens of every state would be protected.

I want to stress that nothing—I repeat, nothing—in this amendment will undermine or weaken the long-established rights of defendants under our Constitution.

For far too long, victims of crime in this country have had to stand on the courtroom steps with meaningful justice right beyond their reach. Not allowed to view proceedings in person. Not permitted to speak out on behalf of a murdered loved one. Not even notified when a violent abuser is turned loose.

Crime victims deserve to be treated better. They deserve to be treated with dignity in our criminal justice system. In the last Congress, I introduced this amendment in the House. And working with Senators KYL and FEINSTEIN and Attorney General Ashcroft, I think we made great progress in raising awareness of this critical issue. This year, I believe we can do even better. With the strong support we have received from President Bush, I am hopeful that we can pass this amendment and fortify an important truth: that victims must have their own inalienable rights under our Constitution.

FREEDOM'S OBLIGATION

HON. SHERWOOD L. BOEHLERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. BOEHLERT. Mr. Speaker, I respectfully submit the words of my constituent, Jessica Mattiace of Moravia, NY, for submission into the CONGRESSIONAL RECORD. Jessica was chosen as the winner of the Veterans of Foreign Wars broadcast scriptwriting contest for 2003.

Each year, the Veterans of Foreign Wars, VFW, of the United States and the Ladies Auxiliary conduct a Voice of Democracy audio/essay competition designed to give high school students the opportunity to voice their opinion on their responsibility to our country. This year, more than 80,000 secondary school students participated in this contest competing for the 59 national scholarships. The contest theme for this year was ''Freedom's Obligation.''

I applaud the VFW for continually providing this outlet for young people to share their personal views and coordinating this worthy competition each year. I also congratulate Ms. Mattiace on her achievement and wish her best of luck in her future educational ventures.

FREEDOM'S OBLIGATION

(By New York Winner—Jessica Mattiace)

It echoes through our courtrooms, sings in our churches, whispers in our hearts—freedom, the very lifeblood of America, the very marrow of our homeland. For this right our fathers fought, and for it they died. So that you and I might say we truly are free, a life was yielded, a heart ceased to beat, a soul, enflamed with the ardent desire to be loosed from the bounds of oppression and persecution, was severed from its mortal frame. How often is such a blessing taken for granted! How often is it abused! How often is it reduced to a right to do whatever one pleases. But this is not what so many men and women gave their lives for. They sought to create a land where all would be granted equal rights, but not where liberty would be considered license for immorality. In our quest to protect and preserve the freedom that has been endowed to us by God, and guaranteed to us by the blood of our fathers, we have created another sort of enslavement, the enslavement to such false ideas of freedom. Freedom has not been granted to us for nothing, and it is our duty to defend it at every moment.

Although as humans ''Endowed by our Creator,'' as we are told by the Declaration of Independence, ''with certain inalienable rights,'' these have not been given to us without responsibilities. There exists in this country especially, a legacy of liberty which has been passed on from generation to generation, safeguarded and sustained by its citizens. But this freedom is not immutable. We, as Americans, must rise to the responsibilities that face us. When not backed by people, by Americans motivated with the same passion and fervor as the founders of this land, our freedom is but a feeble idea quickly whisked away.

Has it become this today within our very borders? Although it must still be protected from outside threats, the real threat, the real danger is right here. It is threatened every single time a human life is disregarded or disrespected. With every unborn child prevented from ever taking its first breath, freedom is stifled and its very heart violated. With every hateful word or deed against a person's race, consent is given to forfeit the liberation of an entire country. It truly is a dreadful form of povery when such crimes against life are committed. How can a man stand upon his feet and proclaim his freedom, when he holds the stolen liberty of another in his hands? How can he defend the very thing that he has denied to others? No, it is not possible to secure for oneself what has been usurped from others. When the value of freedom is overlooked in a single human form, it is overlooked for all of humanity. Without compromise, this freedom must be defended and all obstacles and impediments standing before it must be defeated.

Our obligation to protect freedom begins within our homes, in our day-to-day life choices which affect others. What we value shows in our daily lives, and is reflected in our government. We are under a government put in place by ourselves and for ourselves. What is allowable, what is just, what is humane is before us to decide. We make the decision not merely by how we vote, but by how we speak, how we act, how we live.

In our refusal to forfeit human rights and dignity through our every action, we become a powerful testament to true freedom and liberty for all. To act in this way is our obligation; this is what we have been called to do by those who first ensured for us our freedom. We must live as free people, people valuing the liberty of all. Only then shall we truly be free. Only then shall this freedom be our possession, and only then will we be able to defend it from those who might attempt to snatch it from us.

RECOGNIZING THE PENNSYLVANIA ACADEMIC DECATHLON TEAM

HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. ENGLISH. Mr. Speaker, I rise today to recognize and honor the state of Pennsylvania's Collegiate Academy High School Academic Decathlon team as they prepare to conquer the championship title for the 2003 United States Academic Decathlon (USAD) National Competition.

Pennsylvania's Academic Decathlon team is comprised of students and coaches from the Collegiate Academy High School, located in the 3rd Congressional District. The Collegiate Academy team has already found victory in the local, regional and state USAD competitions and is anxiously awaiting the final national competition scheduled to be held at the end of April in the school's hometown of Erie, Pa.

I'd like to take the time today and recognize these talented students and their coaches, who have mentored and inspired the students throughout the entire school year.

The 2003 members of Pennsylvania's Academic Decathlon Team include: Joshua Cohick, Mara DiTullio, Jarrod Fedor, Noelle Lucas, Brian McNair, Andrew Narusewicz, Eden Roseborough, David Tran and Gregory Stachelek. The team's coaches are Carolyn Huzinec and Paula Lucas.

For more than 20 years, the USAD National competition has brought high school students together to challenge their intellects on various levels and provide an advanced educational opportunity. In the pursuance of academic excellence, academic decathlon teams must vigorously prepare to compete in ten different categories. The winning team will be recognized as the most prestigious high school in the nation.

I believe this scholastic competition to be a grand endeavor for high school students across America. Its continuous success is a prime example of our nation's enthusiasm for education. I am proud that Pennsylvania's 3rd Congressional District's own Collegiate Academy High School will represent the state this year in the national competition and I wish them the best of luck.

Mr. Speaker, I hope my colleagues will join me in honoring Pennsylvania's Academic Decathlon team and their coaches as they compete to become America's most prestigious high school.

PERSONAL EXPLANATION

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Ms. SOLIS. Mr. Speaker, During Rollcall vote No. 122 on the Meehen Amendment to H.R. 1036, the Gun Manufacturer's Liability Act, I was unavoidably detained. Had I been present, I would have voted ''yea.''

TRIBUTE TO WAYNE W. HINDS

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. BERRY. Mr. Speaker, I rise today to pay tribute to a great Arkansan and a leading citizen of Trumann, Arkansas. I am proud to recognize Wayne W. Hinds in the United States Congress for his invaluable contributions to his community, his state and his Nation.

Wayne was born and raised in Trumann, Arkansas, and even starred on the football team at Trumann High School. During his senior season in 1955, he set an Arkansas state high school football record for the most touchdowns scored in a single game. After graduation in 1956, Wayne decided to remain close to home and attended Arkansas State University in Jonesboro, where he majored in business administration.

On November 14, 1959, Wayne married Glenda Moye. He and Glenda had two daughters, Tamera Taylor and Misti Sims and are the proud grandparents of Raven Dawn Taylor, Brett Taylor, Mackenzie Sims and Bailee Sims.

In August 1967, Wayne began the job that has become the symbol of his commitment to his community. That year, Wayne was appointed Superintendent, Drainage District Number Seven. This jurisdiction covers 190,000 acres, 300 miles of channels and 65 miles of levees along the St. Francis River and Right Hand Chute of Little River. In February 1978, Wayne was elected General Manager and Executive Secretary of Drainage District Number Seven and since then has led the effort to protect the valuable waterways of Poinsett County.

In addition to his remarkable service in his professional career, Wayne has also been an important leader in his community. Wayne is a member and past president of the Trumann Booster's Club. He also served for many years on the Board of Directors of the Trumann Lions Club.

As children, we all learn the importance of ''remembering where you came from''. Wayne not only remembers . . . he serves. He embodies the old fashion values of service, leadership and commitment to his community that have made our State and our Nation great. On behalf of Congress, I pay tribute to Wayne Hinds for his tireless service and unwavering commitment to the people of Poinsett County, the people of Arkansas and the people of the United States.

THE STOP TAKING OUR HEALTH PRIVACY ACT OF 2003

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. WAXMAN. Mr. Speaker, in a few days, the Bush Administration's modifications to the Federal medical privacy rule will be in effect. Federal medical privacy protections are important for protecting the integrity of our health care system. Many Americans have been taking counterproductive steps, such as giving inaccurate information to their physicians or

avoiding health care altogether, because of medical privacy concerns.

The medical privacy rule issued by the Clinton Administration in December 2000 established a sound foundation for addressing the complex issues relating to medical records privacy. Unfortunately, the Bush Administration's changes to the rule opened up significant loopholes in medical privacy protection. The Bush Administration eliminated the rule's requirement that individuals must provide consent before their personal health information can be used for treatment, payment, and a broad category of activities called ''health care operations.''

The Bush Administration also decreased privacy protections relating to marketing activities by removing privacy protections for activities that most consumers consider to be marketing. In addition, it changed the rule to allow disclosures of health information without patient consent to drug companies and other entities regulated by the FDA for a wide range of purposes. The December 2000 rule, in contrast, allowed such disclosures only for a narrowly defined list of health-related activities such as reporting adverse events associated with drugs.

That is why I am joining my colleagues Reps. MARKEY, DINGELL, and ROHRABACHER today in introducing the Stop Taking Our Health Privacy Act of 2003. The STOHP Act would: (1) reinstate the December 2000 rule's patient consent requirement for treatment, payment, and health care operations while ensuring that this requirement does not undermine essential health care activities such as filling prescriptions and making referrals; (2) strike the Bush Administration's definition of ''marketing,'' thereby ensuring that the rule's privacy protections apply to activities consumers consider marketing; and (3) eliminate the broad exemption the Bush Administration created that would have allowed disclosure without consent to drug companies, while ensuring that disclosures essential for public health purposes are allowed.

I am pleased that this bill has bipartisan support. Medical privacy should not be a partisan issue. I hope to continue to work with both Democratic and Republican colleagues to remedy the harm done by the changes to the rule and to promote vigilant enforcement by the Administration of the privacy protections that remain. I will also continue to press for additional protections to ensure appropriate disclosure and use of individuals' health information.

TRIBUTE TO THE ASSISTANT CITY MANAGER BOB WALES, CITY OF RIVERSIDE, CA

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to the community of Riverside, California are exceptional. The community of Riverside has been fortunate to have dynamic and dedicated community leaders who willingly and unselfishly give their time and talent and make their communities a better place to live and work. Bob Wales is one of these individuals. On Thursday, April 10, 2003, Bob will be honored at a retirement reception in recognition of his contributions as the Riverside Assistant City Manager.

Bob received his Bachelor of Science degree in Civil Engineering from Virginia Polytechnic Institute in 1962. Upon graduation, Bob was commissioned in the U.S. Army and served honorably as a First Lieutenant in Orleans, France until joining the California Division of Highways in 1964. Bob obtained his license as a Professional Engineer from the State of California in 1969. Bob's accomplishments include the design of the 2/210 freeway interchange as well as the design of numerous bridges throughout California.

Bob began his career with the City of Riverside as an Associate Engineer in the Public Works Department in August of 1969. Over the following eight years Bob served as a Senior Engineer and a Principal Engineer.

In 1977, Bob was named Public Works Director and continued in that position for ten years until he was later appointed Assistant City Manager of Development. His duties included the oversight of the Public Works, Planning, Airport and Development Departments, as well as negotiating agreements with private developers and ensuring expeditious processing of key economic development projects.

In 1986, Bob was appointed Executive Director of the Riverside Redevelopment Agency in addition to his other duties. In that position he has contributed to all facets of redevelopment in the City's six project areas. Under his exemplary leadership, the Agency has been involved in hundreds of projects worth millions of dollars including the reopening of the historic Mission Inn, the construction of a California State office building, the redevelopment of a major portion of the east side of Riverside with two large scale retail/entertainment projects and the creation of a Justice Center in the downtown area which brought in a State Court of Appeals, a U.S. Bankruptcy Court, a U.S. Federal District Court and a County Family Law Court.

Bob's tireless passion for community service has contributed immensely to the betterment of the community of Riverside, California. He has been the heart and soul of many of the redevelopment projects and the vision of the future for Riverside and I am proud to call him a fellow community member, American and friend. I know that many community members are grateful for his service and salute him as he retires.

INTRODUCING THE AIR TRAFFIC CONTROL SYSTEM INTEGRITY ACT

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. OBERSTAR. Mr. Speaker, today I have joined with Congressmen LOBIONDO, DEFAZIO, and QUINN to introduce the Air Traffic Control System Integrity Act of 2003, a bill to ensure that functions relating to the air traffic control system continue to be carried out by the United States Government.

Mr. Speaker, I am deeply disturbed by the Bush Administration's recent attempts to inch its way towards privatization or corporatization of our air traffic control system. First, on June 4, 2002, the President signed Executive Order 13264 to delete a phrase in Executive Order 13180 stating that air traffic control is an ''inherently-governmental function.''

More recently, the Office of Management and Budget (OMB) placed air traffic controllers on its 2002 Commercial Activities list, which is an inventory of activities performed by government personnel that should be subject to the forces of competition. Although FAA Administrator Marion Blakey testified before the House Aviation Subcommittee that ATC is in a protected class of the OMB Commercial Activities list, there is nothing that prohibits the Administration from re-categorizing ATC in the future.

The National Air Space system is not one well-defined piece of equipment. It is a complex, integrated arrangement of thousands of distinct systems, as well as regulations, procedures, and people, all interfacing with one another to accomplish one of the most intricate missions in the world—ensuring our country's ability to safely and efficiently move over 600 million passenger a year.

On September 11th, we learned just how efficiently our 15,000 air traffic controllers and 6,000 technicians do their jobs. On that fateful day, at 9:45 a.m., the Department of Transportation gave the order to ground all aircraft in U.S. airspace immediately—an operation that controllers and technicians had neither been trained nor tested to accomplish. Within the space of two hours, the FAA's air traffic controllers safely landed 4,482 aircraft; 3,195 commercial, 1,122 general aviation, and 165 military—without one operational error.

Following September 11th, our FAA technicians worked with the Department of Defense to staff Long Range Radar sites throughout the country as well as to provide additional radar surveillance data and voice communication capability to the military in support of ''Homeland Defense.'' The dedication and professionalism of all of our highly skilled government employees is unparalleled.

Operation of ATC requires the cooperative, coordinated efforts of many divisions in FAA including those responsible for ATC services, facilities and equipment, safety certification and regulation, airport development, research and development and law. All of these divisions are required by law to have safety as their highest priority.

Any plan to privatize or corporatize the ATC system contemplates that system users, principally the airlines, will be saddled with a fee structure to pay for the corporation. This means that the ATC system will be an expense for airlines, affecting their profit and loss. At the same time, airlines will play a role in setting policies for the new corporation and deciding how much the corporation will spend, and, very likely, deciding who will be winners, and who will be losers.

Do we really want to have a relationship between airline profitability and ATC spending and other decisions affecting safety or security? To be blunt, when airline profit margins start to influence ATC practices, the safety margin may be eroded, and that would not serve the public interest.

One of the main justifications advanced in support of an ATC corporation is that it would produce a system that is more responsive to airline concerns and would reduce airline costs. However, two of the most prominent

countries that have privatized their ATC systems—Great Britain and Canada have had numerous problems. Both countries' systems are financially distressed and suffering from performance setbacks. The perceived gains by privatizing the ATC systems in these countries—lower fees and increased efficiency—have actually translated into higher fees, numerous flight cancellations, delays, and very recently, a $250 million bailout of no privatized company by the British government. This is not a model that the U.S. wants to emulate.

In the existing ATC system, the FAA and the Congress make decisions on safety issues in the overall best public interest, with input from system users. If there is any move towards privatization or some form of government corporation, how will the public be assured that ATC operations will be managed with a primary goal of protecting the interest of airline passengers and ensuring safety and security?

The basic question that needs to be asked is whether we should risk the uncertainties of creating a new system to promote ATC safety and security when we already have in place a system with an outstanding safety record. The answer is simple: No.

That is why we must act now to halt any efforts to privatize or corporatize our nation's air traffic system functions. This bill prohibits the Department of Transportation from authorizing the conversion of any FAA facilities, or the outsourcing of any work currently performed by FAA employees (including air traffic controllers, systems specialists, and flight service station employees), in the ATC system to private or public entities other than the U.S. government. Importantly, however, this bill would not impact the contract tower program, the safety benefits of which have been well documented.

This bill would guarantee the continued integrity of our nation's air traffic control system. I urge my colleagues to support this critical piece of legislation.

TRIBUTE TO MR. CRAIG SWALLOW

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. PORTER. Mr. Speaker, I rise to extend my heartiest congratulations to Mr. Craig Swallow, of the Green Valley High School. Mr. Swallow has been selected as a Semifinalist of the National Council of Economic Education (NCEE)/Nasdaq National Teaching Awards. This achievement recognizes high school teachers for their originality, creativity, and effectiveness in furthering students' awareness of financial markets, the process of capital formation, principles of investment, personal finance, entrepreneurship, and the operation of market economies.

This recognition, and Mr. Swallow's place among the twenty finest high school educators in this field, gives credit not only to this fine teacher's outstanding capabilities, but also his dedication, in equipping his students for success in a highly-competitive, economically-complex professional environment. This achievement demonstrates Green Valley High School's commitment to provide our students with the comprehensive and rigorous curricula that will ensure the achievement of their future goals.

Mr. Swallow's teaching abilities are an example to all parents, teachers, and students. By gaining this prestigious professional accolade, Mr. Swallow becomes an example of the potential towards which all teachers can strive as they impart the most beneficial forms of knowledge to our children. I am proud to represent teachers like Mr. Swallow, whose dedication and knowledge, guarantee the future success of Green Valley High School, Henderson, Clark County, and all of Nevada.

A TRIBUTE TO AMERICA—A 21ST CENTURY ANTHEM

HON. MARK FOLEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. FOLEY. Mr. Speaker, I would like to bring to your attention a truly stirring song, ''A Tribute to America—A 21st Century Anthem.'' Written by Ann Miller and performed by her son, Ted Maliaris—both from South Florida—this song serves as an inspiration for all Americans during the war on terrorism.

''A Tribute to America'' was written with the hopes of uniting the country after the attacks on September 11, 2001. The purpose of the song was to heal the emotional wounds received that September day. The song continues to accomplish just that.

From Francis Scott Key's ''Star Spangled Banner'' during the War of 1812 to Irving Berlin's ''God Bless America'' during World War I, history provides examples of how music contributes to the steadfastness of America in the face of adversity. Even as we sang ''God Bless America'' on the Capitol steps just one day after the terrorist attacks, the United States regained its resolve to defeat terrorism wherever it rears its ugly head.

Please join me in recognizing the help that ''A Tribute to America'' has given in the healing process, and in thanking Ann Miller and Ted Maliaris for providing ''A Tribute to America.''

UNIVERSAL SERVICE

HON. C.L. "BUTCH" OTTER

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. OTTER. Mr. Speaker, just as railroads brought prosperity to small towns in rural America during the Industrial Revolution, glass fibers and silicon wafers are driving today's Information Age. Data is the commodity in this new economic revolution, and it can travel at the speed of light.

Through E-commerce, rural America can again be revitalized. But this train is bypassing some parts of the country, especially rural areas—some of which I represent. The Federal Communications Commission (FCC) must favor policies that foster real competition and promote consumer choice, not bureaucracy and regulation. FCC policies should not create disincentives for companies to deploy new fiber solely because they may have more resources and greater expertise then some of their competitors. Such policies breach the basic principles of the free market: that true competition naturally encourages development of cheaper services and better technologies. True competition can never exist if regulators insist on creating competitive parity in the industry at the expense of advancing technology.

Mr. Speaker, as we examine the development and deployment of high-speed communications technologies, we must ensure the existence of true competition, we must restore consumer driven integrity to the market, and we must not stifle progress.

IN RECOGNITION OF KYRIAKI S. CHRISTODOULOU AND THE WOMEN'S ISSUES NETWORK OF THE PANCYPRIAN ASSOCIATION OF AMERICA

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mrs. MALONEY. Mr. Speaker, I rise to pay tribute to the Women's Issues Network (WIN) of the Pancyprian Association of America on the occasion of their annual dinner dance. An outstanding community service organization in my district, WIN is dedicated to the education, health, and a better quality of life for the Astoria community. This year they will be honoring Kyriaki S. Christodoulou, for her invaluable service and commitment to the community.

Kyriaki S. Christodoulou was born in Klirou and raised in the suburb of Agios Dometios, Nicosia, the second of four children of the Christodoulou family. Ms. Christodoulou's, parents instilled in her and her siblings the value of education and hard work. Ms. Christodoulou and her siblings attended the Grammar School (Gregoriou) in Nicosia, now under occupation. During her high school years, she was very active in the Debating and Literary Societies and was twice awarded for here creative writing by the Pancyprian Youth Artistic Group (KLON). Following the invasion in 1974, she came to the United States to further her education.

Ms. Christodoulou attended Hunter College and earned a Bachelors degree in Sociology and a Master of Science in Social Research. During her studies, Ms. Christodoulou worked with a variety of international organizations including the Consulate General of Cyprus in New York, the Permanent Mission of Cyprus to the United Nations, the International Labor Organization Liaison Office in New York, the United Nations Division of Palestinian Rights, the Greek Tourism Organization and the National League for Nursing.

Since 1993, she has directed the Cyprus Children's Fund, a not-for-profit organization established in 1974 following the Turkish invasion of Cyprus to aid enclaved and needy Cypriot children. The Cyprus Children's Fund also administers annual scholarship awards.

Ms. Christodoulou's spirit of volunteerism has led her to active participation in several community organizations. She has held the positions of General Secretary for the Pancyprian Association Dancing Division, the Pancyprian Association Women's Issues Network (WIN), and the Panpaphian Association

of America. She served a 4-year term as the General Secretary of the Cyprus Federation of America, an umbrella organization representing Greek Cypriot associations and brotherhoods throughout the United States.

In addition, Ms. Christodoulou, who has a 14-year-old son, was President of the Parent-Teacher Association of the Greek Afternoon School of St. Demetrios and is currently serving on the School Board of the St. Demetrios Greek American School.

In recognition of these outstanding achievements, I ask my colleagues to join me in honoring Ms. Christodoulou and the Pancyprian Association's Women's Issues Network, for their passion and commitment to the betterment of the Astoria community.

TRIBUTE TO THE PLEASANTON RAGE UNDER-12 GIRLS SOCCER TEAM

HON. RICHARD W. POMBO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. POMBO. Mr. Speaker, I would like to take this opportunity to recognize the accomplishments of a very talented group of young women in California's 11th District. The Pleasanton Rage Soccer Team has won the 2003 Under 12 Girls Cal-North Snickers State Cup Championship and will now advance to the Far West Regional Championship in Hawaii this June.

On the afternoon of Sunday March 2, 2003, the Rage beat the Bay Oak Bombers of Alameda 2 to 1 in the final game of the championship at Lucchesi Field in Petaluma, California.

This is the first time in 13 years that an Under-12 girl's soccer team from Pleasanton has won this title of State Cup Champions.

The team of 16 girls has been working extremely hard—training three days a week since last July and attending tournaments to prepare them for this prestigious title. In January, the team played their first round of games for the State Cup Tournament in Morgan Hill, California. They played against teams from a pool of 51 in their age group from clubs in the Cal North district which stretches as far south as Bakersfield and all the way to the Oregon border in the north. Through their first six games in the State Cup Tournament, they shut out every opponent. They entered the finals with an amazing record of 17 goals for and 0 goals against.

Impressively the only goal they gave up came in the first minutes of the Championship game on a penalty shot. After adjusting to the artificial grass surface, the Rage came back to seal the win with 2 consecutive goals for the biggest win of their lives.

Each player was given a 1st place medal and the team was awarded a large trophy for their accomplishment. Parents were on hand to give out Hawaiian leis while many fans with blue and white hair and face paint were there to show their support of this amazing young Rage team. The Pleasanton Rage Girls U–12 team is currently ranked #1 in the State and #12 in the Nation.

They have earned the right to represent California in the Far West Regional in Hawaii from June 23–June 28th, 2003. In the week long tournament they will compete against teams from Hawaii, Alaska, Washington, Oregon, Wyoming, Utah, Arizona, Nevada, and Colorado.

The Championship Rage players are Michelle Avendano, Krista Bormann, Sammy Cloutier, Marisa Fraticelli, Tanya Hanson, Stacey Hildebrand, Claire Kennedy, Olivia Klei, Ashley Loughmiller, Amanda Luxford, Ashlyn Mazur, Rachael McGlinchy, Sophie Metz, Carlee Payne, Katie Voss, and Kim Zetterlund. They are coached by Gary Oetman and Paul Ratcliffe and trained by Phillipe Blin.

The team is to be congratulated for their remarkable performance and provided with the best wishes of everyone in California's 11th District as they continue to compete at the national level.

24TH ANNIVERSARY OF THE TAIWAN RELATIONS ACT

HON. TOM DeLAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. DELAY. Mr. Speaker, on April 10, 1979, the Taiwan Relations Act became law, and the United States affirmed its friendship with the people of Taiwan.

That friendship remains a cornerstone of America's vision for a free, secure, and prosperous Asia at peace with itself and the community of nations.

The TRA requires the United States to provide Taiwan sufficient arms to defend herself and demands a peaceful resolution to its dispute with Beijing.

Under the TRA, the Taiwanese are assured the United States will not allow bullying or blackmail across the Taiwan Strait.

Today, its 24th anniversary, this historic legislation is even more relevant than at its enactment.

Though Taiwan is one of America's largest trading partners, our friendship is much deeper than an economic partnership. Our two nations are bound by common values of self-determination, freedom, and economic opportunity.

We are also bound by a common resistance to the efforts of any regime to repress man's God-given human rights.

''The price of liberty is eternal vigilance,'' Thomas Jefferson said.

Free men and women in Taiwan, whose neighbors on the mainland suffer under the boot-heel of Communist tyranny, have no choice but to live that sentiment every day.

Taiwan is a free nation, and must remain so. Her open and tolerant society should be seen by Beijing not as a threat, but a model for progress.

I have traveled to Taiwan several times. Anyone who has can tell you it is home to a vibrant, modern nation of free and prosperous people, grateful for America's friendship.

It is now our responsibility to ensure that friendship grows even stronger. Our responsibility in such times is no less than to ensure the security of free men everywhere in the world.

The House of Representatives understands this responsibility, and has affirmed its support for Taiwan numerous times since TRA, including in its overwhelming passage of the Taiwan Security Enhancement Act in February, 2000.

So, too, does the President. He has made it clear the United States will do whatever it takes to defend Taiwan. His Administration has provided Taiwan with essential weapons systems and continues to expand our economic partnership. The House will continue to work with the Administration to ensure Taiwan's security.

For 24 years, the United States has cultivated a relationship with Taiwan, whose roots run to the core of our shared love of liberty. Against the harsh winds of despotism, that relationship has bloomed, and through the eternal vigilance of our two nations, billions will one day enjoy its fruit.

HONORING FORMER PRISONERS-OF-WAR

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Ms. HARMAN. Mr. Speaker, I am pleased to join my colleagues in recognizing National Former Prisoner of War Recognition Day.

As others have said, America's former POWs are national heroes. Their service to our country placed them in dangerous situations and led to their capture and imprisonment.

Many suffered brutally at the hands of their captives. Many died.

During this time of hostilities in Iraq, we particularly remember the service members held prisoners there and ask for their humane treatment as we seek their immediate release. We also ask for an accounting of all the missing.

We take great pride in the successful rescue of Pfc. Jessica Lynch. We hope for her swift recovery.

Mr. Speaker, we shall never forget the tens of thousands of Americans who endured the hardship of enemy confinement—individuals like Bob Brigham of Torrance, California.

An Army private during World War II, Mr. Brigham was captured by the Nazis July 27, 1944 at St. Lo, France.

Nine months to the day, he was liberated from the camp at Memmengin, Germany, but not after hard labor digging air raid shelters under the camps railroad tracks.

Brian Ward of San Pedro was captured by the North Vietnamese when his F–4 bomber was shot down 2 days after Christmas 1972 while on a combat mission northeast of Hanoi.

Both he and his pilot suffered broken arms and back injuries as a result of their ejection. They were immediately captured, stripped of everything but their underwear, and transported to the ''Hanoi Hilton''. Two weeks later, they were transferred to a prison known as the ''Zoo'' a few miles southeast of Hanoi.

Mr. Ward was returned to the United States on March 29, 1973 as the next-to-last prisoner released from Hanoi.

There are other former POWs among the residents of my District. I salute them all. Their physical and emotional scars remain a reminder of the high price of liberty.

Mr. Speaker, I also join my colleagues in remembering those whose fate in time of war remains unknown.

While patriotic ceremonies and speeches will commemorate this day, for the families of the missing, the war is never over. Their loved

ones are still unaccounted for. Their hearts have a very big hole that will never be filled.

The POW/MIA flag is posted in my federal offices and on the wall behind my desk. I am proud of the role I played in authoring legislation to require that flag to be flown at federal facilities on patriotic holidays.

POW families will not forget their loved ones. Nor will this Nation. Wherever it takes us, for as long as it takes us, we will work to bring them home.

REMEMBERING OUR FORMER PRISONERS OF WAR

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. BILIRAKIS. Mr. Speaker, I am pleased to be here tonight to commemorate ''National Former Prisoners of War Recognition Day.''

Sacrifice. It's a word we all know. All of us have made some sacrifices in our lives. We make sacrifices for our family, for our close friends, even for our neighbors and coworkers.

Anyone who has ever served or is serving in our Armed Forces knows that military life requires many sacrifices. Over one million Americans have given their lives, the ultimate sacrifice, while serving in our nation's Armed Forces.

Throughout history, the brave men and women of our Armed Forces have risked their lives. They have done so not merely for family or coworkers, but for a cause represented by the American flag—the freedom to choose and the liberty to succeed.

But no one knows the meaning of sacrifice better than America's former prisoners of war. All those who have been POWs know the true meaning of freedom. They have paid a tremendous price for the liberty we all cherish. Their service and sacrifice, and that of their fellow veterans, make our way of life possible.

Throughout the history of the United States, more than 500,000 Americans have been taken prisoner. Each of these courageous men and women has experienced horrors unimaginable in the annals of civilized existence. Most have endured long-term deprivation of freedom and the loss of human dignity. Today, many continue to experience prolonged battles with various illnesses and other disabilities.

There are no words to adequately describe the sacrifices made by our former POWs. Humble words can never repay the debt we owe these brave men and women. However, special days like today provide us with the opportunity to reflect upon the terror that these great Americans endured in service to their country.

While we can never fully comprehend the suffering they experienced, we must respect their unwavering dedication to life. Without question, American POWs have demonstrated an unfailing devotion to duty, honor and country.

Their service helped preserve our freedom through two world wars and regional conflicts of the cold war era. Our former prisoners of war have given more than most Americans will be called upon to give for their country.

As we honor our former POWs tonight, we are reminded of our current prisoners of war being held in Iraq. We pray for their safe return and are working to secure their freedom.

''Former Prisoners of War Recognition Day'' serves as a poignant reminder of the sacrifice and commitment of all the American men and women whose patriotism has been tested by the chains of enemy captivity.

Their experiences underscore our debt to those who place their lives in harm's way and stand willing to trade their liberty for ours. As a nation, we must always remember the sacrifices made by our men and women in uniform.

SENSE OF HOUSE REGARDING SYSTEMATIC HUMAN RIGHTS VIOLATIONS IN CUBA COMMITTED BY CASTRO REGIME

SPEECH OF

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 8, 2003

Mr. DEUTSCH. Mr. Speaker, I rise in strong support of the Resolution condemning the arrest of Cuban political dissidents.

As the United States and the world's attention is focused on Iraq, Fidel Castro and his regime in Cuba have abruptly ended a perceived period of leniency and burgeoning democracy, by undertaking one of the harshest crackdowns against internal dissent. If the Castro regime believes that the arrest and conviction of 80 political dissidents in ''kangaroo courts'' for daring to advocate free speech and other rights for the people of Cuba will be ignored by the United States, Castro is greatly mistaken. My colleagues and I in the U.S. Congress have spoken in a unified voice condemning the unwarranted arrests of Cuban dissidents, and we will continue to aid Cuban people in gaining the basic human rights.

One individual to be tried in the ''summary trials'' which bear little semblance of justice is Dr. Oscar Elias Biscet, a physician who has first-hand knowledge of Cuban prisons for his activism on behalf of human rights. In February 2000, he was imprisoned and tortured for hanging the Cuban flag upside down, an undeniable act of non-violent civil disobedience. Dr. Biscet's freedom in October 2002 was short-lived and within months, this supporter of Dr. King's and Thoreau's peaceful methods of political change, has again been arrested for political dissidence and now faces life imprisonment under the draconian ''Law 91.''

Sharing in Dr. Biscet's good intentions, and sadly his fate of imprisonment, is Raul Ramon Rivero, an independent journalist and leader of the Cuban newspaper service. He is another nonviolent activist who was arrested on preposterous charges and sentenced to 20 years in prison for the simple possession of a Sony tape recorder and a Samsung computer, universal tools for most reporters. As numerous members of the Cuba Society of Independent Journalists like Rivero have been arrested and imprisoned, information emanated to the Cuban people has been severely limited.

Marta Beatriz Roque, a Cuban economist, also faces 20 years in prison for political dissent. The Castro regime arrested Ms. Roque, and other economists like her, for speaking the truth about the failings of the Cuban communist economy. As was true with the historically similar failing Soviet economy, Castro's silencing of all economic criticism will not prevent the Cuban people from knowing the reality of their impoverished economic situation.

Castro's arrest of these and other political dissidents, many of whom signed the ''Joint Statement'' highlighting the regime's failures, is a Stalinist tactic aimed at stifling popular unrest. This joint statement, published on March 9, 2003, reiterated the well-known facts that the regime refuses to ''respect the internationally recognized human rights or accept the existence of legitimate political opposition.'' Castro's harsh tactics will only stall the inevitable, the establishment of a free and democratic Cuba. The people of Cuba are impoverished and oppressed, and they are no longer swayed by Castro's empty rhetoric of helping ''the people.''

Dr. Biscet's, Rivero's, and Roque's passion for democracy and human rights for the people of Cuba is both inspiring and contagious, and this is what Castro fears most. The tides are turning against the Castro regime. His recent assaults on his own people epitomize Castro's true nature, his inability to ever be anything other than a fear-driven, totalitarian despot. These arrests and amplified oppression stress his anxiety and his desperate attempts to maintain power. Only the strong and the courageous can affect change, and we in the United States will continue to stand with those who strive to bring freedom to Cuba.

HONORING THE DILLARD HIGH SCHOOL BOYS, SOUTH BROWARD HIGH SCHOOL GIRLS, AND DEERFIELD BEACH HIGH SCHOOL GIRLS BASKETBALL TEAMS ON THE OCCASION OF WINNING THEIR RESPECTIVE FLORIDA STATE BASKETBALL CHAMPIONSHIPS

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. HASTINGS of Florida. Mr. Speaker, it is my distinct pleasure to give national recognition to three phenomenal high school basketball programs in my district. The Dillard High School Boys and South Broward High School Girls Basketball Teams have accomplished what many would consider a miraculous feat: each school has won four consecutive Florida state basketball championships. The Deerfield Beach High School Girls Basketball Team is also to be honored for winning Florida's 2003 Class 6A Championship, the largest division in Florida high school sports.

We often associate good coaching with star athletes and great strategy. However, Darryl Burrows and Abby Ward, Dillard and South Broward High Schools' respective coaches, have shown much more than an ability to outwit the competition. Their teams have continually dominated the competition, and each team is considered one of the best in the country.

Additionally, Everett Jackson, Deerfield Beach High's coach, lead a team that overcame many obstacles in route to one of Florida's most prestigious high school championships. He and his players too are to be commended for a job well done.

Great high school sports programs promote character and leadership. The great accomplishments of these fine programs instill pride in their students and the entire South Florida community. Most importantly, these young student-athletes will carry with them the knowledge that they are champions, and they can be victorious over any challenge that life brings their way.

I submit for the RECORD the names of the coaches, principals, and athletes so that their incredible accomplishments will forever be documented by this body.

Dillard High School, Ft. Lauderdale, Florida, 2002–2003 Florida Class 6A Boys Basketball Championship, Principal, Rayfield Henderson, Coach, Darryl Burrows, Chris Johnson, Kevin Thomas, Johnny Williams, Marcus Edward, Joe McCray, Vincent Mosley, Micheal Reddick, Jermaine Haynes, Chris Rawls, Jimmy Tobias, Louis Holmes, Lavell Payne, Marcus Allen, Pat Sims, and Renarko Cunningham.

Deerfield High School, Deerfield Beach, Florida, 2002–2003 Florida Class 6A Girls Basketball Championship, Principal, Kathleen Martinez, Coach, Everett Jackson, Kendra Goodley, Charnika Foster, Shuteamia Brayboy, Cristal Randolph, Chytearra Kintchen, Princess Stewart, Lakeena Gillion, Jessica Brown, Virginia Gregoire, Veronica Randolph, Kentrina Wilson, Ju'Erica Overstreet, Monteza Hepburn, and Chalice McMillian.

South Broward High School, Hollywood, Florida, 2002–2003 Florida Class 5A Girls Basketball Championship, Principal, Steven Pomerantz, Coach, Abby Ward, Julia Noga, Domonique Thomas, Alysha Harvin, Keunta Miles, Brittany Washington, LaShaunda Slade, Krystle Stanley, Tonya Holmes, LaQuetta Ferguson, and Lamese James.

TRIBUTE TO PRIVATE JESSICA LYNCH ON NATIONAL FORMER PRISONER OF WAR RECOGNITION DAY

HON. NICK J. RAHALL, II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. RAHALL. Mr. Speaker, I rise today to pay tribute to America's heroes on National Former Prisoner of War Recognition Day.

The holiday is all the more poignant this year. This year the world celebrated the rescue of POW Private Jessica Lynch from an Iraqi hospital. This brave West Virginia woman fought capture as she watched her comrades die next to her. West Virginians are especially proud of the rescue of one of our own and proud of the troops, including some of West Virginia's own National Guard, who were involved in her return. This was a truly remarkable moment for West Virginia's service men and women.

We may never know all the details of the ordeal Private Lynch endured while held in Iraqi captivity. Like so many POWs before her, not only are there physical wounds to heal but mental and spiritual. As Americans, it is our duty to welcome back these heroes who fought for our freedom. We must give all of our returned POWs the support they require and deserve and share with them our pride in their sacrifice to the Nation. We give thanks to God for the return of our POWs and ask Him to watch over our soldiers and our Nation.

REMEMBERING IAN D.W. SUTHERLAND, LIEUTENANT COLONEL, U.S. ARMY SPECIAL FORCES (RETIRED)

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mrs. EMERSON. Mr. Speaker, this week, as we watch the events unfolding in Operation Iraqi Freedom, our hearts go out—not just to the Iraqi people who we are liberating from tyranny and oppression—but to our dear brave friends, the men and women in uniform serving in the American Armed Forces.

The men and women of our Armed Forces have been on the front lines in Operation Iraqi Freedom and other conflicts throughout our country's history. Some of these men and women are easy to see. They are on television, in newspapers and some have even called in to talk to radio reporters about the latest happenings on the battlefield.

Others are not so easy to see, but their work does not go unnoticed. They are the Special Forces. This week, in Missouri's Bootheel one of our own retired Special Forces was lost.

Retired U.S. Army Lt. Col. Ian D.W. Sutherland passed away after a skydiving accident. Lt. Col. Sutherland was a longtime resident and friend to many in the Cape Girardeau County area. Raised in Tennessee, Lt. Col. Sutherland entered the U.S. Army in 1951. During his military career he was a member of the Old Guard—the Army ceremonial unit—and participated in the state funerals of President John F. Kennedy and Gen. Douglas MacArthur.

He served three tours of duty in Vietnam, was associated with the 82nd Airborne Division (Green Berets), and was assigned to the U.S. Embassy in Tehran, Iran. He retired from the Army as a lieutenant colonel from the Special Forces School at Ft. Bragg, North Carolina. His service was recognized by many. He was the recipient of many awards including the Silver Star, two Legion of Merits, and five Bronze Stars.

But when he retired, he didn't simply sit back and enjoy watching life. Instead, he went on to law school and furthered his lifelong career in public service by serving as an assistant prosecuting attorney. At the time of his death, he was the First Assistant prosecuting attorney in Cape Girardeau County. In a 15-year career as a trial lawyer, he prosecuted thousands of cases and tired 123 jury trials.

Mr. Speaker, even though Lt. Col. Sutherland is no longer here, his work, his commitment and his love of God, country and service continue. And like so many who came before him and those who fellow after, he served his country with distinction and honor—and that is how we in Missouri will always remember him.

INTRODUCTION OF THE VETERANS FEDERAL PROCUREMENT OPPORTUNITY ACT OF 2003

HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. EVANS. Mr. Speaker, today I am introducing H.R. 1712, the ''Veterans Federal Procurement Opportunity Act of 2003.'' This bill provides numerous checks and balances to assure that veteran small business owners receive appropriate consideration when pursuing Federal contracts. This measure also provides the mechanisms to achieve goals for awarding federal contracts to specified small business concerns already established by Congress. It further establishes a Development Program for Small Business Concerns Owned and Controlled by Qualified Service-Disabled Veterans; provides for a 3% Federal procurement participation goal for veteran-owned small businesses; increases the Government-wide Federal small business participation goal from 23 to 28 percent; eliminates double counting of small business categories; credits both prime contracts awarded to small businesses and applicable small business subcontracts awarded by prime contractors towards the achievement of an agency's small business participation goals; provides for a penalty to be assessed to prime contractors who fail to utilize small business firms outlined in subcontracting plans subsequent to a contract award; provides a restriction on the use of funds by an agency in the subsequent year after failing to meet its small business subcontracting goals; authorizes the appropriation of $1 million annually for the National Veterans Business Development Corporation in fiscal years 2005 and 2006, and extends authorization for the Advisory Committee on Veterans Business Affairs through September 30, 2009.

Like our veterans of prior wars, our men and women in uniform have fought with courage and honor during the war to win freedom for the people of Iraq. As we have witnessed our servicemen and women prosecute Iraqi Freedom, we have watched our best and bravest confront the horrors of war to defeat the forces of evil. As a nation we are grateful and the men and women who so unselfishly serve this nation in our Armed Forces. We are thankful not only for today's soldiers, sailors, airmen and Marines, but for the veterans who have blazed the trail before.

Our servicemen and women have given much to this nation. We, in turn, as a nation have a profound obligation to them. We must provide the medical care our veterans need as well as promptly adjudicate their claims for service-connected disability. In addition, we should provide those veterans who elect to begin a business of their own with an opportunity to do so upon their return to civilian life. Our veterans have much to contribute to this nation following their service in uniform to this country. The time veterans have spent in service to this country, however, has competitively disadvantaged them in the marketplace relative to those not sacrificing a break in their careers in service to this country.

Veterans who have been inflicted with service-connected disabilities are placed at an even higher disadvantage. Service-disabled veterans may not be readily accepted into traditional employment, or their disabilities may be such that they are unable to adapt to a traditional 9–5 job. Despite their disabilities, these veterans continue to be both creative and innovative, and have much to contribute to this nation's productive capacity—''We owe them this chance!''

Our nation has not achieved its goals for contracting with requisite categories of small business concerns. For federal contracting

with service disabled veteran business owners, Congress established a goal of three percent, but this goal has not been achieved. Actual performance is much less. In fact, our government has not even achieved one-tenth of the goal for contracting with service disabled veteran business owners. For most other procurement categories, such as women owned businesses, the prescribed goal has also been missed. The checks and balances in H.R. 1712 provide both the mechanisms and the incentive to achieve small business contracting goals. They are very fair. They will provide the means to achieve the federal procurement goals Congress has established.

I urge my colleagues to help this nation actually achieve the goals established by Congress—in the process, you will be helping our veterans as they return home.

IN MEMORY OF LORI ANN PIESTEWA

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. RANGEL. Mr. Speaker, for the benefit of my colleagues I rise to remember the life and sacrifices of Private First Class, Lori Ann Piestewa of the United States Army. Lori was a member of the 507th Maintenance Division working near Nasiriya, when her convoy made a wrong turn and was ambushed. Lori lost her life along with eight other American soldiers in the same incident. Lori became the first Native American woman to die in combat.

Lori was a dedicated mother of two young children, and leaves behind a closely knit group of family and friends in the Hopi Indian community in Tuba City, Arizona. Lori was a source of enormous pride for her family and the larger Hopi community.

Native Americans have a long and proud history in the United States military, with 12,000 currently serving. Hopi leadership has reported that approximately 56 tribe members are in the military, with an astonishing 48 now on active duty in the gulf region. Hopi/Arizona Tewa enrolled tribe members face many hardships: unemployment hovers near 27% and of the employed less than 40% have full-time jobs. Moreover, nearly 57% of Hopi tribe members live below the poverty line, with only small percentages of the Hopi population in need receiving public assistance or welfare resources.

Lori's children and family should know that in sacrificing her life for our nation in this war, she has become a great source of pride for all Americans, but particularly those of us who have served or who have family members who have served in this nation's armed forces. Lori will also stand as a symbol and poignant reminder of the many hardships and tremendous sacrifices that Native Americans in this nation continue to make for our country.

CONGRESSMAN PHILLIP BURTON 1926–1983

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Ms. SOLIS. Mr. Speaker, it is my great honor to recognize and remember Congressman Phillip Burton on this 20th anniversary of his death. Congressman Burton was a tenacious fighter for the poor, the workers, the elderly and all people who lacked a strong voice to defend their lives and dignity. Moreover, he worked tirelessly for the preservation of wilderness and parks throughout the country. In doing so, he mirrored his concern for underrepresented people by protecting the often forgotten urban parks as well as the more pristine areas. Appropriately, Congressman Burton's remains are interred in the Golden Gate National Recreation Area of San Francisco, one of the crown jewels of our vital urban parks system. If Congressman Burton were still with us, I imagine that he would be dismayed that the very environmental laws he struggled, and succeeded, to enact are now under constant and short-sighted attack in Congress. I also know that rather than give in to the forces of destruction, he would be fighting harder than ever to protect our lands, our health and our people. I hope that we have the courage and the conviction to carry on the great and noble legacy of Congressman Phillip Burton.

IN MEMORY OF DR. ARTHUR C. GUYTON

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. PICKERING. Mr. Speaker, Mississippi lost a research treasure last week with the passing of Dr. Arthur C. Guyton. His is a legacy of medical excellence going beyond Mississippi and beyond America to be recognized internationally for his gifts to science and education.

He began his life in Oxford, Mississippi, on September 8, 1919, born to the late Dr. and Mrs. Billy S. Guyton. His father—an eye, ear, nose and throat specialist—was also dean of the two-year medical school on the Oxford campus. His mother, Kate, had taught mathematics and physics as a missionary in China.

He graduated from University High School with the highest academic average in his class and entered Ole Miss in 1936, completed his undergraduate work in three years, and again graduated at the top of his class.

As a medical student at Harvard, his idea of creating a way to measure and differentiate ions in solutions resulted in a professor turning over an entire lab to the promising young scientist. His senior year in medical school, he and his future wife Ruth Weigle began a serious courtship which culminated in marriage on June 12, 1943.

He began a surgical internship at Massachusetts General Hospital shortly after his marriage. His training was interrupted by a call to serve in the US Navy at the National Naval Medical Center in Bethesda and later at Camp Detrick, Maryland, where his work earned him an Army Commendation Citation.

After World War II ended, he returned to Massachusetts General to complete his residency. Less than a year later, he was stricken with polio which would leave his right leg and shoulder paralyzed.

During a nine-month recovery at Warm Springs, Georgia, he designed a special leg brace, a hoist for moving patients from bed to chair to bathtub, and a motorized wheelchair controlled by an electric ''joy stick.'' For these devices, he later received the U.S. Presidential Citation for the Development of Aids for the Handicapped in 1956.

In 1947, the Guytons moved back to Oxford where he taught pharmacology in the two year medical school. In 1948, he was named chairman of the Department of Physiology and Biophysics.

Modern research on and treatments of hypertension stand on the early work of Dr. Guyton. In the 50s, he described the ''permissive'' heart to explain cardiac output. The heart would pump only what was delivered to it through the veins. When body tissues need extra blood flow to carry required oxygen and other nutrients, the blood vessels in those tissues expand or dilate, to allow increased flow. The control of cardiac output, he decided, was vested in the periphery. This completely overturned the conventional wisdom that the heart itself controlled cardiac output.

A little later, he succeeded in measuring the pressure of the interstitium, the fluid between cells which makes up about one-sixth of the body. No one had been able to measure it before, and few scientists were ready to accept Dr. Guyton's finding of a negative, or subatmospheric, pressure. In 1966, an early computer model gave Dr. Guyton the answer to the question he'd been asking since he was a medical student. He wanted to show the effect of an increase in fluid volume and had predicted that the extra volume would cause an initial rise in pressure which would then fall back part way toward normal. That didn't happen. The pressure fell all the way back to normal. This led to the ''infinite gain'' theory which said that fluid volume control by the kidney can be so powerful as a longterm regulator of blood pressure that other systems can only regulate pressure short-term and will eventually be overpowered by the key controller. These revolutionary theories flew in the face of conventional wisdom, but time and the research of thousands, has vindicated Dr. Guyton.

His now famous and widely used textbook, Textbook of Medical Physiology, had its beginnings in Oxford. He decided that the text the students were using was unsatisfactory, and he began reading in diverse areas of physiology. In summarizing his reading, he wrote handouts for each section of the course and realized he had the core of a complete textbook. In the decades since, it has become the best selling physiology text in the world and quite possibly the most widely used medical textbook of any kind. In addition he has published hundreds of papers sharing the results of his research. And yet he always had time for students—for the medical students who had trouble understanding a portion of their lecture and for the graduate students who came from all over the world to study with the famous Dr. Guyton.

The legacy of Arthur Guyton goes beyond his contributions to science and mankind. He

and his wife reared ten children, all doctors: Dr. David L. Guyton, Professor of Ophthalmology, Johns Hopkins University School of Medicine; Dr. Robert A. Guyton, Professor of Surgery and Chief of the Cardiothoracic Division, Emory University, School of Medicine; Dr. John R. Guyton, Associate Professor of Medicine, Duke University; Dr. Steven W. Guyton, cardiothoracic surgeon at Virginia Mason Clinic, Seattle; Dr. Cathy Greenberger, internist in Boston, Massachusetts; Dr. Jean Gispen, rheumatologist in Oxford, Mississippi; Dr. Douglas C. Guyton, anesthesiologist in Phoenix, Arizona; Dr. James L. Guyton, orthopedic surgeon at Campbell's Clinic in Memphis, Tennessee; Dr. Thomas S. Guyton, Assistant Professor of Anesthesiology, University of Florida School of Medicine, Gainesville; and Dr. Gregory P. Guyton, resident in orthopedics at University of Iowa School of Medicine.

Over the past six decades, medical science has recognized the contributions of Arthur C. Guyton. Today, we mourn his passing but salute his many accomplishments. He is a Mississippi success story: born and educated in Mississippi, he returned to the Magnolia State to teach and research. The impact of Dr. Guyton's work on the present and future of Mississippi's health care community is immeasurable. Arthur Guyton was a blessing to Mississippi. He will be missed; but he will be remembered.

RECOGNIZING GINNY SIMMS FOR HER MANY YEARS OF DEDICATED SERVICE TO HER COMMUNITY

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize Ginny Simms, a community activist in Napa, California who is being honored by the Napa Sierra Club and Get a Grip on Growth with the Second Annual Earl Thollander Environmental Award.

Since moving to Napa in 1955, Ms. Simms has had a tremendous impact on the community. Her first activities were with the American Association of University Women and in various community projects. In 1967 she served as Secretary of the county Grand Jury and the following year she was appointed to the Napa City Planning Commission.

She also developed a life long interest in environmental issues and was instrumental in creating Napans Opposing Wastelands, Inc., an advocacy group that commented on city and county growth proposals. One of the group's most visible contributions was the development of the county's first bike trail.

In 1972 she was elected to the County Board of Supervisors and served through 1977. During this time, the county's new General Plan was adopted that limited residential growth to urban areas. She was later involved in successful efforts to protect agricultural lands.

She has also served on the Golden Gate Bridge, Highway & Transportation District, the Napa Valley College Foundation and the Napa County Land Trust.

In addition to her many hours of civic activity, Ms. Simms has remained a devoted wife, mother and grandmother. She and her husband, Warren, have two children, Wendy and Doug, and five grandchildren, Chris, Clare, Gregg, Dillon and Allie.

Mr. Speaker, it is appropriate at this time that we recognize and acknowledge Ginny Simms for her many contributions and for her dedication to Napa County.

EXPRESSING SUPPORT FOR RENEWED EFFORT TO FIND PEACEFUL, JUST, AND LASTING SETTLEMENT TO THE CYPRUS PROBLEM

SPEECH OF

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 9, 2003

Mr. MEEKS of New York. Mr. Speaker, I rise in strong support of House Resolution 165.

I want to thank my good friend DOUG BEREUTER, Chairman of the Sub-Committee on Europe for his leadership on keeping the issue of Cyprus on the table.

With so much focus on Iraq, it would be easy to forget about other true multilateral efforts to support peace and stability in the world.

Mr. Speaker, some may wonder why the issue of peacefully re-uniting Cyprus (a nation divided for nearly 30 years) is important for Americans and for the world?

For many Greek and Turkish-Americans this international issue is deeply personal because it directly affects loved ones.

In spite of the recent setback, Cyprus does represent one of the better examples of how America and Europe, working in cooperation, can help resolve international disputes.

While we share the disappointment that the United Nations-led effort to craft a comprehensive settlement for Cyprus was not successful, it does not change the fact, that the effort itself represents a shining example of how important and relevant the United Nations truly is to pursuing peace and stability in the world.

Mr. Speaker, for smaller nations in the world, which don't have strategically important resources, and live next to more powerful states, who have even more powerful allies, the United Nations and international law represents one of their only shields of defense, one of their best pillars of stability, and a means by which their voice is heard in the international community.

House Resolution 165 allows this Congress to say to Americans, the citizens of Cyprus, and the people of the world that we stand with all those who wish for a re-united Cyprus that is prosperous, democratic and stable; and that global cooperation remains the best path for peacefully making that wish come true.

THE WORLD'S OTHER TYRANTS

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. FRANK of Massachusetts. Mr. Speaker, morally and politically it is essential that the United States show that our concern for human rights is truly universal, and is not a concept to be invoked when convenient to provide cover for geopolitical motives. In the New York Times for Sunday, April 6, Aryeh Neier noted the unfortunate tendency of the world to focus on one or two major crises to the exclusion of terrible problems happening elsewhere. Specifically, he deplored the fact that war in Iraq has contributed to a situation in which outrageous human rights abuses in Zimbabwe, Cuba, and Belarus have failed to receive sufficient attention. It is true that recently we in the House took an appropriate step of condemning the oppression by Fidel Castro, but more needs to be done to focus world outrage on the abuses of freedom committed not only by Castro, but by the brutal dictators in Belarus and Zimbabwe. Because of the importance of maintaining our commitment to human rights as a broad and universal principle, I ask that Aryeh Neier's important article be printed here.

[From the New York Times, Apr. 6, 2003]

THE WORLD'S OTHER TYRANTS, STILL AT WORK

(By Aryeh Neier)

With international attention focused on Iraq, despots are seizing the opportunity to get rid of their opposition—real or imagined. In Zimbabwe, Cuba and Belarus, independent journalists, opposition leaders and human rights advocates have been thrown in prison. Absent scrutiny, the leaders of these rogue regimes have been emboldened, aware that their actions are causing little more than a ripple of protest beyond their countries.

The outside world has ignored Zimbabwe, which is holding critical parliamentary elections whose outcome could help determine whether President Robert Mugabe will be able to amend the Constitution and handpick his successor. Since the start of the war in Iraq, Mr. Mugabe has intensified a campaign of intimidation, arresting more than 500 democracy advocates and opposition leaders, including Gibson Sibanda, vice president of the main opposition party, the Movement for Democratic Change.

The campaign of state-sponsored violence is not limited to the opposition leaders in Zimbabwe. A worker on the farm of a opposition parliamentary deputy died of injuries after being beaten by Mr. Mugabe's security agents for participating in a two-day general strike. Other farm workers have also been beaten by men in army uniforms who claimed that the farms were being used as staging grounds for opposition activities. Hundreds of people accused of taking part in the strike were treated for broken bones in private clinics, fearing more reprisals if they sought care at public hospitals. Meanwhile, Zimbabwe, once a breadbasket for southern Africa, falls ever further into poverty and famine.

In Cuba, the war is giving Fidel Castro cover for an unprecedented assault. Over the past two weeks in state security agents have arrested about 80 dissidents. Prosecutors are seeking life sentences for 12 of those detained and 10- to 30-year prison terms for the rest. They include the economist Marta Beatriz Roque, the poet and journalist Raúl Rivero and the opposition labor activist Pedro Pablo Álvarez.

The list of arrests reads like a Who's Who of Cuban civil society—with the obvious exception of those who were already in jail when the roundup started. They are the unsung heroes of a movement to liberate the minds of Cuba. But the names do not mean much to a world public now concentrated on becoming more and more expert on the latest in military equipment and on the geography of Iraq.

In Minsk, the capital of Belarus, the authorities last week detained 50 opposition protesters who had gathered for the 85th anniversary of the declaration of the short-lived Belarusian Democratic Republic. On Thursday, demonstrators supporting the Iraq war—which President Aleksandr Lukashenko opposes—were arrested. It seems clear that Mr. Lukashenko, Europe's sole remaining dictator, is intent on tightening his grip on Belarus.

Sadly, Zimbabwe, Cuba and Belarus are not alone. Other countries have used the Iraq war to step up human rights abuses. Vietnam's most renowned dissident, Nguyen Dan Que, 1 60-year-old writer who is a physician by training, was arrested late last month. Hardly anyone protested. In Egypt, hundreds of war protesters were detained, with dozens beaten and tortured. In Thailand, the government has justified what appear to be summary executions in the name of a war on drugs. At least 1,900 people have been killed, including innocent bystanders. These crackdowns, too, all passed with little notice or comment.

That dictators move in times of world crisis comes as no surprise. The Soviets crushed the Hungarian revolution in 1956 during the Suez crisis. In 1968, when the Johnson administration was preoccupied with Vietnam, and Germany and France as well as the United States were convulsed in antiwar demonstrations, the Soviets moved into Czechoslovakia.

In January 1991, just as today, the international community was focused on a war in Iraq. As the Persian Gulf war was starting, the Soviet Army took advantage of the internal community's inattention to crack down on an independence movement in Lithuania. More than 200 people were wounded and 15 killed as Moscow seized control of the television broadcast center in Vilnius.

If we let tyrants escape the international condemnation that is often the only way to protect their critics against abuses, the brutal campaigns in Zimbabwe, the clean sweep of dissidents in Cuba, and the arrests of demonstrators in Belarus may have to be added to the list of unintended consequences of the war in Iraq.

BURMA

HON. JOSEPH R. PITTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. PITTS. Mr. Speaker, in May 2002, the Shan Women's Action Network and the Shan Human Rights Foundation issued a highly disturbing report entitled License to Rape. The State Department followed that report with further investigation into the issue.

I traveled to the Thai-Burma border in January of this year and heard further horrifying testimonies about Burmese military regime's use of systematic rape against ethnic minorities. In addition, refugees and others shared personal experiences about watching the State Peace and Development Council (SPDC) soldiers kill their families or neighbors in front of them. One eight-year-old orphan I met saw both parents brutally murdered while he watched. Other refugees reported the SPDC's use of ethnic minorities, including women and young children, as human landmine sweepers and as forced labor.

These human rights abuses MUST be stopped.

To add further proof to the myriad reliable reports by both local and international non-governmental organizations (NGOs), Refugees International recently released a report further documenting the SPDC military's use of rape as a weapon of war against ethnic women. The new report is entitled No Safe Place: Burma's Army and the Rape of Ethnic Women. No Safe Place documents the SPDC's use of rape against women from the Karen, Karenni, Mon, Tavoyan and Shan ethnic groups and indicates that the rapes are ''a pattern of brutal abuse designed to control, terrorize, and harm ethnic nationality populations through their women.''

Mr. Speaker, I would like to enter a portion of Refugees International's report into the CONGRESSIONAL RECORD.

Thank you.

NO SAFE PLACE: BURMA'S ARMY AND THE RAPE OF ETHNIC WOMEN

II. RECOMMENDATIONS

Refugees International recommends that:

The United Nations

The UN Commission on Human Rights condemn rape and other forms of sexual violence against ethnic women and girls by Burma's military in its annual resolution on the situation of human rights in Burma.

The UN High Commissioner for Human Rights ensure that any investigation of rape and other forms of sexual violence inside Burma conducted by UN officials is done by experts on sexual violence, with guarantees of full access, complete and ongoing security for all witnesses and victims and a follow up mechanism to verify compliance.

UNHCR assist the Royal Thai Government in providing a safe environment for Burmese fleeing human rights abuses with a special emphasis on women and children.

The UNHCR insist that women and girls fleeing rape and other forms of sexual violence in Burma qualify for protection and assistance in Thailand.

The Committee on the Elimination of Discrimination Against Women request a special periodic report from the State Peace and Development Council focusing on the constitutional, legal, administrative, military, and practical measures taken to eliminate rape and other forms of violence against women. The Committee should convene a special session to engage in dialogue with the SPDC about this special periodic report.

The Royal Thai Government (RTG)

The RTG recognize women and girls fleeing rape in Burma who seek refuge in Thailand as legitimate refugees who have a right to protection and assistance, and not as ''illegal migrants.''

The RTG ensure that Burmese survivors of rape and other forms of sexual violence in Thailand, whether in camps or working as ''migrants,'' receive critical physical and mental health services, especially focused on gender-based abuses.

The RTG cease the practice of repatriating or deporting asylum seekers without prior screening to ascertain whether they have valid claims for asylum.

The RTG adhere to the definition of ''refugee'' according to the 1951 Convention on the Status relating to Refugees and the 1967 protocol—a definition that has attained the level of customary international law—and should not create a new standard for determining when those seeking refuge are entitled to enter its borders.

The State Peace and Development Council

The SPDC stop all military buildup and begin demilitarizing the ethnic areas promptly.

The SPDC fulfill its obligations under the Convention on the Elimination of All Forms of Discrimination Against Women (CEDWA), which it ratified in 1998. This includes ceasing all practices and policies which discriminate against women, including violence against women.

The SPDC ratify the Optional Protocol to CEDAW.

The SPDC fulfill its obligations under the Convention on the Rights of the Child, which it ratified in 1991, which prohibits gender-based violence against children.

Governments

Governments demand that the SPDC demilitarize ethnic areas.

Governments maintain economic sanctions and withhold overseas development and loan or debt assistance until significant improvements in the human rights situation, including a decrease in violence against women, is independently verified.

Governments continue to pressure the SPDC to engage in meaningful, substantive discussions with the National League of Democracy and representatives of ethnic nationalities.

NGOs and International Organizations

Organizations lend support to the international campaign to stop rape and other forms of sexual violence by the Burmese military through public statements and advocacy.

International organizations conducting research on rape, other forms of sexual violence and other human rights abuses coordinate with grassroots, indigenous organizations to ensure the comprehensive and safe collection of information.

Non Governmental Organizations (NGOs) seek to build the capacity of indigenous groups to document abuses perpetrated against their own communities.

Organizations increase efforts to reach and assist displaced populations with critical needs.

III. INTRODUCTION

''I have waited many years to tell you this story,'' one Karenni woman lamented as she told of witnessing her thirteen-year-old sister's rape and then described how the Burmese soldiers beat and attempted to rape her. She is just one of countless women from Burma's ethnic minority groups, sometimes known as ethnic nationalities, with a chilling tale of abuse at the hands of her country's army.

In June 2002, the Shan Human Rights Foundation and Shan Women's Action Network (SWAN) released a report, License to Rape, documenting 625 cases of rape and sexual violence. The report began a movement to focus on Burma's use of rape as a weapon of war, while also highlighting the relentless, ongoing campaign of human rights abuses against Burma's ethnic minorities. Based on interviews conducted by indigenous women's and human rights groups, and compiled and written by indigenous women, License to Rape provided credible proof of the brutality of the Burmese army, in the voices of those very women affected most by the brutalities.

Following the release of this important report, the international community expressed unprecedented but long overdue outrage. The U.S. State Department declared its indignation at the phenomenon documented in the report and called for an international investigation, while sending its own investigator to the Thai/Burmese border; members of the U.S. Congress and officials from other governments publicly condemned the Burmese military's actions. Pressure for the United Nations to investigate the prevalence and systematic nature of the rapes grew until the UN Special Rapporteur on Human Rights in Burma raised the issue with Burma's military regime, the State Peace and Development Council (SPDC). Various governmental

officials, NGOs, and UN personnel began talking about the possibility and logistics of an independent investigation. Meanwhile, in Thailand, the Royal Thai Government (RTG), concerned that such an outcry would jeopardize its policy of engagement with the SPDC, ordered those NGOs that participated in compiling the report to close their offices indefinitely.

Although License to Rape has received a notable amount of attention, the international community, including officials from various governments, suggested to Refugees International that additional evidence could assist in generating further action. It is important to ask why. Some suggested that a report about the experience of indigenous women, compiled by indigenous women, could not be objective. Others proposed that the report, written by a small, unknown group, was not credible enough.

The authors of this report reject those propositions. Few are as well-qualified to document and describe rape as those women from the brutalized communities. International advocacy without grassroots knowledge, participation, and decision-making is of extremely limited use. Consequently, the purpose of this report is not to ''bolster'' the claims contained in License to Rape. Rather, the purpose is both to support and build on the movement and activity generated by SWAN, and to expand the scope of understanding regarding the brutal phenomenon of rape in Burma to include a broader profile of ethnic nationalities. License to Rape documented the widespread use of rape against Shan ethnic women. Rape is not confined to Shan State or to Shan women. The Burmese military uses rape against many ethnic nationalities for the express purpose of brutalizing ''insurgents,'' quashing ethnic dissent, and demoralizing and destroying ethnic communities.

Refugees International decided that our approach would be to broaden the scope of the Shan report by investigating the prevalence of the Burmese military's use of rape against other ethnic groups. RI's field mission focused the research on the Karen, Karenni, Mon, and Tavoyan ethnic groups. In applying our expertise in international advocacy on behalf of war-affected populations, RI sought to examine the extent of the use of rape against a variety of Burma's ethnic nationalities and determine if the abuses were widespread and/or systematic.

Karen, Karenni, Mon and Tavoyan women and men, as well as several Shan individuals, were courageous in sharing their personal stories and observations. From the 26 individuals interviewed, 43 rapes or attempted rapes were described, 23 of them confirmed by victim or witness testimony or physical evidence. Stories of rapes and other human rights abuses and the resulting mental and physical ailments dominated the interviews. Individuals still in pain from torture and beatings talked about the violations suffered by them and their families and friends. For many, the decision to leave Burma was clearly tied to the rape and other abuses they and their family members had experienced. One survivor spoke for many when she said, ''To this day, I cannot sleep at night thinking about what happened.'' The time is ripe for the international community to hear their voices and take action.

SAN BENITO MARINE PFC. JUAN GARZA

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. ORTIZ. Mr. Speaker, I rise today to pay tribute to a fallen soldier who grew up in San Benito, Texas: Marine PFC Juan Garza, who we learned yesterday was killed in action by sniper fire as his unit was taking and holding the Baghdad airport.

The price we are paying as a Nation is high in terms of loss of life in the Rio Grande Valley of Texas. Already, sons of South Texas have been killed and wounded in Iraq and Afghanistan, with another still unaccounted for in the Iraqi theatre. PFC Garza was the most recent loss for our community.

Garza, who served with the 1st Battalion, 4th Marines Regiment, was killed Monday evening by enemy sniper fire while patrolling the Baghdad airport just outside the Iraqi Capital. His mother said he was shot in the chest and died instantly. PFC Garza was based at Camp Pendleton, Calif., where he was an expert marksman and broke shooting range records there in boot camp.

PFC Garza was always a sportsman, competing in football and track. His friends and family remember him for his humor and his target practice. He always aspired to be in the military, and probably got the bug for service from watching the military movies he loved. He was also inspired to join the service by his grandfather, who served in the United States Army.

He grew up in San Benito, but moved to Michigan to live with his aunt and uncle. After graduating from Summerfield High School in Temperance, Mich., Garza enlisted in the Marines and was stationed at Camp Pendleton.

He loved his country and he loved the Marines. Like most people who join the service, he wanted to help people, to make the world a better place. The world is lonelier today without Juan in it, but the work he did will indeed make it a better place.

On the day after Christmas, 2002, he married his sweetheart, and was deployed to the Middle East the next day. This was a tragedy on so many levels. PFC Garza is survived by his young wife, Casey; his parents, Mary Ann and Juan Guadalupe Garza; his baby half-sister, Stephanie Rae Castillo; and his aunt, Jodi Bucher of Temperance, with whom he lived in Michigan.

I ask my colleagues to remember Juan Garza's family today, to pray for them as they absorb this enormous personal loss. I also ask that we all continue to pray for the safety of the men and women we have sent to do this dirty, difficult task of ridding Iraq of dangerous weapons of mass destruction.

ADDRESS OF DEMOCRATIC LEADER NANCY PELOSI TO THE AMERICAN ISRAEL PUBLIC AFFAIRS COMMITTEE

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. LANTOS. Mr. Speaker, I would like to call the attention of my colleagues to an excellent speech given a few days ago by Democratic Leader NANCY PELOSI, my colleague, friend and neighbor in California. Her address was given at the recent Conference here in Washington of the American Israel Public Affairs Committee, an organization of Americans who see strong American ties with the State of Israel is a vital element in our nation's vital interest.

Mr. Speaker, Leader PELOSI's position on terrorism was clear and unequivocal: ''There is no place in the civilized world for terrorism. Not now. Not ever. . . . No injustice, real or imagined, can ever justify, and no future can ever be built upon, the calculated slaughter of innocents.'' She was emphatic: ''The world must never accept in Jerusalem, Tel Aviv, or Haifa what the world would not tolerate in London, Washington, New York, or San Francisco.'' These words must be the basis of our country's efforts to bring peace to the Middle East.

Congresswoman PELOSI understands that peace cannot come through ''lowering the threshold for the cessation of violence'' and any roadmap for peace in the region must, in her words ''be based on real change on the ground, not artificial dates on the calendar.''

Mr. Speaker, I urge all of my colleagues to read Congresswoman PELOSI's excellent address.

ADDRESS OF DEMOCRATIC LEADER NANCY PELOSI TO THE AMERICAN ISRAEL PUBLIC AFFAIRS COMMITTEE

Good morning. My, how this group has grown. Congratulations.

Cissie Swig, thank you so much, first for that warm introduction, but more importantly for your friendship and your mentioning of me over the years and for your leadership on so many issues. I cherish our friendship.

President Amy Friedkin, a dear friend for so many years. It has been wonderful to see Amy rise within your great organization, from the East Bay Federation and the Northern California chapter of AIPAC, all the way to become the national President.

I am thrilled that Amy is the first woman to be President of AIPAC. And with president-elect Bernice Manocherian, perhaps it is the beginning of a wonderful trend. I commend AIPAC for breaking down another barrier and leading America closer to the ideal of equality that is both our heritage and our hope.

Cissie and Amy will appreciate this story. My daughter is Catholic. My son-law is Jewish. Last week, I celebrated my birthday, and my grandchildren—ages four and six—called me to sing Happy Birthday. And the surprise, the real gift, was that they sang it in Hebrew.

I'm so pleased to be joined by three of my colleagues-Congressman Howard Berman of California, Congressman Sander Levin of Michigan, and Congressman Bob Matsui of California. All are strong supporters of Israel. Thank you to all the members of AIPAC, especially those who have traveled so far from California and the Bay Area. The special relationship between the United States and Israel is as strong as it is because of your fidelity to that partnership and the commitment of every person in this room today.

I am honored to be here to speak about something that can never be said enough: America's commitment to the safety and security of the State of Israel is unwavering.

Today, the thoughts and prayers of all Americans are with our courageous forces in Iraq. Americans may have had our differences going into this war, but we are

united in support of our men and women in uniform.

Let me also say this: I absolutely condemn the statements or suggestions of those who seek to place responsibility for this conflict on the American-Jewish community. The Jewish community in America, like America itself, has been divided on whether to fight this war at this time. Any accusations to the contrary have no place in our discourse—public or private.

Today, Americans are seeing for themselves what I saw on my trip to the Persian Gulf in March and my previous visits with our troops at bases here at home. Our men and women in uniform are focused on their mission, enduring tremendous hardships, motivated by a profound love of country and prepared to make the ultimate sacrifice.

We pray for the swift and successful disarmament of Iraq with the least possible loss of life.

We pray that the end of this conflict will bring new hope for the people of Iraq. That starts by promoting a multilateral response to the potential refugee crisis along with a democratic government of, by and for the people of Iraq. We pray for the families who have lost a loved one. And we pray for the safe return of the missing, our prisoners of war, and all of our forces into the loving arms of their families.

Their noble service reminds us of our mission—to build a future worthy of their sacrifice.

That future begins with our commitment to the fundamental principles to which all people in all nations are entitled—freedom, security, peace and prosperity.

And in the Middle East, those principles rest upon a foundation that is as enduring as it is essential—the unbreakable bond of friendship between the United States of America and the State of Israel.

The United States stands with Israel because of our common history—two beacons founded on the ideals of liberty and justice, forged by pioneers, and fulfilled by immigrants in search of a better tomorrow.

The United States stands with Israel because of our common interests—our fundamental interest in the most basic of all rights: the right to exist, the right to live free from fear, the right to put our children on the school bus in the morning knowing they will come home safely in the afternoon.

Let there be no doubt—the United States of America stands with the State of Israel also because it is in our national interests to stand with the State of Israel.

I will never forget my first visit to Israel. From the moment one lands at Ben Gurion Airport, one appreciates what every Israeli knows—security is measured in miles and minutes.

From the Golan Heights, we could see Damascus just 40 miles away. Today, Syria's and Iran's bankrolling of terror and the development of weapons of mass destruction is a clear and present danger. Today, Israelis in the north live under the constant threat of Hezbollah's rockets just across the border in Lebanon.

Ben-Gurion's famous words remain true today: Israel is 'a small nation that has suffered much, but at the same time has won for itself a special place in the history of mankind because of its spirit, faith and vision.' And yet, 'we have a long thorny path ahead of us,' he said.

More than a half-century later, our challenge is the same: how can America and Israel together walk the long thorny path and preserve Israel as a special place in the history of mankind?

First and foremost, we must be unequivocal in our words and uncompromising in our deeds.

There is no place in the civilized world for terrorism. Not now. Not ever.

Our prayers go out to the people of Israel following this weekend's attack in Netanya.

No injustice, real or imagined, can ever justify, and no future can ever be built upon, the calculated slaughter of innocents.

Let there be no doubt: whether it is called Al Qaeda, Islamic Jihad, Hezbollah, Hamas, or the Al-Aqsa Martyrs Brigade, the murder of innocents is madness. It must stop. And it must stop immediately.

The world must never accept in Jerusalem, Tel Aviv, or Haifa what the world would not tolerate in London, Washington, New York or San Francisco.

Last spring, an overwhelming majority of Congress expressed our solidarity with Israel in its fight against terrorism and in reaffirming Israel's right to self-defense.

Second, we must ensure that Israel always has the tools and resources it needs to confront its security and economic challenges.

President Truman knew this 55 years ago when Israel was born, recognizing her just eleven minutes after independence. President Johnson knew this when Israel fought for her survival, supplying her with the tools to help win the Six Day War. And President Clinton knew this when Israel was ready to embrace peace—indeed, a peace of the brave—at Camp David two years ago, promising to stand by her as she took historic steps for peace.

Having served on the Intelligence Committee for ten years-including two years as the Ranking Democrat—I have an understanding of the threats facing the Israeli people. Having served as the senior Democrat on the Foreign Operations Appropriations Subcommittee, I have always fought for the vital economic and military assistance that Israel needs—not only because it is in Israel's interest, but because it is in America's interest.

Last month, I called upon President Bush to respond to Israel's urgent request for assistance to confront its unprecedented economic and military crisis. The President answered with the aid package he submitted to Congress last week.

As House Democratic Leader, I pledge to you today: Democrats in Congress will be in the lead in the fight for passing this emergency package—and soon. As we always have, as we always will, Democrats will insist that Israel has the tools it needs—both to defeat terrorism and to work toward a just and lasting peace.

Let no one ever question our unshakable commitment to the security that Israel must have and the safety of the Israeli people and to its qualitative military edge. Israel will never stand alone, because America will never abandon Israel.

Third, for Israel to have peace, Israel needs a partner in peace. Yasser Arafat is not that partner.

At Camp David, Israel was prepared to cede territory, dismantle settlements, and recognize an independent Palestinian state. And Yasser Arafat said no to peace.

And then—even as Israel continued to negotiate and offer concessions—Arafat said yes to a campaign of violence and terror that continues to this day.

President Bush's statement last June made clear that any new Palestinian state requires a new Palestinian leadership. I applaud that. The President's clarity was a catalyst. Palestinian moderates were strengthened. Arafat was weakened. And the new post of prime minister gives us guarded hope. A cabinet is being assembled. And the world is watching for genuine change.

Therefore, as were many of you, as were many Democrats in Congress, I was seriously concerned about the timing, tone and effect of the President's statement of March 14. Indeed, we should be worried when those with little sympathy for Israel welcomed the President's words.

Let there be no weakening in our resolve, no softening in our stance, no lowering of the threshold for the cessation of violence. Any roadmap toward peace must be based on real change on the ground, not artificial dates on the calendar.

The terror must end. The new Palestinian prime minister must have the independence, the authority, and the personal commitment to lead the Palestinian people in a new direction.

The new Palestinian leadership must be open and accountable. And the reconstituted Palestinian security services must prevent terrorism, not promote it.

Only then will we realize a future of security, statehood and stability—security for Israelis, statehood for the Palestinians, and stability for the region.

Fourth, we must address the real source of so much of the instability across the Middle East—the lack of freedom, prosperity and human rights, including women's rights.

Last year's Arab Human Development Report stated it clearly: ''The wave of democracy that transformed . . . most of Latin America and East Asia in the 1980s and Eastern Europe and much of Central Asia in the late 1980s and early 1990s has barely reached the Arab states. This freedom deficit undermines human development and is one of the most painful manifestations of lagging political development.''

Those words were written by dozens of leading Arab intellectuals.

If we want to achieve long-term peace and security in the Middle East, we must achieve security for Israel and a future for the Palestinian people. At the same time, it is clear that freedom, security, peace and prosperity can strengthen the hand of those in the Arab and Islamic world who want to pursue a more hopeful and peaceful path.

These ideals that we cherish can make countries plagued by conflict and despair better places to live and better partners in creating a safer world.

Finally, we must raise our voices of hope, and drown out the voices of hate.

Whether in the Middle East, around the world, or in this country, we must be intolerant of intolerance. No one should ever fear, and no American should ever have their allegiance questioned because of their faith. As we protect and defend the American people against terrorism, however, we must protect and defend the Constitution and the civil liberties that define our democracy.

Cissie and Amy told me there are hundreds of college students here today. Allow me to speak directly to the students. Thankfully, you are too young to have witnessed the darkest chapters of the last century—the Nazism, communism, and authoritarianism. But in your eyes I see the glow of one of the brightest stars of the past century—the founding of the State of Israel.

You are the messengers to a future we will never know. It is your charge to build that future in the spirit of tikkun olam, the repairing of the world, in the spirit of peace and security.

On behalf of all who cherish freedom, thank you for your commitment to the ideals and values that define our two democracies—the United States and Israel.

My grandchildren tell me that this week begins the month of Nisan, the month of miracles, the month of deliverance. And over the coming weeks, Israelis and Jews everywhere will mark the miracles that have brought us to this day:

The survivors who endured the darkness of the Shoah and who braved their way to the light of Israel;

The heroes of Israeli independence who prevailed against overwhelming odds;

And all those who have defended Israel through decades of struggle and sacrifice, including a fallen hero Americans and Israelis mourned together—Space Shuttle Columbia astronaut Colonel Ilan Ramon, who literally took the Torah to the stars.

This is the spirit that defines the American-Israeli partnership. America stands with Israel now. America will stand with Israel forever.

We will never abandon Israel. We will never abandon Israel.

God bless you. God bless our men and women serving on the frontlines today. And God bless our special relationship between the United States of America and the State of Israel.

VETERANS EARN AND LEARN ACT

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. SMITH of New Jersey. Mr. Speaker, today I am pleased to introduce H.R. 1716, the Veterans Earn and Learn Act. Joining me as original cosponsors are Ranking Member LANE EVANS, and the chairman and ranking member of the Benefits Subcommittee, HENRY BROWN and MICHAEL MICHAUD, respectively.

WHY THIS BILL

This measure promotes veterans' employment. It would modernize the on job training (OJT) and apprenticeship programs administered by the Department of Veterans Affairs (VA) to reflect American business and industry today. H.R. 1716 applies to the following VA educational assistance programs: the All-Volunteer Force Educational Assistance Program (Montgomery GI Bill—Active Duty), chapter 30, title 38 United States Code (U.S.C.); the Post-Vietnam Era Veterans Educational Assistance Program, chapter 32, title 38, U.S.C.; the Vietnam-Era Veterans Educational Assistance Program, chapter 34, title 38, U.S.C.; the Survivors' and Dependents' Educational Assistance Program, chapter 35, title 38, U.S.C., and the Educational Assistance for Members of the Selected Reserve Program, (Montgomery GI Bill—Selected Reserve), chapter 1606, title 10, U.S.C. My colleagues and I intend to introduce a separate bill to modernize Training and Rehabilitation for Veterans with Service-Connected Disabilities under chapter 31, title 38, U.S.C.

I want VA's on-job training and apprenticeship program to reflect today's workplace. I have consulted extensively with representatives of organized labor, business, and industry to obtain their suggestions for improving the design of VA's program. Congress essentially has not changed it since World War II, and we should do so now. I also have consulted informally with VA and the Department of Labor (DOL), in addition to selected states to learn of their experiences in administering these programs. This bill reflects many of their suggestions.

VA's current OJT and apprenticeship programs pay veterans to learn while they earn. Rates for the various chapters differ somewhat, but in general, for the first six months veterans receive a monthly benefit of $675; for the second six months $496 monthly, and for the remainder of training $315 monthly. Congress furnishes these amounts to offset the difference between the training wage and the wage of the fully-trained employee. OJT can last for up to two years. Apprenticeships often last as much as five years.

OUR CHALLENGE

Mr. Speaker, classroom training is well known and established under VA's various educational assistance programs, including the current Montgomery GI Bill. But the on job training and apprenticeship opportunities under these programs appear less known and are less used than the college classroom. For example, of the 263,175 veterans using the Montgomery GI Bill (chapter 30) in fiscal year 2001, only 11,277 (4.2 percent) were participating in on-job training and apprenticeship.

Under Secretary for Benefits Daniel L. Cooper advised me by letter on September 11, 2002, that the OJT-apprenticeship ''low participation rate is not due to a low number of employers but a low veteran participation. The number of participating employers is constantly changing, but State approving agencies are currently reporting about 7,000 employers who offer one or more VA-approved OJT or apprenticeship programs. Only about 2,200, or not quite 32 percent, have at least one veteran in training and receiving VA education benefits for the training.'' This is unacceptable. I intend to contact the Secretary of Labor and ask her to place more veterans in these jobs as soon as possible. I also note that 7.2 percent of veterans who used the Vietnam-era GI Bill trained through apprenticeship or OJT. For World War II veterans, about 18 percent trained in this manner. We must do better.

DOL reports that 858 occupations in America offer apprenticeships. Apprenticeable occupations can be categorized as follows: arts; business and administrative support; installation, maintenance and repair; production; science, drafting and computing; and service. Occupations range from boilermaker to bricklayer, carpenter to cook, electrician to emergency medical technician, and pipefitter to police officer.

The state of Missouri is showing the way. Missouri's aggressive efforts to place veterans into OJT and apprenticeships with Missouri employers produces about $38 million annually in VA education and training benefits. Pennsylvania is reporting similar success. The Governor of Pennsylvania sends each separating servicemember a letter to encourage use of VA education and training benefits.

EARNING AND LEARNING

About two-thirds of active-duty servicemembers are married when they separate from the military. ''Earning and learning'' on the job through an OJT or apprenticeship program approved for veterans' training can be an excellent way for a servicemember to make the transition to civilian life. Because some military occupational skills are not transferable to the civilian economy, the veteran will have to train for a new occupation, or retrain to transfer their military skill to the civilian market. Veterans with military job skills that are transferable to civilian life benefit as well. They can continue working and training on-the-job while meeting the necessary licensing and certification requirements. Employers benefit because hiring veterans is plain and simple a good business decision.

The resourcefulness and reliability former servicemembers bring to the workplace is exemplary. As First Lady Laura Bush has noted, veterans bring something else to the workplace that is hard to find—''the greatest in character, commitment, and resolve.''

WHAT OUR BILL WOULD DO

Mr. Speaker, here is what the Veterans Earn and Learn Act would accomplish:

Section one would state Congressional purposes for VA's OJT and apprenticeship programs in both the private and public sectors of our economy. These include: helping employers hire and retain skilled workers; establishing a link between training afforded to servicemembers while serving in the Armed Forces and training available in civilian settings for purposes of occupational licensing and credentialing; and developing a more highly educated and productive workforce.

Section two would modify OJT and apprenticeship benefit entitlements computation under the chapter 34 and 35 programs to be the same as the entitlement rate for the chapter 30, 32 and 1606 programs. Under current law, VA calculates chapter 30, 32, and 1606 programs based on monthly VA payment amounts rather than based on the amount of time spent in training. This ''dollars used'' versus ''time spent'' method helps the trainee conserve entitlement while participating in the OJT or apprenticeship program. This approach makes additional entitlement available for other educational pursuits, such as earning an associate degree in a specialized technology or meeting other licensing or credentialing requirements.

Section three would establish an incentive payment for program participants who finish their apprenticeship training early. As an incentive for trainees to complete their apprenticeship or attain journeyworker status early, our bill would require VA to pay the trainee a lump sum payment for the months of VA entitlement remaining that would have been needed to complete the apprenticeship. This approach would remove the current disincentive to gain journeyworker status in competency-based apprenticeships as soon as the veteran is ready.

Section four would increase the monthly VA benefit for trainees who simultaneously pursue apprenticeships or on-job training and related post-secondary classroom education training. This provision would apply whether the trainee was pursuing both forms of training as a requirement of the apprenticeship or voluntarily under the trainee's own initiative. For example, under this measure, the total VA would pay for simultaneous training could not exceed the full-time classroom rate, which currently is $900 per month. Current law increases the benefit to $985 per month on October 1, 2003.

Section five would codify and strengthen VA authority to pay benefits for competency-based apprenticeships. In today's workplace, apprenticeships may be structured based upon a specific period of time, commonly known as a time-based program. Apprenticeships may also be based on the demonstration of successful mastery of skills, commonly known as a competency-based program, or training may be based upon a combination of the two. In the case of a competency-based learning program, the bill requires VA to take into consideration the approximate term of the program recommended in registered apprenticeship program standards recognized by the Secretary of Labor. Apprenticeships offered in industries that choose not to register with the Secretary of Labor, and that are approved for

veterans' training by a state approving agency, would continue to serve as legitimate training and learning opportunities for beneficiaries. This section would also furnish the VA Secretary the authority to use up to $3 million to develop the computer systems and procedures needed to carry out provisions of the bill.

Section six would require the VA Secretary to establish a pilot program to furnish on-job benefits to claims adjudicators training in its disability compensation, dependency and indemnity (DIC), and pension programs. I note that two of VA's four regional offices that adjudicate educational assistance claims offer such training. This pilot is unique because it would waive the current two-year maximum for on-job training. VA employees who adjudicate disability, DIC, and pension claims require three years to qualify as journeyworkers. I believe this provision has the potential to increase VA's ability to recruit and retain former servicemembers in these important positions, especially given the aging of VA's workforce.

Section seven would require certain coordination of information among the Departments of Veterans Affairs, Defense, and Labor with respect to on-job training. This provision would do two things. First, at the time of a servicemember's separation from active duty, the Secretary of Defense would be required to furnish to the Secretary of Veterans Affairs information concerning each registered apprenticeship pursued by the servicemember during his or her active duty service. Second, it would require the Secretary of Veterans Affairs, in conjunction with the Secretary of Labor, to encourage and assist states and private organizations to accord credit to servicemembers for skills in any related apprenticeship the servicemember may pursue in civilian life. I applaud the Navy, Marine Corps, and Coast Guard for moving in this direction through its U.S. Military Apprenticeship Program (USMAP). But more can be done.

LEADERSHIP

Mr. Speaker, leadership abounds in serving America's sons and daughters who have protected our freedoms. Let me mention just a very few examples:

The Non Commissioned Officers Association of the United States for some 30 years has held job fairs for separating servicemembers at home, as well as abroad;

The American Legion, through its Economic Commission, has played a major leadership role in creating opportunities to help veterans meet civilian licensing and credentialing requirements;

The U.S. Army Ordnance Corps, on its own initiative, has exhibited leadership in linking training of its soldiers in many military specialties with civilian licensing and credentialing bodies so military time will count toward such requirements;

The AFL–CIO's Center for Military Recruitment, Assessment and Veterans Employment, has initiated its Helmets to Hard Hats program in its Building and Construction Trades Department to link veterans possessing construction/building trades skills to learn-and-earn opportunities with companies nationwide;

The Communication Workers of America has an on-going initiative to connect high-tech employers with high-performing veterans whose military occupational training makes them job-ready immediately;

The U.S. Chamber of Commerce's Center for Workforce Preparation has initiated a pilot program in San Diego called 'Operation Transition' to examine ways to link veterans and their spouses with employers; and

The Veterans of Foreign Wars of the United States is a partner in the innovative vetsjobs.com program.

PARTNERS

Mr. Speaker, lastly I'd like to commend the many organizations that have offered suggestions for this bill:

AFL–CIO; American Portland Cement Alliance; Associated Building and Contractors, Inc.; Associated General Contractors of America; College and University Professional Association for Human Resources; Communication Workers of America; International Union of Bricklayers and Allied Craftworkers; International Brotherhood of Teamsters; International Organization of Masters, Mates, and Pilots; Iron Workers International; Labor Policy Association; Laborers' International Union of North America; Missouri Department of Elementary and Secondary Education; National Association of Manufacturers; National Association of State Approving Agencies; Nebraska Department of Education; Pennsylvania Department of Education; Sheet Metal Workers International Association; Society for Human Resource Management; Transport Union of America; United Association of Journeymen and Apprentices of the Plumbing, Pipefitting, and Sprinkler Fitting Industry; United Brotherhood of Carpenters and Joiners of America; and the U.S. Chamber of Commerce.

I encourage my colleagues to add their names in support of this timely legislation.

TRIBUTE TO THE BOULDER CITY FIRE DEPARTMENT

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. PORTER. Mr. Speaker, I rise today to congratulate the Boulder City Fire Department for obtaining a Class 2 Insurance Service Offices, ISO, rating. The ISO Class 2 rating is obtained by less than one percent of the fire departments in the country and is made possible by the dedication and skill of Boulder City Fire Chief Dean Molburg and the firemen of Boulder City.

As a former mayor of Boulder City, and its current Congressman, I am proud that Boulder City has been recognized for its excellent fire coverage. The courage and commitment to public service shown every day by Boulder City firefighters is an example for all of us. They, and all Nevada first responders, have my thanks and full support.

REGARDING: (ARMY SGT. EDWARD J. ANGUIANO)

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. ORTIZ. Mr. Speaker, I rise today to pay tribute to Sgt. Edward J. Anguiano, a missing soldier from Los Fresnos, Texas. Sgt. Anguiano, assigned to the 3rd Combat Support Battalion out of Ft. Stewart, GA, is an Army mechanic who graduated from Hanna High School.

The 24-year-old serviceman has not been seen since his convoy was ambushed March 29 in Iraq. He remains one of the few U.S. soldiers whose status is unresolved.

His mother's anguish is evident in her question the day she was told Edward was missing: ''Does it mean that he is dead and they can't find him or that he is alive and they can't find him? What does that mean?'' That is a painful limbo for a parent and family.

There's a yellow ribbon tied to a tree in front of Edward's home on Melon Street for him. He is one of several soldiers believed captured by Iraqis in an ambush on their supply convoy at An Nasiriyah in southern Iraq.

Edward, like all the servicemen for our nation, is an outstanding and brave young man. This soft-spoken soldier is a survivor who is motivated, disciplined, and attentive—all traits his family is depending on to help him survive in captivity.

His family is clinging to the memory of the last time they saw him, at Christmas.

His family has said that Edward did not express fear of battle or doubts about serving in the military. He was doing what he wanted to be doing. They are finding strength in their faith and through prayer.

I ask my colleagues to remember Sgt. Edward J. Anguiano and continue to pray that he is found soon. Please pray, too, for his family: his mother, San Juanita Anguiano; his two sisters, Rebecca and Jennifer Garzoria; and his uncle, Vicente Anguiano Jr.—a veteran like so many other family members.

ADDRESS OF MAJORITY LEADER TOM DELAY ON RECEIVING THE FRIEND OF ISRAEL AWARD

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. LANTOS. Mr. Speaker, I would like to call the attention of my colleagues to an outstanding speech given by Majority Leader Tom DeLay. His remarks were made when he received the ''Friend of Israel Award'' at the Washington Briefing of Stand for Israel—an organization under the aegis of the International Fellowship of Christians and Jews. This statement is of unmistakable importance in its application of American values and moral clarity to the political problems of the Middle East.

Mr. Speaker, the acts of terrorists—blowing up school buses, bombing markets, killing innocent children—are unmatched in their cowardice. I fully share Congressman DeLay's belief that murderers should neither be trusted nor rewarded for their crimes. He eloquently stated: ''As a friend of Israel, and a lover of liberty for all God's children, we must reject any suggestion that its government negotiation from weakness, stand on an even moral footing with suicide bombers or trust the promises of terrorists.'' These words should serve as the foundation of U.S. Peacemaking in the Middle East.

Majority Leader DELAY understands that there can be no such thing as even-handedness between good and evil. As Americans we can do nothing less. America did not

waver when our British friends were imperiled by Nazi force during World War II. We did not tremble when Stalin and his successors threatened the destruction of our NATO allies in Europe. Mr. Speaker, as America confronts evil at home and around the world, we must stand with the democratic State of Israel and against the terrorist scourge that threatens its people and its existence.

Mr. Speaker, I urge all of my colleagues to read Congressman DELAY's principled statement.

SPEECH OF MAJORITY LEADER TOM DELAY AT STAND FOR ISRAEL WASHINGTON BRIEFING DINNER, APRIL 2, 2003.

Thank you. I'm not a great award recipient. There are so many people that need to be thanked that worked so hard for so many reasons to support Israel. It's great to see so many of my friends in the audience that came to be with us tonight, and all the others that I haven't met yet, I just say to you and you'll understand when I say, to God belongs the glory.

So I really want to thank you for this honor and I especially want to thank my good friend Tom Lantos for being here and he greatly deserves this award for his long-standing work in the Congress as well as work with Israel. He stands like a rock on behalf of Israel and has always stood that way and you can tell the worth of a man by the woman who stands beside him, and Annette is here tonight. She is always by Tom's side, and they work as a team and we greatly appreciate them. I just really have the utmost respect for Tom Lantos and have become closer to him over the last year or so, and greatly appreciate my friendship with him, and I do love him. He is really a wonderful, wonderful man.

As we meet here tonight, something extraordinary is happening on the other side of the world. Hundreds of thousands of trained and dedicated volunteers, an army of virtue, are liberating a nation. Pretty Amazing. Mile by mile, a blood-thirsty dictator's grip on a noble people slips. Town by town, Iraqi families realize what smiling people in camouflage uniforms have won for them. And day-by-day, children wake up for the first morning of their lives to God's freedom. This is the meaning of Operation Iraqi Freedom.

We all know greater love hath no man than this, than he lay down his life for his friends. Yet today, in Iraq, liberating armies are risking their own lives in a land and for a people they have never before met. Decades long Iraqi pleas for freedom and justice will soon be answered. But my friends theirs is not the only voice that cries out in the desert. For as we meet tonight, in that same part of the world, violent men plot the deaths of school children. These men view innocent human life as a means to an end and murder as a propaganda technique. These men act outside the boundaries of humanity and these men support a career terrorist too long tolerated by the civilized world.

Tonight our thoughts are with the people of Israel, and it is on their behalf, the courageous who live everyday in the cross-hairs of such men, that I accept this award and proudly count myself as a friend of Israel.

You know after Operation Iraqi Freedom is won, and it will be won, international attention necessarily focused on the removal of Saddam Hussein's regime will disperse. There will be the re-building of Iraq and its welcomed return to the community of nations, there will be a simmering crisis in North Korea, there will be strained relationships with old friends to address, and a blossoming alliance with the surging powers of new Europe to solidify.

And there will be, as we all well know, calls on Israel to set aside decades of experience and once again trust the words and paper of a terrorist entity bent on her destruction. Voices will call on the United States to serve as an honest broker in negotiations between the Palestinian Authority and the Israeli government. They will call on Israel to take risks for peace. As a friend of Israel, and a lover of liberty for all God's children, we must reject any suggestion that its government negotiate from weakness, stand on even moral footing with suicide bombers, or trust the promises of terrorists. The United States stands for justice and that means we stand for Israel.

Our qualms are not with the Palestinian people, but their self appointed leaders. Yasser Arafat and his thugs do not serve the interests of the Palestinian people, they are exploiters, in business today as always, only for themselves. They perpetuate violence and misery in a country that has known too much of both. Negotiating with these men who sharpen their tongues like swords is folly, and any agreement arrived at through such empty negotiations would amount to a covenant with death as generations of Israelis have already witnessed.

Yasser Arafat and his cronies are enemies of peace and a threat to the community of civilized nations. The Palestinian people, used as pawns by Arafat's regime, do not desire this existence. More and more of them are coming to realize the barriers to this new life are not in Ariel Sharon's cabinet but Yasser Arafat's compound. Palestinians and the Arab world at large tragically have only their corrupt leaders to blame for their economic depravation, not Americans and not Israelis.

Ladies and Gentlemen, in Iraq today we are making a stand against oppressive terror. It is not the first time and it won't be the last. The United States and it allies will no longer live in fear of terrorist networks of global reach, nor of their state sponsors. That is why we are in war tonight in Iraq. We are disarming a dangerous regime because it threatens the security of the world. The President has directed his advisors to craft a plan, to do it with speed and precision never before witnessed in the history of war. The plan is working, the military is advancing, and the under-informed talking heads of the media elite are just dead wrong.

We thank God every day that the President is a man of faith and a man of confidence. But it must frustrate him to hear the incessant carping of blow dried Napoleons hunkered down in their air-conditioned studios night after night on the twenty-four hour news networks. Peter Arnette thinks a war plan that advanced hundreds of miles in a week, in less than a week, is a failure. Geraldo Rivera drew a map in the sand of American positions for our enemies to see. Well thankfully, President Bush has also drawn in the sand. He has drawn a line beyond which the civilized world will not accept the behavior of evil men. We will free ourselves from terrorist threats and free those who live under terrorist regimes.

Americans have defended our freedom for more than two hundred years and Israelis have done the same for more than fifty. We are opposed by many of the same enemies who use many of the same tactics. Israel's fight is our fight against terror and for humanity. The United States therefore can not serve as a disinterested broker between an ally and its terrorist enemy. There is no moral equivalence between an aggressor and a man who defends himself against aggression, just as there is no moral equivalence between terrorists and the Israeli government sworn to stop them, despite the absurd assertions of the State Department's newly released human rights reports.

This report just boggles my mind. This report is designed to document human rights conditions in countries all around the globe, however it compares the human rights record of a free, tolerant, and pluralistic nation with that of a terrorist network. There is no comparison and to assert one is absolutely ridiculous. Israel is governed by democratically elected representatives. The Palestinian Authority is governed by a gang of murderers. Experience and common sense lead to one conclusion about America's proper role in the Middle East. We are absolutely right to stand with Israel and our opponents are absolutely wrong. The moral ambiguities of our diplomatic elites not withstanding, Israel is not the problem, Israel is the solution.

The House of Representatives said as much, they shouted in fact, by a margin of 352 to 21, by passing the resolution that Tom Lantos and I sponsored last year. The resolution affirmed America's solidarity with Israel, supported Israel's right to self-defense, urged all Arab states to denounce all forms of terrorism and encouraged the alleviation of the needs of the Palestinian people. Any viable plans for peace must require the Palestinian Authority to do the same and to permanently sever ties with those who do not.

President Bush has laid out a bold vision to this extent. He has made it clear Israel must have a right to defend herself and that the Palestinian Authority must stop its acts of terror once and for all. Certain parties to the peace process, more interested in appeasing aggression than combating terrorism, have forfeited their right to leadership on this issue. The United States is the world's defender of freedom, and Israel is one of our greatest allies. We won't allow anyone to reward terrorists and terrorist acts, least of all nations and organizations who appease Saddam Hussein and who continue to appease Yasser Arafat.

This struggle is one of good versus evil. Nations and organizations who fail to distinguish between the two disqualify themselves from input on this matter. The President understands Israel must not be asked to negotiate with the men terrorizing its innocent citizens even as speak. The Palestinian Authority and their state sponsors must end the violence. This must be an act of principle, not some gesture of goodwill. The Palestinian Authority's words have no meaning, their actions do. The violence must stop—period. No negotiations.

And when it does, and not before, the Palestinian people will have a real, viable opportunity for peace. Thankfully, President Bush understands that no peace process worthy of its name can be obscured by appeasers or moral relativists. He understands that process for its own sake is not the goal, the security of our allies is the goal, and no quartet of appeasement will obscure that fact.

You know, though tested by generations of fire, the people of Israel do not exhibit malice or even seek revenge. Much like everyday Palestinians, they just want peace and the security to live their own lives, free from want and free from fear. They are not fools, and should not be expected to bargain with murderers. But when a new generation of Palestinian leaders arise, with a real and lasting peace as their goal, and more importantly the authority and will to deliver on it, a comprehensive solution may finally be attainable. But Israel should not be expected to offer substantive concessions while the Palestinian leaders offer only empty promises. Israel should have the freedom to defend its national security and to negotiate at a time and on terms set by its democratic government, not those imposed by anyone else.

To be a friend of Israel demands no less than supporting her through these very difficult days, as well as the better ones we all know await her, and await her people in the future. And despite decades of terror in the holy cradle of faith, we must hope, as did a fifteen year-old girl hiding in Amsterdam writing in her diary less than a month before she was taken to Auschwitz, ''I somehow feel that everything will change for the better, that this cruelty too shall end, that peace and tranquility will return once more.''

You know Ladies and Gentlemen, through God's grace, the friendship of the United States and Israel will endure to see the dreams of that little girl fill the whole world with light and truth forever.

INTRODUCTION OF H.R. 1715, TO ENHANCE VA'S AUTHORITY TO RECOVER COSTS OF MEDICAL CARE

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. SMITH of New Jersey. Mr. Speaker, along with Mr. EVANS of Illinois, the Committee's Ranking Member, I am introducing a bill to strengthen the Department of Veterans Affairs' (VA's) rights under law to recover the costs of providing medical care to veterans and other persons from certain third parties. A number of public health plans either refuse to reimburse VA, or are prohibited from doing so by current law. This bill would correct this problem by eliminating barriers to reimbursement for VA care. It is identical to a bill I introduced in the 107th Congress, H.R. 5530. That bill was referred exclusively to the Committee on Veterans' Affairs.

H.R. 1715 is based upon the simple principle that acknowledges when VA provides medical care to an insured or Medicare-eligible veteran, VA should receive payment for the services it provides. This principle is not new. Since 1986, VA has had statutory authority to collect from traditional insurers such as Blue Cross-Blue Shield, Aetna, Mutual of Omaha and many others. These funds are used by VA to supplement appropriated funds to maintain high quality health care. VA also collects from so called ''Medi-gap policies'' that are an important adjunct to the Medicare program.

But VA is unable to collect from the massive managed care sector, accounting now for over two-thirds of all health plans in the United States, including the managed care plans within Federal Employee Health Benefits Plan. Nor can VA collect from the Medicare program. RAND Corporation has estimated that over 2 million Medicare-eligible veterans were enrolled in VA health care in fiscal year 2000, with that number increasing each fiscal year since then.

My legislation would require these federal programs to pay VA for care it provides to covered beneficiaries. This would increase the amount of money VA could collect by hundreds of millions of dollars each year—providing funds that are desperately needed to reduce these intolerable waiting lists and promote better use of all available health care resources.

This legislation will not limit the choices available to veterans in Medicare or any other federal health care plan, and I do believe it will create a modest incentive for veterans to remain enrolled in the VA rather than move back and forth between systems as they do now. This bill will also provide an important supplement to the VA health care system for the services it renders in caring for many of our nation's heroes.

I urge my colleagues to support this common-sense approach to improving veterans' health care, reducing waiting times for VA health care, and helping Medicare-eligible and other federally insured veterans gain better health care coverage from the Department of Veterans Affairs.

TRIBUTE TO THE FOREIGN AGRICULTURAL SERVICE

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. GOODLATTE. Mr. Speaker, today Congressman STENHOLM and I are introducing a resolution recognizing the important service of the Foreign Agricultural Service of the Department of Agriculture on the occasion of its 50th anniversary. USDA's Foreign Agricultural Service was established to develop and expand markets for United States agricultural commodities and products.

Our farmers and ranchers are the most productive in the world and produce much more than we in the United States can consume. Therefore a vibrant export market is very important to the success of United States agriculture. FAS has contributed to that success and as of 2002, United States agricultural exports exceed imports by more than $12 billion. Our exports have grown significantly over the history of FAS and now exceed $50 billion per year.

FAS fosters the public and private partnership that is needed to promote United States agricultural exports and to develop and expand markets around the world.

At this important time when free trade negotiations are ongoing, both in the World Trade Organization and through bilateral negotiations, the FAS is essential to represent United States agriculture and ensure that the challenges facing our agriculture producers are thoroughly addressed.

Another responsibility of the FAS is to provide food aid to needy people in developing countries and to help those countries to eventually become trading partners of the Untied States and buy our agricultural products.

The FAS and its employees provide a significant service to the farmers and ranchers here at home so that they can compete in worldwide markets. I congratulate them on their achievements and look forward to working closely with the FAS as the Committee continues its work to expand markets for United States agriculture.

NATIONAL PUBLIC HEALTH WEEK

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. TOWNS. Mr. Speaker, I rise in honor of National Public Health Week. I want to thank the organizers and sponsors of events around the nation that serve to raise everyone's awareness of the need to improve public health, particularly in the area of the nation's obesity crisis. Those groups include the American Public Health Association, American Dietetic Association, Pfizer Inc., Association of American Medical Colleges, Association of Teachers of Preventive Medicine, Research!America, and the Robert Wood Johnson Foundation.

One of the greatest public health challenges facing our Nation today is curbing obesity, which has increased at such unprecedented levels that health professionals are calling obesity a national epidemic. Spurred by sedentary lifestyles and unhealthy diets, about 60 percent of American adults are overweight and 15 percent of children and teenagers are overweight. The percentage of overweight adolescents has tripled during the last twenty years.

Although I am pleased that the numbers in my home state are slightly better, the percentage of the population that is obese is still troubling. What is even more troubling is the research that indicates that obesity is an even greater problem among the African-American and Latino communities.

The health consequences of obesity are real and significant. Being overweight is associated with increased risk for heart disease, cancer, and diabetes. About 300,000 deaths each year are associated with being obese. In fact, people who are overweight have a 50 to 100 percent increased risk of premature death. As the American Public Health Association stated in their release, ''reversing this life threatening trend has moved beyond a matter of personal responsibility to a national crisis that all Americans must respond to.''

Unfortunately, we are moving in the wrong direction. Less than ten percent of children walk or ride their bicycles to school and more schools are inviting fast food vendors into their cafeterias. We need to make a concerted effort to increase physical fitness activities among the entire population, especially children, and encourage all Americans to adopt a healthier diet that includes fruits and vegetables. I applaud the work of all of the organizations that are spreading this message during National Public Health Week. However, if we are going to be successful in reducing obesity, we must make sure that this message is heard the entire year and not just for one week.

That is why I will soon reintroduce my bill, the Medicaid Obesity Treatment Act. I hope to work with all of the sponsors involved with National Public Health Week to ensure passage of my bill in this Congress.

RECOGNIZING THE ''FROM SEA TO SHINING SEA: A CELEBRATION OF MARINE SANCTUARIES'' EXHIBIT AT MOTE MARINE LABORATORY, SARASOTA, FLORIDA

HON. KATHERINE HARRIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Ms. HARRIS. Mr. Speaker, I rise today to recognize the extraordinary work of the National Marine Sanctuaries Foundation, as exemplified by an exhibit entitled ''From Sea to

Shining Sea: A Celebration of Marine Sanctuaries,'' which is currently on display in my District at the Mote Marine Laboratory in Sarasota, Florida. Due to the generous support of the National Marine Sanctuaries Foundation's Board of Directors and contributors, ''From Sea to Shining Sea'' is traveling the country, taking the wonders of our nation's thirteen underwater marine sanctuaries to communities from coast to coast.

The National Marine Sanctuaries Foundation was established in 2000 to support the education and outreach activities of the National Marine Sanctuaries Program, which Congress created in 1972 through the Marine Protection, Research and Sanctuaries Act. Congress passed the Act in 1972 in response to growing awareness nationwide of the intrinsic environmental and cultural value of our coastal waters. This legislation has led to the designation of thirteen unique marine areas as National Marine Sanctuaries, which has ensured the conservation of these natural treasures through comprehensive resource management, education, and research.

As they provide a secure habitat for wildlife as well as a preservation zone for shipwrecks and prehistoric artifacts, our national marine sanctuaries serve as natural classrooms and laboratories. For example, as a result of the establishment of the Florida Keys National Marine Sanctuary in November 1990, my home state is assured of the continued protection of a marine ecosystem that contains the largest coral reef in the continental United States as well as one of the most diverse assemblages of underwater plants and animals in North America.

''From Sea to Shining Sea'' features an original painting by renowned artist Robert Lyn Nelson, as well as touch screen, interactive, DVD video and exhibits that introduce visitors to all twelve national marine sanctuaries. This stunning exhibit will continue on display at the Mote Marine Laboratory through May 31, 2003.

Founded in 1955, Mote Marine Laboratory and Aquarium is a long time partner with the NOAA and the National Marine Sanctuary Program. Mote Aquarium educates and entertains almost 400,000 visitors per year, bringing the wonders of the marine world to visitors of all ages. Mote's Center for Tropical Research, located in Summerland Key, studies the coral reefs, other habitats, fauna and flora of the Florida Keys National Marine Sanctuary.

Mr. Speaker, I am especially proud to recognize artist Robert Lyn Nelson for his amazing contribution to this exhibit; Office of National Marine Sanctuaries Director Dan Basta, for his vision and dedication to our country's marine treasures; Ms. Lori Arguelles of the National Marine Sanctuary Foundation for leading the public outreach effort; Superintendent Billy Causey of the Florida Keys National Marine Sanctuary; Aquarium Director Dan Bebak; Mote Marine Laboratory Executive Director Dr. Kumar Mahadevan; and Mote Marine Laboratory Board of Trustees for their continued dedication to excellence in marine science, education and conservation.

TRIBUTE TO ARMY STAFF SERGEANT JERRY CORTINAS

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. ORTIZ. Mr. Speaker, I rise today to pay tribute to Army Staff Sergeant Jerry Cortinas, born in Brownsville, who was badly wounded in Afghanistan fighting for the cause of freedom from tyranny, and ridding that nation of the infestation of al Queda forces that hijacked it for their evil purposes.

His uncle, Santiago Torres of Brownsville, says Jerry always wanted to do something important in his life. Now he has. He was already in National Guard at age 19 when he wanted to join the Customs Bureau like his uncle, but he was too young. So he just went and volunteered for the Army.

Jerry is an excellent soldier, a fact apparent to those who fought with him and who have known him since he returned.

He joined the Army's elite Special Forces and made his mark on the first defining war of the 21st Century with the Special Forces. After extensive training in the United States, he departed for Afghanistan.

Jerry was in a terrible accident in Afghanistan. During a drill with RPGs, rocket propelled grenades, one of them exploded, killing one soldier and causing painful damage to Jerry's body. He lost one of his hands, and has had extensive facial damage.

Jerry was in Walter Reed Army Hospital from December until February. He has since been transferred back to Ft. Bragg for rehabilitation. Like the good soldier he is, he wants to recover and remain in military.

He is a good young man who cares for his country and believes his contribution is important to our Nation.

I ask my colleagues to remember Jerry as he continues with his difficult struggle with a long rehabilitation. Please also remember his wife, Celina, and their two-year-old daughter, Dion, who are in Fayetteville, NC.

INTRODUCTION OF H.R. 1718, TO REPEAL TERMS SPECIFIED BY LAW FOR CERTAIN VA OFFICIALS

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. SMITH of New Jersey. Mr. Speaker, I am introducing a bill to repeal the four-year terms specified by law for certain officials of the Department of Veterans Affairs (VA), and to add a provision that addresses the appointment of directors of principal geographic service areas.

Fourteen years ago, when the Veterans Administration was established as an executive department and redesignated the Department of Veterans Affairs, Public Law 100–527 also established a Chief Medical Director (CMD), a Chief Benefits Director (CBD) and a Director of the National Cemetery Services (the Director). The CMD and the CBD were to be appointed by the President, with the advice and consent of the Senate, while the Director was to report to the Office of the Secretary.

Subsequent laws further restated and reorganized the three key executive positions in the Department as the Under Secretaries for Health, Benefits and Memorial Affairs. Under current law, the Under Secretaries for Health and Benefits are appointed for four-year terms, with reappointment permissible for successive-like periods. There is no such restriction or term provision established in law for the Under Secretary for Memorial Affairs.

I am introducing H.R. 1718 to repeal term appointments for the Under Secretaries for Health and Benefits. This bill will align all three Under Secretary positions as Presidential appointments, by and with the advice and consent of the Senate, and allow the President maximum flexibility in the appointment of these primary executive positions. Current incumbents would not be affected by the enactment of this legislation. The President would also be required to notify Congress concerning the reasons for removal if the President should choose to terminate or remove one of the Under Secretaries of the Department.

These term appointments likewise would be repealed for key officials assigned to the Office of the Under Secretary for Health, who are appointed by the Secretary subject to reassignment at the Secretary's discretion. With this bill, the designation of directors of principal geographic service areas are added to the group of key agency officials appointed by the Secretary and serving at the Secretary's discretion without term restrictions.

As with the three under secretaries, H.R. 1718 requires that the Secretary notify the Committees on Veterans' Affairs of the House and Senate when one of these key officials is removed from one of these subsidiary positions. These officials may be entitled to reassignment, if they held a previous career position within the Department.

Mr. Speaker, this legislation would allow the President and the Secretary of Veterans Affairs maximum flexibility to hold senior officials accountable and to align the agency's top leadership with the vision and goals of the Secretary and the Administration. I urge prompt House action on this important measure.

VETERANS BENEFITS

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mrs. DAVIS of California. Mr. Speaker, our nation's veterans have fought to protect our freedoms and the way of life we cherish. Unfortunately, when their service is done and they retire, our military personnel are too often excluded from the American Dream they fought to preserve.

We all know that military pay does not compare to private sector wages. After retirement, thousands of veterans cannot afford to purchase a home because their military pensions do not cover the cost of a mortgage payment.

Because of this inequity, the Veterans Administration instituted a home loan program to assist veterans achieve the dream of home ownership. While this is a commendable program, the maximum loan amount is often not enough to purchase a home—particularly in regions with high real-estate markets.

My legislation would increase this amount from $60,000 to $81,000 to make it comparable to the maximum loan amount available to the public. After giving so much to their nation, veterans deserve the same opportunities for home ownership given to every American.

HONORING ERIC ALVA

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. GONZALEZ. Mr. Speaker, I come before you today to pay tribute to Staff Sergeant Eric Alva, a resident of my district in San Antonio. I stand here with both a great sense of pride for S.Sgt. Alva's bravery and with a heavy heart for the sacrifice he ultimately made for our country. Mr. Speaker, S.Sgt. Alva was recently injured by a landmine explosion while on duty in Iraq. As a result, S.Sgt. Alva lost his lower right leg. There is no doubt that S.Sgt. Alva has experienced a tremendous loss, but through his service he has gained respect and gratitude from myself and his fellow Americans.

The ancient historian Herodotus once said ''Great deeds are usually wrought at great risks''. S.Sgt. Alva accepted this great risk when he chose to wear the uniform of the United States Marines. He accepted this risk fearlessly, with pride and conviction. Although his pledge to serve and to defend this nation is a great deed alone, the loss he has suffered in service merits particular distinction. It is because of the selfless actions of men and women like S.Sgt. Alva that American freedom and democracy endures.

Although this war has brought sorrow and suffering to some in our nation's armed forces and to their loved ones, their sacrifice serves as a symbol of the American spirit. Honoring those who are injured and killed in battle who stand up bravely to fulfil their duty is a fitting testimony to the values this country was founded upon.

In recognition of S.Sgt. Alva and those like him who are serving their country during this time of war, I implore the world, that in their honor, we achieve the one goal we are all fighting for: Peace.

EXPRESSING SENSE OF CONGRESS REGARDING REFORM OF INTERNAL REVENUE CODE

SPEECH OF

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 9, 2003

Mr. DEFAZIO. Mr. Speaker, I am voting yes on H. Con. Res. 141, a hortative resolution with no legally-binding impact, but which has a lot of predictable political rhetoric about the need to reform the enormously complex and loophole-ridden federal tax code.

I am voting yes because the ''whereas'' clauses in the resolution are by and large inoffensive, if deliberately vague about the true intention behind the rhetoric, which is to fundamentally reform the U.S. tax code in a way that eases the tax burden on the rich and corporations and raises the burden on middle and lower-income Americans.

I agree that the federal tax code is too complex. Billions are spent trying to comply with its provisions. Though, I would also point out that the wealthiest Americans and most profitable corporations also spend billions in an effort to avoid their fair share of the federal tax burden.

The resolution is also correct to say the tax code is full of loopholes and special interest exemptions. Though, I would point out that these loopholes and exemptions, which largely benefit the most powerful in our society, did not get into the tax code by accident or osmosis. They were put there by Members of Congress at the behest of wealthy campaign contributors.

Although I am voting yes, I want to go on the record in opposition to the second ''resolved'' clause of the resolution, which in my opinion is too deferential to the tax reform concepts laid out in the February 2003 Economic Report of the President.

The President's report lays out its utopian vision of reduced, or ideally zero, taxes on corporations, reduced taxes on capital, and increased taxes on consumption and wages, which would hurt middle and lower-income Americans.

Mr. Speaker, if the U.S. tax code is going to be overhauled, I believe it should be made more progressive than it is today. That would mean eliminating special interest loopholes for corporations and wealthy Americans. Cracking down on tax dodging by powerful individuals and businesses. Doing so would allow us to relieve some of the tax burden on middle and lower-income Americans. Further, any overhaul of the federal tax code must not add to the crushing burden of debt we are leaving to the next generation.

Like Adam Smith, author of the pro-capitalism tome ''The Wealth of Nations,'' I believe in progressive taxation. Adam Smith wrote, ''The subjects of every state ought to contribute toward the support of the government, as nearly as possible, in proportion to their respective abilities; that is, in proportion to the revenue which they respectively enjoy under the protection of the state ... [As Henry Home (Lord Kames) has written, a goal of taxation should be to] 'remedy inequality of riches as much as possible, by relieving the poor and burdening the rich.' ''

PROTECTION OF LAWFUL COMMERCE IN ARMS ACT

SPEECH OF

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 9, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the hill—(H.R. 1036) to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from the misuse of their products by others:

Mr. SCHAKOWSKY. Mr. Chairman, I rise today in opposition to H.R. 1036, the Protection of Lawful Commerce in Arms Act. This bill unfairly grants the gun industry immunity and takes away an individual's or state's ability to hold gun manufacturers, gun dealers, and gun trade associations accountable to negligence and product liability standards that every other industry is subject to.

The bill perpetuates the gun industry's disregard for public safety and holds up their ''see-no-evil, hear-no-evil, speak-no-evil'' approach to gun manufacturing and distribution. The gun industry should be held accountable to its consumers and victims in the same way that every other industry is. As it is, guns are one of the few consumer products that are exempt from health and safety regulations.

Furthermore, this bill would void a number of pending cases around the country which seek to hold the gun industry accountable for its actions. Specifically, if passed into law, this bill would nullify a case currently moving through the Illinois Supreme Court. The case was brought against a number of gun manufacturers, gun distributors, and gun dealers by the City of Chicago and Cook County who allege that these entities have created a public nuisance by making guns available to juveniles in the Chicago area. No one can dispute that kids have access to guns. A nationwide survey conducted by the Illinois based Teenage Research Unlimited found that 41 percent of teenagers surveyed reported that they could get a handgun if they really wanted to. Furthermore, the Chicago Police Department reported that, in 1999, 165 offenders under the age of 21 were charged with murders involving a firearm.

One death by a handgun is too many. But when 666 people are murdered in one year in just one city, as was the case in Chicago in 2001, we must wake up to reality and demand that something be done. Unfortunately, this bill takes us backwards and gives immunity to the very industry that has the power to regulate the manufacturing and distribution of its products.

I am disappointed that this bill is on the House floor today, and I urge my colleagues to vote ''no'' on H.R. 1036.

AN HISTORIC DAY

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. BEREUTER. Mr. Speaker, this Member wishes to commend to his colleagues the April 10, 2003, editorial from the Lincoln Journal Star, entitled ''Cheers for Toppling of Saddam.'' Indeed, the editorial captures the enthusiastic spirit of the Iraqi people as American troops liberated them from the horrific, repressive regime of Saddam Hussein.

CHEERS FOR TOPPLING OF SADDAM

On Wednesday the war in Iraq reached a historic 'tipping point,'' as Brig. Gen Vince Brooks termed it, symbolized by the toppling of a 40-foot statue of Saddam Hussein in a main square of Baghdad.

Hundreds of Iraqis, especially the Shiite Muslim majority that suffered under Saddam's predominantly Sunni Muslim government, celebrated with cheers, exchanging high fives with U.S. Marines.

A group of Iraqis dragged the head of the Saddam statue through the streets. Others battered it with sticks and shoes.

Few predicted that this historic moment would occur so soon after a war of less than three weeks. President George W. Bush, in fact, warned Americans on March 23, ''It is evident that it will take awhile to achieve our objective.''

And in fact, more military action lies ahead. Parts of Baghdad are not secure. Coalition ground forces have not yet moved into other cities, including Tikrit, Saddam's birthplace 100 miles north of Baghdad. No one knows with certainty whether Saddam is alive or dead.

But Iraqis on Wednesday grasped that Saddam's 24-year rule of terror had come to an end.

Also abundantly clear is the new prowess of the U.S. military. The brilliant campaign to remove Saddam so far has produced a death toll far less than predictions and in fact less than the toll of the Desert Storm war in 1991.

The combination of smart weaponry, high-tech surveillance equipment and instantaneous communication turned coalition troops into a potent force capable of making split-second adjustments to battlefield conditions, even in urban environments.

Drone aircraft fed television images of streets and rooftops. Ground troops called for precision air strikes rather than fighting blind. Troops even used hand-held computerized translators that allowed them to communicate with Iraqis.

The advanced technology, training and updated strategy brought success at minimal cost more quickly than many dared hope.

So Wednesday was a day for celebration. ''He's gone? He's gone?'' chanted a group of boys in the Kurdish city of Irbil. ''Bush No. 1 Bush No 1,'' shouted young men in Baghdad. Women held their babies for American troops to kiss. Women and children handed them flowers.

And coalition troops were making discoveries that showed why there was dancing in the streets at the realization that Saddam's grip was loosed forever. In Basra, Iraqis showed journalists the ''White Lion'' jail where they said Saddam's secret police tortured prisoners with beatings, mutilations, electric shocks and chemicals. Similar discoveries were being made elsewhere in Iraq.

The cheers of today might be soon forgotten as Iraqis begin the task of rebuilding their country and establishing a new government. And it must be acknowledged that this historic moment came despite objections from scores of nations around the globe.

Nonetheless, it was gratifying on Wednesday to witness the end of the brutal reign of Saddam Hussein.

HONORING THOMAS SACCO

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to honor Thomas Sacco, a veteran of World War II. After waiting 58 long years, he has finally been awarded the Purple Heart that he earned as a young private while serving his country in Europe.

Private Sacco was barely 18 years old when he volunteered to serve as a paratrooper in the famous and sometimes feared 101st Airborne division.

He was wounded in the town of Noville, Belgium. As his outfit advanced toward the Axis Army he was struck by shrapnel in his left arm and back and rendered unconscious.

58 years later his heroism and sacrifice is being recognized by the United States Government.

Mr. Speaker, I am proud to call Thomas Sacco a constituent and I ask you to join with me in thanking him for his service.

INTRODUCTION OF LEGISLATION DEALING WITH PRISON RAPE

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. WOLF. Mr. Speaker, yesterday I introduced in the House legislation which concerns a problem that has been ignored by too many for too long: prison rape. I am pleased and grateful that my colleague from the Commonwealth of Virginia, Rep. ROBERT C. SCOTT is an original cosponsor of this legislation.

I believe in vigorous prosecution of criminals and tough sentences on offenders. However, prison rape has nothing to do with being tough on crime; it has to do with making our communities safer, reducing recidivism, and controlling the spread of communicable diseases. This bill would require prisons to establish tough standards to address the issue of prison rape. Experts have established that roughly 13 percent of the over 2 million prisoners in the United States have been victims of rape in prison. Many of these inmates who are raped contract HIV, hepatitis, and other diseases. Upon release, these individuals may then spread these diseases and their rage—contracted in prison as a result of prison rape—to individuals in their community.

Prison rape causes psychological trauma, which may lead its victims to act out in an aggressive manner upon leaving prison, possibly committing further crimes which will result in their reincarceration in an already overcrowded prison system. Additionally suicide is the leading cause of death behind bars and sexual harassment, such as rape, is the leading cause of prisoner suicide.

Last year on Capitol Hill, a mother of a 16-year-old-boy, who was repeatedly raped in a Texas prison, offered a grim tale of her son's abuse. She said her son reported the attacks to prison officials but was told ''(rape) happens every day, learn to deal with it. It is no big deal.'' The boy ultimately hanged himself in his cell. He had been arrested for starting a fire in a dumpster.

The trauma caused by prison rape cannot be underestimated. No matter where the survivor ends up, severe psychosis is the most common outcome of prisoner rape. Sexual assault can often break a prisoner's spirit. In the advanced stages of rape trauma syndrome, for example, a survivor's mood often swings between deep depression and rage. Prisoner rape may be the quickest, most cost-effective way of producing a sociopath.

According to researchers, the fact that most men on death row were sexually abused earlier in life should come as no surprise. Indeed, it is a fact that society ignores at its own peril. Prison rape perpetuates a vicious cycle of violence and trauma which starts with a prisoner being raped and that prisoner often committing acts of aggression and sexual harassment either within prison or in the community upon his release. Indeed, prison rape survivors often become rapists themselves in a demented attempt to regain what they think of as their ''lost manhood.''

Some prison rape victims retaliate by murdering their rapists, receiving added years to their sentence and further burden the prison system. Studies show that prison rape costs the taxpayer in recidivism and increased violent crime. Inmates—often nonviolent, first-time offenders—will come out of a prison rape experience severely traumatized and will often leave prison more violent than when they entered. Prison rape costs raped prisoners their dignity and costs society monetarily and psychologically.

Combating prison rape is also an issue of human rights and basic humanity. A nation cannot turn its back on thousands of people who are under the care of the state, and being raped and traumatized while under that care. Prison rape is a form of torture. The body of a rape victim may heal, but the emotional damage caused by prison rape may never be ameliorated. As a nation which rightfully stands up for human rights around the world, and which has the best human rights record in the world, we must act now to remove this blight from our record; we must act now to stop the inhumane and degrading practice of prison rape.

The nation has ignored prison rape for too long. The United States Supreme Court has ruled that deliberate indifference to prison rape is a violation of the Constitution. In order to be true to our nation's founding principles, in order to end the cycle of violence and degradation, in order to further the safety of our prisons and society, the passage of this legislation to address prison rape is vital.

I urge my colleagues to join in support of this legislation.

INTRODUCTION OF H.R. 1720, VETERANS HEALTH CARE FACILITIES CAPITAL IMPROVEMENT ACT

HON. ROB SIMMONS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. SIMMONS. Mr. Speaker, I am introducing a new measure, the ''Veterans Health Care Facilities Capital Improvement Act,'' that I intend will begin to address what has become a troubling and lingering problem in our Nation's veterans health care facilities: a crumbling and substandard patient-care infrastructure.

Mr. Speaker, for the past several years, we have noted that the President's annual budget for VA health care has requested little or no funding for major medical facility construction projects for America's veterans. As we indicated last year in our report to the Committee on the Budget on the Administration's budget request for fiscal year 2004, VA has engaged in an effort through market-based research by independent organizations to determine whether the present VA facility infrastructures are meeting needs in the most appropriate manner, and whether services to veterans can be enhanced with alternative approaches. This process, called ''Capital Assets Realignment for Enhanced Services,'' or ''CARES,'' has entered into its second phase within the Department of Veterans Affairs. While VA has set an

aggressive schedule for completing this process, we believe it will require several years before bearing fruit.

Mr. Speaker, some VA hospitals, health care and research facilities need additional maintenance, repair and improvements to address immediate dangers and hazards, to promote safety and to sustain a reasonable standard of care for our Nation's veterans. In addition to reports from outside consultants and VA about the serious risk of seismic damage, VA has also identified $57 million in improvements needed to address women's health care; another report concluded that VA should be spending (at a minimum) from 2 percent to 4 percent of its ''plant replacement value'' on upkeep and replacement of its health care facilities. This value in VA is at least $35 billion; thus, VA should be spending from $700 million to $1.4 billion each year to keep pace with its capital needs. In fact, in fiscal year 2003, VA will spend $137 million for these purposes.

While Congress authorized a number of major VA medical construction projects over the past three fiscal years, very few have received funding through the appropriations process. I understand that some of the more recent deferrals of major VA construction were intended to permit CARES to proceed in an orderly way, avoiding unnecessary spending on VA health care facilities that might not be needed by veterans in the future. I agree with this policy in general, especially for those larger facility projects, ones that ordinarily would be considered under our regular annual construction authorization measure. We need to resist wasteful spending, especially when overall funds are so precious. But I believe that I have a better plan.

Mr. Speaker, when I assumed the Chairmanship of the Veterans' Subcommittee on Health earlier this year, I asked what steps my colleagues and I might take immediately that could help veterans. The legislation that I am introducing today is part of this answer. This bill sets up a three-year program of delegated authorizations that would update, improve, establish, restore or replace VA health care facilities where needed. The Secretary would be given this authority to approve the individual facility projects, based on recommendations of an independent capital investments board and on criteria detailed in our bill that place a premium on projects to protect patient safety and privacy, improve seismic protection, provide barrier-free accommodations, and improve VA patient care facilities in several specialized areas of concern, such as privacy needs, specialized care programs and other high priorities of Congress, in order to meet the contemporary standard of care our veterans deserve and need.

The bill would require the Secretary at the end of the process to report his actions to this Committee and to the Committee on Appropriations as well. The bill would also mandate a review of this delegated-project approach by the General Accounting Office, to ensure this is an effective mechanism to advance some VA medical construction during and after the CARES process.

Mr. Speaker, our bill would authorize appropriations of $500 million in fiscal year 2004, $600 million in fiscal year 2005, and $700 million in fiscal year 2006, to accommodate construction projects under the authority provided. The total amount authorized matches that recommended by the Committee on Veterans' Affairs to the Committee on the Budget earlier this year in our views and estimates for fiscal year 2004. I believe we can make the case for this approach by doing something urgently needed by veterans, in the best traditions of our commitment to them, while staying consistent with the intent of the CARES process. I want our work to assure all our veterans, that in as many situations as possible, their health care and research facilities, and the critical maintenance and repair needs of these facilities, will not go unnoticed and unfunded by this Congress.

Mr. Speaker, I trust that my colleagues will agree with me that this is a worthy bill. Last year, VA quickly identified 20 projects that would be appropriate for consideration under terms much like those contained in this bill. I am certain that in all sectors of the VA health care system there are more meritorious projects that need funding, and enactment of this bill would give the Secretary an opportunity to identify, consider, approve and develop them appropriately, with the authority and funds to do so. Many VA facilities need funds right now, on an emergency basis, for major construction and repair projects; other facilities have more chronic needs for restoration and capital improvements that have lingered unfunded for years. New VA health care and research facilities are also needed. In my judgment, we cannot afford to wait several years before beginning to meet these needs, when these projects confront the VA system, veterans, and Congress today.

I strongly urge my colleagues to support this bill and help enact it as a high priority early this year.

PERSONAL EXPLANATION

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. GUTIERREZ. Mr. Speaker, I was absent from this chamber on January 27, 2003 and missed voting on rollcall vote Nos. 13 and 14. I want the RECORD to show that had I been present in this chamber, I would have voted ''yea'' on rollcall vote Nos. 13 and 14. Also, I was briefly absent from this chamber on January 28, 2003 and I would like the RECORD to show that had I been present in this chamber, I would have voted ''yea'' on rollcall vote No. 15. Also, I was absent from this chamber on February 25, 2003 and I would like the RECORD to show that had I been present in this chamber, I would have voted ''yea'' on rollcall vote Nos. 33 and 34. I was also absent from this chamber on March 4, 2003 and I would like the RECORD to show that had I been present in this chamber, I would have voted ''yea'' on rollcall vote Nos. 40, 41 and 42.

On March 18, 2003 I was absent from this chamber and I would like the RECORD to show that had I been present in this chamber, I would have voted ''yea'' on rollcall vote Nos. 65, 66 and 67. On April 3, 2003 I was briefly absent from this chamber and I would like the RECORD to show that had I been present in this chamber, I would have voted ''no'' on rollcall vote No. 105. On April 7, 2003 I was absent from this chamber and missed voting on rollcall vote Nos. 109, 110 and 111. I want the RECORD to show that had I been present in this chamber, I would have voted ''yea'' on rollcall vote Nos. 109, 110 and 111.

INTRODUCTION OF THE SPOKANE TRIBE OF INDIANS SETTLEMENT ACT

HON. GEORGE R. NETHERCUTT, JR.

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. NETHERCUTT. Mr. Speaker, I am honored today to introduce legislation with my colleague from Washington [Mr. DICKS] that will provide an equitable settlement of the meritorious claims of the Spokane Tribe of Indians concerning its contribution to the production of hydropower by the Grand Coulee Dam.

Similar settlement legislation was enacted in 1994 to compensate the neighboring Confederated Colville Tribes as a consequence of the Grand Coulee Dam. That legislation, P.L. 103–436, provided for a $53 million lump sum payment for past damages and roughly $15 million annually from the ongoing proceeds from the sale of hydropower by the Bonneville Power Administration. The Spokane settlement legislation, which I am introducing today, would provide a settlement of the Spokane Tribe of Indians claims directly proportional to the settlement afforded the Colville Tribes based upon the percentage of lands appropriated from the respective tribes for the Grand Coulee Project, or approximately 39.4 percent of the past and future compensation awarded the Colville Tribes pursuant to the 1994 legislation. Though the proposed Spokane settlement is proportionately less, the losses sustained by the Spokane Tribe are substantially the same as those sustained by the Colville Tribes and arise from the same actions of the United States Government. The difference being that the Spokane Tribe lost its entire salmon fishery, the base of its economy.

Grand Coulee Dam is the largest concrete dam in the world, the largest electricity producer in the United States, and the third largest electricity producer in the world. It produces four times more electricity than Hoover Dam on the Colorado River and is three times its size. Grand Coulee is one mile in width; its spillway is twice the height of Niagara Falls. It provides electricity and water to one of the world's largest irrigation projects, the one million acre Columbia Basin Project. The Grand Coulee Project is the backbone of the Northwest's federal power grid and agricultural economy.

For more than half a century, the Grand Coulee Project has produced enormous revenues for the United States Government and brought prosperity to the Pacific Northwest. The construction of the dam and the electricity it produced, helped pull the Northwest out of the Great Depression. It provided electricity to the aluminum plants that built the air force that helped to defeat Germany and Japan in World War II.

To the Spokane Tribe of Indians, however, the dam is a monument to the destruction of their way of life. The Dam flooded their reservation on two sides. The Spokane River—the ancestral umbilical cord to Spokane existence and the heart of their reservation—was changed from a free flowing waterway that

supported plentiful salmon runs, to barren slack water that now erodes away the southern lands of the Reservation with every change in the reservoir level. The enormous benefits that accrued to the Nation and the Northwest were made possible by uncompensated and irreparable injury to the Native Americans of the Columbia and Spokane Rivers.

From 1927 to 1931, at the direction of Congress, the U.S. Army Corps of Engineers investigated the Columbia River and its tributaries. In its report to Congress, the Corps identified a number of potential sites and recommended the Grand Coulee site for hydroelectric development by either the State of Washington or private concerns. Shortly thereafter, the Columbia River Commission, an agency of the State of Washington applied for and, in August 1933, was granted a preliminary permit from the Federal Power Commission for the water power development of the Grand Coulee site. However, on November 1, 1933, Harold Ickes, Secretary of the Interior and Director of Public Works Administration, federalized the project under the National Industrial Recovery Act of 1933. Excavation for the dam commenced on December 13, 1933. However, its legal authorization was in question and Congress reauthorized the Dam in the Rivers and Harbors Act of 1935. As pointed out in 1980 in the Final Report of a Federal interdepartmental Colville/Spokane Task Force: In spite of the fact that the Act authorized the project for the purposes, among others, of reclamation of public lands and Indian reservations. . . . no hydroelectric or reclamation benefits flow to the Indians. The irrigation benefits of the project all flowed south of the Reservation. In 1940, very belatedly and inadequately (at the urging of the Department of the Interior), Congress did enact a statute to authorize the Secretary of the Interior to designate whichever Indian lands he deemed necessary for Grand Coulee construction and to receive all rights, title and interest the Indians had in them in return for his appraisal of its value and payment of compensation by the Secretary. The only land that was appraised and supposedly compensated for was the newly flooded lands. Pursuant to this legislation, 54 Stat. 703 (1940), the Spokane Tribe received the grand total of $4,700. There is no evidence that the Department advised or that Congress knew that the Tribes' water rights were not extinguished. Nor had the Indian title and trust status of the Tribal land underlying the river beds been extinguished. No compensation was included for the power value contributed by the use of the Tribal resources nor the loss of the Tribal fisheries or other damages to tribal resources.

Although the Department of the Interior and other federal officials were well aware of the flooding of Indian trust lands and other severe impacts the Grand Coulee Project would have on the fishery and other critical resources of the Spokane and Colville Tribes, no mention was made of these impacts or the need to compensate the Tribes in either the 1933 or 1935 authorizations. Federal inter-departmental and intra-office correspondence of the Department of the Interior from September 1933 through October 1934 clearly demonstrate that the Federal government knew that the Colville and Spokane Tribes should be compensated for the flooding of their lands, destruction of their fishery and other resources, destruction of their property and annual compensation from power production for the use of the Tribes' land and water resources contributing to such power production. As pointed out in a 1976 Opinion of Lawrence Aschenbrenner, the Acting Associate Solicitor, Division of Indian Affairs, Department of the Interior:

> The 1940 act followed seven years of construction during which farm lands, and timber lands were flooded, and a fishery destroyed, and during which Congress was silent as to the Indian interests affected by the construction. Both the Congress and the Department of the Interior appeared to proceed with the Grand Coulee project as if there were no Indians involved there.
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> The Department correspondence and memoranda on the subject of Indian rights apparently came to an abrupt halt [after 1934]. There is no tangible evidence, currently available, to indicate that the Department ever consulted with the tribes during the 1933–1940 period concerning the ongoing destruction of their land and resources and proposed compensation therefore.

The Opinion goes on to point out:

> It is our conclusion that the location of the dams on tribal land and the use of the water for power production, without compensation, violated the Government's fiduciary duty toward the Tribes.
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> The situation at hand involves a conflict-of-interest on the part of the Department of the Interior. . . . The Department of the Interior has responsibility for protecting the Tribes' Winters Right [water rights] as well as its property rights in the bed of the river. Recognizing the value of the river as a power production and irrigation site, the Department of the Interior . . . has used this land and the water for its own purposes, without ensuring that consideration and benefit from the development of those resources flowed to the Tribes who own part of them. The case fits squarely into the reasoning of Manchester Band, Navajo Tribe and Pyramid Lake cases, where . . . a fiduciary who learns of an opportunity, prevents the beneficiary from getting it, and seizes it for himself.'' (Citations omitted)
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> Throughout the construction, the Department's apparent failure to communicate with the Tribes concerning their land and water rights is appalling. No case law grants executive agencies authority to unilaterally abrogate Indian rights. [T]he posture of the Department can be described not as . . . an exercise of guardianship, but an act of confiscation.'' (Citations omitted).

The Colville settlement legislation ratified a settlement agreement reached between the United States and the Colville Tribes to settle the claims of the Tribes to a share of the hydropower revenues from the Grand Coulee Dam. This claim was among the claims which the Colville Tribes filed with the Indian Claims Commission (ICC) under the Act of August 13, 1946 (60 Stat. 1049) and later transferred to the U.S. Court of Claims. Pursuant to that Act, there was a five year statute of limitations to file claims before the Commission which expired August 13, 1951. Why did the 1994 Colville settlement legislation not also include a settlement of the claims of the Spokane Tribe of Indians?

Although the Indian Claims Commission statute of limitations expired August 1951 neither the Colville Confederated Tribes nor the Spokane Tribe knew then or for many years thereafter that there would be a need to even file claims related to the use of their tribal land and water resources for the construction and operation of the Grand Coulee Dam for power production and reclamation. After all, beginning in the 1930s through the 1970s, the historical and legal record is replete with high level agency correspondence, Solicitor Opinions, inter-agency proposals/memoranda, Congressional findings and directives and ongoing negotiations with the affected Tribes to come to agreements upon the share of revenue generated by Grand Coulee which should go to the Tribes for their use of their respective resources. The Tribes had every reason to believe that their Trustee, the United States, was, although belatedly, going to act in good faith to provide fair and honorable compensation to the Tribes for the United States' proportionate use of their Tribal resources for revenue generated by the Grand Coulee Dam.

In 1974 the Solicitor of the Department of the Interior issued an Opinion which concluded, among other things, that the Spokane and Colville Tribes each retained ownership of the lands underlying the Columbia River and, in the case of the Spokane Tribe, the lands underlying the Spokane River. The Opinion suggested that the resource interests of the Tribes were being utilized in the production of hydroelectric power at Grand Coulee.

In 1975, in response to this Opinion, the Senate Appropriations Committee directed the Secretary of the Interior and the Secretary of the Army and the Bonneville Power Administration to ''open discussions with the Tribes to determine what, if any, interest the Tribes have in such production of power, and to explore ways in which the Tribes might benefit from any interest so determined.'' (S. Rept. 94–505 at 79). A Colville/Spokane Task Force was subsequently composed of representatives of various federal agencies, BPA and the Tribes.

By this time, it was becoming apparent to the Tribes that the U.S. was beginning to consider possible legal defenses such as navigational servitude and the 1951 Indian Claims Commission statute of limitations to severely limit and/or entirely eliminate any obligation by the federal government as fiduciary to compensate the Tribes for the conversion of Tribal resources by the U.S.

In response to the newly expressed suggestion of the U.S. to attempt to severely limit or entirely eliminate any obligations to provide compensation for its breach of its trust responsibility and conversion of Tribal resources, the Colville Confederate Tribes filed a petition with the Indian Claims Commission on August 5, 1976 to amend its original claim petition (filed on July 31, 1951), which was then still pending and to include a claim for ''compensation and damages arising out of the taking and use of its lands, including the resources . . . in connection with the construction . . . operation by defendant [United States of America] of the Grand Coulee Dam, including the reservoir area created by the Dam.'' The U.S. then, for the first time, argued that the Colville Tribes' attempt to amend their 1951 petition in 1976 should be denied because it was barred by the 1951 statute of limitations of the Indian Claims Commission Act.

On November 18, 1976, the Indian Claims Commission held that the original land claim filed in 1951 . . . was broad enough to support a claim for damages arising from the construction and operation of the Grand Coulee

Dam. Therefore [the Colville Tribes'] amended claim relates back and is not barred by the statute of limitations.'' 39 Ind. Cl. Comm. 159. As a consequence, the Colville Tribes, in 1976, were able to effectively respond to the U.S.' belated strategy to raise the 1951 statute of limitations.

The Spokane Tribe, however, was not similarly situated. While the Spokane Tribe, like the Colville Tribes, had timely filed its land claims before the Indian Claims Commission in 1951, the Spokane Tribe had already entered into a settlement agreement concerning its original claims on February 21, 1967, approximately nine years prior to any indication that the U.S. might suggest or attempt to limit or eliminate its obligations to the Tribes regarding Grand Coulee Dam. As a consequence, the Spokane Tribe did not have a pending Indian Claims Commission claim to amend in 1976 as did the Colville Tribes. As evidenced by the U.S.' attempt in 1976 to defeat the Colvilles' motion to amend their petition, the U.S. apparently hoped to prevent both the Colvilles and the Spokane from bringing Grand Coulee Claims.

While neither the Colville Confederate Tribes nor the Spokane Tribe knew in 1951 or in 1967 that they needed to file claims for damages and compensation for the construction and operation of Grand Coulee, it was mere happenstance that the Colville Tribes still had an Indian Claims Commission case pending and capable of being amended in the mid-1970's and the Spokane Tribe did not.

Up until the mid-1970's, neither the Colville Tribes nor the Spokane Tribe had any reason to distrust that the U.S. would not attempt to negotiate a fair and honorable compensation settlement given the past Federal agency pronouncements, legal opinions, on-going negotiations and Congressional directives.

When the Colville settlement legislation was moving forward in 1994, the Spokane Tribe pressed for an amendment to waive the statute of limitations and allow the Spokane Tribe to seek just and equitable compensation resulting from the construction of the Grand Coulee Dam. Fearful that the Spokane Tribe's efforts might delay and jeopardize final enactment of the Colville settlement legislation, the Colville Tribes and others requested that the Spokane Tribe defer its efforts to seek settlement of its claims. The Spokane Tribe honored that request. During the joint House and Senate hearings on the Colville legislation, the Assistant Secretary for Indian Affairs did commit in her testimony that she would study the merits of the Spokane claim. The day after the hearings, the Solicitor of the Department committed the Department to examine, independent of the Colville Bill, the Spokane Tribe's claims. The House Resources Committee Report accompanying the Colville legislation stated that the Spokane claim was ''identical in many respects'' to the harm suffered by the Colville Tribes. The Committee noted ''that the Spokane Tribe has a moral claim and requests that the Department of the Interior and the Department of Justice work with the Spokane Tribe to develop a means to address the Spokane's claim.'' In the Senate, Senators INOUYE, Bradley, MURRAY, MCCAIN and Hatfield joined in a colloquy expressing their concern that the claims of the Spokane Tribe should be addressed and urged the Administrative agencies to work with the Spokane Tribe to resolve the Tribe's claims.

Following a subsequent commitment from Associate Attorney General, John R. Schmidt, that the Department and other federal agencies would undertake an ''earnest'' and ''fair evaluation'' of the Tribe's claims, the Tribe committed a great deal of time, resources and funding to fully research and document its claims. By late 1995, the Tribe was prepared to formally request that the Interior and Justice Departments establish a federal ''negotiating team.'' In a meeting with Interior Department officials in December 1995, Tribal representatives were astounded when they were advised that the Tribe should return to Congress and renew the Tribe's request for a waiver of the statute of limitations.

On July 9, 1996, Senators MURRAY, MCCAIN, INOUYE, Bradley and I sent a letter to Secretary Bruce Babbitt stating the Federal/tribal negotiations urged by Congress in 1994 were not predicated on the Tribe's first obtaining a waiver of the statute of limitations, that the requirement for such an undertaking was ''totally contrary to the understanding of the Tribe and to the direction of Congress,'' and urged that the Interior Department ''proceed as soon as possible to negotiate with the Tribe on its power value and fishing claims as previously directed by Congress.'' Unfortunately, viable and equitable settlement negotiations have not materialized.

Enactment of settlement legislation addressing the meritorious claims of a Tribe, claims otherwise barred by a statute of limitations, is neither new or precedent setting. There is ample precedent for Congressional recognition of the moral claims of Indian tribes and provision of appropriate compensation. Several tribes within the Missouri River Basin suffered very significant damage because of inundation of reservation bottom lands through construction of the Pick-Sloan Project dams. In recognition of these damages, Congress has provided substantial compensation to the Affiliated Tribes of the Fort Berthold Reservation and the Standing Rock Sioux Tribe (P.L. 102–575), the Crow Creek Sioux Tribe (P.L. 104–233), and the Lower Brule Sioux Tribe (P.L. 105–132). Compensatory legislation for the Cheyenne River Sioux Tribe (S. 964) and the Santee Sioux and Yankton Sioux Tribes (S. 1148) are currently pending before this Congress and are expected to move through the Senate Commission on Indian Affairs shortly.

The Federal Government, by its own admission, had a conflict of interest and blatantly breached its fiduciary trust responsibility to the Spokane Tribe. Having breached that trust by converting the Tribe's resources to its own benefit, it led the Tribe to believe it would receive fair and honorable compensation The United States then changed its position and belatedly asserted new legal defenses against compensation for the Tribe. Now, the U.S. seeks to avoid fair and honorable negotiations with the Tribe it betrayed because the Tribe failed to timely file its claims before the expiration of the statute of limitations. As quoted by the Assistant Secretary for Indian Affairs in her testimony on the Colville settlement legislation:

> . . . I am reminded of the words of Justice Black . . . in litigation about another dam flooding the lands of another tribe's territory: ''Great nations, like great men, should keep their word.'' When the Congress enacts and the President signs this legislation, we can all be proud that we are, at last, acting as a great nation should.

I urge my colleagues to keep the word of our Nation and act expeditiously and favorably on this legislation as it proceeds through the Congress.

RECOGNIZING GARNER E. SHRIVER

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. TIAHRT. Mr. Speaker, I rise today to pay tribute to a great Kansan and a great American.

Garner E. Shriver was born July 6, 1912 in the small Butler County town of Towanda. He attended public schools in Towanda and Wichita, and started an illustrious career of service to our nation by enlisting in the United States Navy following graduation from the University of Wichita and Washburn School of Law.

Honorably discharged as an officer after three years in the Navy, Mr. Shriver served in the Kansas Legislature in both the House of Representatives and the State Senate. In 1960, he was elected to the U.S. House of Representatives by the people of the 4th District of Kansas, who re-elected him seven times. Congressman Shriver was a relentless advocate for the 4th District of Kansas, and worked tirelessly as a senior member of the powerful House Appropriations Committee on behalf of his constituents. During his 16 years in Congress, Garner became an influential voice on significant issues of the day, including health and education benefits for our Nation's veterans, and landmark civil rights legislation. He served on the committee that drafted the Civil Rights Act of 1964.

Although Mr. Shriver left the House in 1977, he didn't leave Congress. He moved over to the Senate and served as minority staff director and general counsel for the Senate Veterans' Affairs Committee from 1977 to 1982, where he made a significant impact on his fellow veterans' lives. Mr. Shriver returned home to Wichita where he practiced law until his death, March 1, 1998. Garner Shriver is survived by his wife, Martha Jane, and three children David, Kay, and Linda. He also has seven grandchildren and two great-grandchildren.

Garner E. Shriver was a nobel public servant and served the people of the 4th District with distinction. I am honored to succeed him as the current 4th District Representative, and I am pleased to have an opportunity to honor his service to our nation by introducing legislation today that will designate the facility of the United States Postal Service at 9350 East Corporate Hill Drive in Wichita, KS as the ''Garner E. Shriver Post Office Building.''

EXPRESSING SUPPORT FOR RENEWED EFFORT TO FIND PEACEFUL, JUST, AND LASTING SETTLEMENT TO CYPRUS PROBLEM

SPEECH OF

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 9, 2003

Mr. SMITH of New Jersey. Mr. Speaker, I rise in support of H. Res. 165, a resolution that calls for the rights of Greek Cypriots and

Turkish Cypriots to be protected. Most importantly, the resolution urges that steps be taken to resolve the longest unresolved conflict in Europe—the division of Cyprus.

The Commission on Security and Cooperation in Europe, which I co-chair, has held several briefings over the last 18 months on the evolution of a hoped-for solution to the Cyprus impasse. The tone of these briefings varied from optimistic to skeptical. Those concerned about this problem were hopeful when United Nations Secretary General Koffi Annan put forth a proposed plan last November.

After further discussions, Mr. Annan adapted the plan to encompass the concerns voiced by both sides of the conflict. Unfortunately, Mr. Rauf Denktash, leader of the Turkish Cypriots, failed to accept either the comprehensive settlement or the proposed referendum advanced by the Secretary General. Denktash's inability to find common ground with his fellow Cypriots from the Greek side keeps Cyprus divided.

H. Res. 165 calls for the most logical resolution of the problem—let the people of Cyprus, whether they be Greek Cypriots or Turkish Cypriots, determine their own fate at the ballot box. Tens of thousands of Turkish Cypriots have demonstrated their support for this proposal in massive public marches. Many Turkish Cypriots are obtaining Republic of Cyprus passports in an attempt to move this process ahead.

Mr. Denktash must heed the call of these times. The time for a single man to stand in the way of progress for an entire people, for an entire country, is past. I call on you, Mr. Denktash, to allow the referendum to be held now or step aside in the interest of your people and the prospect of reconciliation on the divided island nation of Cyprus!

EXPRESSING SUPPORT FOR THE CELEBRATION OF PATRIOT'S DAY

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. MARKEY. Mr. Speaker, today my colleagues from Massachusetts and I are introducing identical resolutions in both the House and the Senate that celebrate a shining moment in the history of the United States, the beginning of the most enduring free and democratic experiment in the world. On April 19, 1775, the American colonists in Lexington, in Concord and in ''every Middlesex village and town'' rose up to claim their inherent right to govern themselves, free of the whims of the English king.

While this day is already celebrated as a state holiday in both the Commonwealth of Massachusetts and the State of Maine, and the national significance of the events surrounding the ''shot heard 'round the world'' is unquestioned, the recent establishment of a national day of remembrance on September 11 as ''Patriot Day'' has understandably confused some Americans regarding ''Patriot's Day'' in April. We introduce this resolution not in any way to diminish ''Patriot Day,'' but only to remind our colleagues and the public that ''Patriot's Day'' continues to serve every year as a reminder of the origins of the freedoms we enjoy today.

So this year we ask all Americans to join us in celebrating Patriot's Day, 2003, to be celebrated on Monday April 21. As a reminder of this day, I am including excerpts from Longfellow's ''Paul Revere's Ride'' and from Emerson's ''The Concord Hymn''

PAUL REVERE'S RIDE

''Listen my children and you shall hear
Of the midnight ride of Paul Revere,
On the eighteenth of April, in Seventy-five;
Hardly a man is now alive
Who remembers that famous day and year.
He said to his friend, ''If the British march
By land or sea from the town to-night,
Hang a lantern aloft in the belfry arch
Of the North Church tower as a signal light,
One if by land, and two if by sea;
And I on the opposite shore will be,
Ready to ride and spread the alarm
Through every Middlesex village and farm,
For the country folk to be up and to arm . . .''

So through the night rode Paul Revere;
And so through the night went his cry of alarm
To every Middlesex village and farm,
A cry of defiance, and not of fear,
A voice in the darkness, a knock at the door,
And a word that shall echo for evermore!
For, borne on the night-wind of the Past,
Through all our history, to the last,
In the hour of darkness and peril and need,
The people will waken and listen to hear
The hurrying hoof-beats of that steed,
And the midnight message of Paul Revere.

THE CONCORD HYMN

By the rude bridge that arched the flood,
Their flag to April's breeze unfurled,
Here once the embattled farmers stood
And fired the shot heard round the world.

The foe long since in silence slept;
Alike the conqueror silent sleeps;
And Time the ruined bridge has swept
Down the dark stream which seaward creeps.

On this green bank, by this soft stream,
We set today a votive stone;
That memory may their deed redeem,
When, like our sires, our sons are gone.

Spirit, that made those heroes dare
To die, and leave their children free,
Bid Time and Nature gently spare
The shaft we raise to them and thee.

EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT, 2003

SPEECH OF

HON. DAVID WU

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1559) making emergency wartime supplemental appropriations for the fiscal year ending September 30, 2003, and for other purposes:

Mr. WU. Mr. Chairman, there is no doubt that our airlines are hurting. Passenger numbers have never recovered from September 11. Orange terror warnings and media reports are also scaring away passengers. The war in Iraq has the potential of having a serious and negative effect on this industry. The first Gulf War helped cause the demise of four commercial airlines, all of which disappeared into liquidation.

But another handout directly to the airlines is not going to solve the problem. The $3.2 billion in this bill comes just a year and a half after we approved a $15 billion package of post September 11 loans and grants designed to tide airlines over.

The real problem is that people aren't flying. Even though the number of flights have been reduced, on average, more than 25 percent of the seats on flights are left unsold. And a reduction in flights means job cuts.

It is time we try something more direct. We are proposing a way to get the American public flying again. By filling empty seats, we can actually help to preserve and even create jobs.

That's why Representative SCOTT and I are offering an amendment that will encourage people to fly. Our ''Freedom to Fly'' amendment would set aside the same proposed amount—$3.2 billion—to support an airline ticket discount program. The discount coupons we propose could be used to purchase any airline travel at a 50 percent discount. For example, a voucher costing the passenger $100 would be worth $200 toward the purchase of an airline ticket. Our program would apply the $3.2 bill to directly subsidized passengers and indirectly the airlines. This program would apply to everyone buying tickets on U.S.-owned passenger airlines.

As a result of this amendment, air travel would increase because the consumer cost of air travel would be cut in half. And this plan would benefit not just the airlines and the traveling public, but also stimulate business for hotels, rental car companies, travel agencies, and other travel related industries.

The total effect of the program would be far greater than just subsidizing the airlines. Over the past week, the airlines have laid off 10,000 workers. A subsidy will not stem the tide of additional layoffs. On the other hand, the proposed vouchers will result in increased airline business, and in increased demand for workers.

The proposed program would be developed and administered by the Department of Transportation, and would be in effect for one year, through March 31, 2004. This is a short-term program that actually has some real prospect of being successful. Giving Americans the ''freedom to fly'' will fill those empty seats by making them affordable, thereby increasing revenues for the airlines, preserving jobs, and generating additional revenues for others involved in travel commerce.

I encourage all my colleagues to join us in support of this important amendment.

THE DEAN AND BETTY GALLO PROSTATE CANCER CENTER'S EDUCATION INITIATIVE

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. HOLT. Mr. Speaker, I rise today to salute the Dean and Betty Gallo Prostate Cancer Center's new education initiative.

Prostate cancer is the most common cancer among men—about 220,900 new cases will be diagnosed this year. Approximately 28,900 men will be stricken down by this disease—one that devastates so many families by killing so many fathers, brothers, and sons.

I am proud to say that the Dean and Betty Gallo Prostate Cancer Center in central New Jersey is working hard to improve these statistics. On April 12, the Gallo Center will kick off

its prostate cancer education initiative with a statewide health event held at 13 separate sites. At these sites, individuals and families will be able to get information and talk to representatives of the Gallo Center, local health departments, and other officials.

In the fight against prostate cancer, it is vitally important that we concentrate on education and screening. Catching the disease early drastically improves the chances of surviving, and lowers the need for the expensive treatments used during later stages of the cancer.

For those who are diagnosed with prostate cancer, the Gallo Center is New Jersey's only specialized prostate health resource at a National Cancer Institute—the Cancer Institute of New Jersey. The Center is also an advanced research facility that transforms laboratory discoveries into clinical practice.

While I am glad that New Jersey can rely on such a world-class facility for prostate cancer research and treatment, I am even more pleased to learn of the Gallo Center's educational and outreach efforts. Prostate cancer is a disease that disproportionately affects elderly men and African-Americans, and it is vital that health care professionals reach out to these populations to inform them of the warning signs of the disease.

Again, let me applaud the Gallo Center's efforts to inform and educate New Jersey's citizens about this devastating disease.

INTRODUCING JOHN'S LAW

HON. FRANK A. LoBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. LoBIONDO. Mr. Speaker, in the coming months we will be marking the third anniversary of the tragic death of one of my constituents. U.S. Navy Ensign John Elliott, who had just received his commission to Naval Flight School in Pensacola, Florida, was struck and killed by a drunk driver on July 22, 2000. The accident instantly killed Elliott and seriously injured his passenger, Kristen Hohenwarter.

Sadly, it was later discovered that the driver responsible for Elliott's death had been arrested for drunken driving earlier that evening. Elliott was on his way home for his mother's birthday party when he crossed paths with the intoxicated driver.

Nearly three years after that tragic accident, his parents continue the fight to save other families from the grief they have endured. Lobbying the New Jersey State Legislature, the Elliotts saw to fruition the drafting, passage and ultimate enactment of John's Law. The law ensures that individuals who pick up an arrested driver sign a document accepting custody. Additionally, it gives State Police the authorization to impound the automobile of an arrested driver for up to 12 hours.

Today, I am introducing a bill expressing the sense of Congress that funding should be made available from the Highway Trust Fund to encourage all states to enact legislation to require law enforcement officers to impound motor vehicles of those charged with driving while intoxicated and to issue responsibility warnings to those who take custody of suspects driving while intoxicated. The legislation also requires the National Traffic Safety Board to report to Congress on the number and severity of traffic accidents caused by individuals who were released by state and local police hours after being charged with DWI and to make recommendations on the need for states to adopt statutes similar to John's Law.

We are making important strides to eliminate the senseless deaths caused by the lethal mix of alcohol and automobiles. Annual deaths from drinking and driving have decreased from approximately 28,000 in 1980 to 16,068 in 2000. In 1982, 57 percent of all traffic fatalities were alcohol-related. In 2000, that percentage fell to 38 percent. However, much work remains to be done. Each death is a preventable one and I am sure this resolution will go a long way in ensuring deaths like Ensign Elliott's are prevented and families are saved from the pain the Elliotts and other families across the nation have endured.

I urge my colleagues in the House to support this resolution.

IN HONOR OF PHILLIP BURTON

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Ms. PELOSI. Mr. Speaker, twenty years ago today, our Nation lost a fierce and fearless leader—Phillip Burton, a great Member of Congress from San Francisco.

Sometimes profound, often profane, but always passionate, Phillip Burton was a voice for workers, the poor, the elderly, the disabled and a protector of the environment. He turned up the volume of those who could only whisper for help.

Through his work, the world has been endowed with a lasting legacy of gifts—the giant Redwoods, benefits for black lung sufferers, better wages for workers, and better healthcare for the elderly and the disabled.

Phil Burton believed deeply in the integrity of this institution and its democratic principles of disagreement and debate. One of his first areas of interest was the House Committee on UnAmerican Activities and its destructive use of this House to undermine the principles for which it stood. He worked successfully to abolish the Committee.

Expanding on the openness and fairness he desired for the House of Representatives, he worked to ensure meaningful reforms in the House so that junior Members were given early opportunities to share more equally in the workings of the committees.

Phil Burton was a legislative master, creating new park lands and protecting lands throughout the country—literally ''from California to the New York island; from the Redwood Forest to the Gulf Stream waters.'' The Washington Post ran the headline about his work: ''Sun Never Sets on Burton Empire.''

In 1978, Phil Burton championed the most sweeping environmental legislation ever to pass the Congress, tripling the National Trails System, doubling the Wild and Scenic Rivers System and more than doubling the wilderness in national parks. He and the chairman of the Interior Committee, Mo Udall, worked together to protect 100 million acres of land in Alaska, the largest in the nation. Mo Udall's classic description of Phil says it all: ''He unscrewed the inscrutable.'' He preserved America's natural wonders.

Among Phil's great successes was creation of the nation's first two urban national parks—the Golden Gate National Recreation Area in San Francisco and Gateway National Recreation Area in New York. The Golden Gate National Recreation Area has become an emerald greenbelt stretching north and south of San Francisco along the Pacific coast.

The jewel at its center is the Presidio. Phil Burton, with one sentence, made it possible for the Presidio to exist as a national park. Years later, Congress created a permanent management entity, the Presidio Trust, to ensure that the Presidio would be preserved in perpetuity as Phil intended.

The ''empire'' stretched beyond our continental lands to the Territories where Phil sought to bring fairness, cultural harmony and the American Dream to island populations. And he brought them representation in Congress. Congressman ENI FALEOMAVAEGA, who staffed the Subcommittee on Insular Affairs chaired by Phil Burton, is a Member of Congress today because of legislation authored by Phil to ensure representation to the people of America's distant lands.

Phil's mastery extended beyond the legislative arena, and his true artistry was displayed when it came to redistricting. One press account described it as ''Phil Burton's contribution to modern art.'' For almost three decades, he painted the political landscape of Californians in the House from his palette.

Always central to Phil's success was a strong sense of bipartisanship, which he considered essential. This was evident in his efforts to preserve lands in districts where they formed an economic spine for local communities. By providing worker benefits and working with Republicans and Democrats, success was possible that benefited not only the short-term existence of a community, but the longer-term preservation of the environment. In all of his work, he put the public interest above self-interest, including the self-interests of those who preferred to realize financial gain.

Phil Burton's career took a detour on the road to become Speaker. When Phil lost the race for Majority Leader, Speaker Tip O'Neill said, ''I never saw a person take defeat so gracefully . . .'' He may have lost the personal battle for Majority Leader, but he was victorious in his broad war to ensure social justice and human dignity for all people.

Phil Burton worked every day of his life to protect this planet, its people and this place where we govern. He was not a man of shallow interest, but a man of deep and abiding commitment to democratic principles.

In his short life, he brought our nation a legacy of accomplishment that will outlast our lifetimes and those of our grandchildren. As enduring and tangible as the monuments he left to us will be our abiding commitment to the principles he held in his heart. Years from now, these generations will not know his name, but they will experience his monumental achievements.

Phil Burton stands as tall as a giant among us and as lasting as the great Redwoods.

HONORING THE CHILDREN'S DEFENSE FUND

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. DAVIS of Illinois. Mr. Speaker, I rise today to pay tribute to the most effective child advocacy organization in the United States of America, or any place else in the world—the Children's Defense Fund (CDF). Founded in 1973 by the creative, dedicated and far-sighted Marian Wright Edelman, the CDF has played a key role in keeping the needs, hopes and aspirations of our children in the eyes and minds of policy makers and the general public.

Through its research and education efforts the CDF has educated, motivated, and stimulated millions of parents to become more aware of the needs of their children and how they too can become advocates for them. The CDF has provided health support, informed parents on how to use the Children's Health Insurance Program, put together the Student Health Outreach Project and through its Child Welfare and Mental Health Division works to support and protect children and their families who have been abused, neglected, suffered serious emotional problems and in some instances have even been left homeless.

Education is indeed the key that unlocks the door to success and in this arena the CDF has been unwavering in trying to make head start available to every child, supporting educational programs like the 21st Century Community Learning Center, after-school programs, the Individuals with Disabilities Act (IDEA), the Infants and Toddlers Program, the Campus Based Childcare, and early Childhood Educator Professional Development Program, as well as countless others.

Mr. Speaker, our children are indeed the future, and as the songwriter said: ''teach them well and let them lead the way,'' well for thirty years the CDF has been leading the way and pointing out to America that they need our support, financially, morally, spiritually, educationally, and emotionally if they are to become the leaders that we need for tomorrow. Yes, the CDF for thirty years has fought the good fight, you have paved the way, you are leading us into the light, and we simply pause to take note and say thank you—Marian Wright Edelman, and thank you Children's Defense Fund.

ON THE VETERANS' SURVIVING CHILDREN'S BENEFITS ACT

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. MICHAUD. Mr. Speaker, with our nation at war, young men and women in uniform are placed in harm's way and risk losing their lives. Sadly, some have already made the ultimate sacrifice. We owe these brave individuals a great debt, and we also owe that debt to their families.

The surviving spouses of military personnel who die in service and veterans who die as a result of service-connected disabilities become the sole caregivers for their children. They deserve the best assistance that our nation can provide. For this reason I am introducing the Veterans' Surviving Children's Benefits Act.

In 2001, the Department of Veterans Affairs completed a congressionally mandated evaluation of survivorship benefits paid to the families of men and women who have given their lives for their country. According to the results, a surviving spouse with dependent children needed to receive an additional $250 per month in Dependency and Indemnity Compensation (DIC). With the additional $250 per month, the benefits provided to a surviving spouse with children would be comparable to the benefits received by a surviving spouse who did not have children. The study found a $250 increase in monthly benefits was needed regardless of the number of children in the family.

The Veterans' Surviving Children's Benefits Act would provide a $250 monthly increase in survivor benefits recommended for surviving spouses with children. While no amount of money can ever compensate a child for the loss of a parent, I believe that we should assure that surviving spouses with children have their needs met to at least the same extent as surviving spouses without children.

I ask my colleagues to join me in providing this small but necessary comfort to the surviving children of military personnel who have made the ultimate sacrifice for their country.

ROLF SCHULZE: ACADEMIC, UNION LEADER, FRIEND

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. FILNER. Mr. Speaker, I want to take this opportunity to recognize and congratulate Dr. Rolf Schulze upon the occasion of his retirement as a professor at San Diego State University (SDSU), the institution of learning at which I also taught for 20 years. Rolf has outdone me, though, with a teaching career of 34 years!

I first met Rolf in the early 1970s, when we were both new to SDSU. I discovered a man of conviction, dedicated both to his academic endeavors and to his belief in the importance of the labor movement. Rolf began as a trade union member at 15 years of age. He came to the United States from Germany at age 17 with few dollars in his pocket but very large dreams. After serving in the military, he obtained his PhD at Michigan State University, followed by his appointment to teach at SDSU.

Rolf became president of the United Professors of California in 1970 and later, when it became the California Faculty Association, he served several more terms as president, as well as serving as a member of the SDSU Senate. He now is a member of the Executive Board of the San Diego/Imperial Counties Labor Council.

Rolf exhibited his special talents in working for solidarity within his own union, as well as with other unions—promoting quality education, fair working conditions, compensation and benefits. He has been a leader in helping to institute many democratic cost reforms within the California academic system.

As a Sociology professor, Rolf demonstrated his love of teaching, research, and writing. His students consider him to be an inspiration to them, coming back to acknowledge his influence years after their graduation. It is well known that there is ''standing room only'' on the first day of his classes. He challenges his students to think for themselves, to question, and not to settle for the status quo but always to look for better ways to solve problems and to guard our liberties.

Rolf's way of solving problems at all levels is to communicate openly and to encourage the building of consensus. he has been a leader in bringing faculty, unions, and administration together for the betterment of all, not by grandstanding—which is not his way—but through his own brand of quiet, patient listening, showing respect for all points of view.

Upon his retirement, he leaves the university a far better place. He is joined in celebrating his accomplishments by his wife Jane Carney Schulze, his sons Mark and Eric, and his daughters-in-law Patty Mooney and Tina Thomas.

My best wishes go to my colleague and my good friend, Rolf Schulze.

Daily Digest

HIGHLIGHTS

Senate agreed to the Conference Report on H. Con. Res. 95, Congressional Budget Resolution.

Senate agreed to S. Con. Res. 38, Adjournment Resolution.

The House passed H.R. 6, Energy Policy Act.

Senate

Chamber Action

Routine Proceedings, pages S5259–S5293

Measures Introduced: Thirty-seven bills and five resolutions were introduced, as follows: S. 888–924, S.J. Res. 12, S. Res. 121, and S. Con. Res. 36–38. **(See next issue.)**

Measures Reported:

S. Res. 108, designating the week of April 21 through April 27, 2003, as ''National Cowboy Poetry Week''.

S. Res. 111, designating April 30, 2003, as ''Día de los Niños: Celebrating Young Americans''.

S.J. Res. 8, expressing the sense of Congress with respect to raising awareness and encouraging prevention of sexual assault in the United States and supporting the goals and ideals of National Sexual Assault Awareness and Prevention Month. **(See next issue.)**

Measures Passed:

Smallpox Countermeasures Administration Compensation Act: Senate passed H.R. 1770, to provide benefits and other compensation for certain individuals with injuries resulting from administration of smallpox countermeasures, clearing the measure for the President. **(See next issue.)**

American 5-Cent Coin Design Continuity Act: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of H.R. 258, to ensure continuity for the design of the 5-cent coin, establish the Citizens Coinage Advisory Committee, and the bill was then passed, clearing the measure for the President. **(See next issue.)**

Expressing Support for Patriots: Senate agreed to S. Con. Res. 37, expressing support for the celebration of Patriot's Day and honoring the Nation's first patriots. **(See next issue.)**

Honoring the Life of Michael Kelly: Senate agreed to S. Res. 121, honoring the life of Washington Post columnist and Atlantic Monthly editor Michael Kelly, and expressing the deepest condolences of the Senate to his family on his death. **(See next issue.)**

National Sexual Assault Awareness and Prevention Month: Senate passed S.J. Res. 8, expressing the sense of Congress with respect to raising awareness and encouraging prevention of sexual assault in the United States and supporting the goals and ideals of National Sexual Assault Awareness and Prevention Month. **(See next issue.)**

National Cowboy Poetry Week: Senate agreed to S. Res. 108, designating the week of April 21 through April 27, 2003, as ''National Cowboy Poetry Week''. **(See next issue.)**

Celebrating Young Americans: Senate agreed to S. Res. 111, designating April 30, 2003, as ''Día de los Niños: Celebrating Young Americans''. **(See next issue.)**

Laborers' International Union of North America 100th Anniversary: Senate agreed to S. Res. 117, recognizing the 100th anniversary of the founding of the Laborers' International Union of North America, and congratulating members and officers of the Laborers' International Union of North America for the union's many achievements, after agreeing to the following amendment proposed thereto: **(See next issue.)**

Sununu (for Hatch) Amendment No. 531, in the nature of a substitute. **(See next issue.)**

Blue Star Service Banner and the Gold Star: Senate agreed to S. Con. Res. 36, expressing the

sense of the Congress regarding the Blue Star Service Banner and the Gold Star. **(See next issue.)**

Blue Star Flag and the Gold Star: Committee on Armed Services was discharged from further consideration of H. Con. Res. 109, expressing the sense of the Congress regarding the Blue Star Flag and the Gold Star, and the resolution was then agreed to.

(See next issue.)

Birch Bayh Federal Building and U.S. Courthouse: Senate passed S. 763, to designate the Federal building and United States courthouse located at 46 East Ohio Street in Indianapolis, Indiana, as the ''Birch Bayh Federal Building and United States Courthouse''. **(See next issue.)**

Ted Weiss Federal Building: Senate passed H.R. 145, to designate the Federal building located at 290 Broadway in New York, New York, as the ''Ted Weiss Federal Building''. **(See next issue.)**

Carl T. Curtis National Park Service Midwest Regional Headquarters Building: Senate passed S. 703, to designate the regional headquarters building for the National Park Service under construction in Omaha, Nebraska, as the ''Carl T. Curtis National Park Service Midwest Regional Headquarters Building''. **(See next issue.)**

Adjournment Resolution: Senate agreed to S. Con. Res. 38, providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives.

(See next issue.)

Subsequently, if the House has not acted upon S. Con. Res. 38 (listed above), then the Senate will reconvene at 12 noon on Monday, April 14, 2003.

(See next issue.)

Congressional Budget Resolution Conference Report: By 51 yeas to 50 nays (Vote No. 134), Senate agreed to the conference report on H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2004 and setting forth appropriate budgetary levels for fiscal years 2003 and 2005 through 2013, clearing the measure for the President. **Pages S5266–93 (continued next issue)**

Emergency Wartime Supplemental Appropriations Agreement: A unanimous-consent agreement was reached provided that when the Senate receives from the House the conference report to accompany H.R. 1559, making emergency wartime supplemental appropriations for the fiscal year ending September 30, 2003, and with the concurrence of the two Leaders, the conference report be agreed.

(See next issue.)

Authority for Committees: All committees were authorized to file executive and legislative reports during the adjournment of the Senate on Thursday, April 24, 2003, from 10 a.m. until 12 noon.

(See next issue.)

Authorizing Leadership To Make Appointments—Agreement: A unanimous-consent agreement was reached providing that notwithstanding an adjournment of the Senate, the President of the Senate, the President of the Senate Pro Tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **(See next issue.)**

Authorizing the Signing of Bills—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader, the Assistant Majority Leader, or Senator Warner, be authorized to sign duly enrolled bills or joint resolutions. **(See next issue.)**

Nomination Agreement: A unanimous-consent agreement was reached providing for consideration of the nomination of Jeffrey S. Sutton, of Ohio, to be United States Circuit Judge for the Sixth Circuit, at 1 p.m. on Monday, April 28, 2003. **(See next issue.)**

Nominations Confirmed: Senate confirmed the following nominations:

Florentino Subia, of Texas, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2004. (Prior to this action, Committee on Health, Education, Labor and Pensions was discharged from further consideration.)

(See next issue.)

Frank B. Strickland, of Georgia, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2004. (Prior to this action, Committee on Health, Education, Labor and Pensions was discharged from further consideration.) **(See next issue.)**

Michael McKay, of Washington, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2004. (Prior to this action, Committee on Health, Education, Labor and Pensions was discharged from further consideration.) **(See next issue.)**

Robert J. Dieter, of Colorado, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2005. (Prior to this action, Committee on Health, Education, Labor and Pensions was discharged from further consideration.)

(See next issue.)

John W. Nicholson, of Virginia, to be Under Secretary of Veterans Affairs for Memorial Affairs.

Joseph LeBaron, of Oregon, to be Ambassador to the Islamic Republic of Mauritania.

Reno L. Harnish, of California, to be Ambassador to the Republic of Azerbaijan.

Heather M. Hodges, of Ohio, to be Ambassador to the Republic of Moldova.

Gregory W. Engle, of Colorado, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to the Togolese Republic.

Eric S. Edelman, of Virginia, to be Ambassador to the Republic of Turkey.

Jay T. Snyder, of New York, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2004.

Harold C. Pachios, of Maine, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2005. (Reappointment)

Elizabeth F. Bagley, of the District of Columbia, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2005.

Marie Sophia Aguirre, of the District of Columbia, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2003.

Marie Sophia Aguirre, of the District of Columbia, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2006. (Reappointment)

Barbara McConnell Barrett, of Arizona, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2003.

Barbara McConnell Barrett, of Arizona, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2006. (Reappointment)

Charles William Evers III, of Florida, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2003.

Charles William Evers III, of Florida, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring on July 1, 2006. (Reappointment)

Wayne E. Neill, of Nevada, to be Ambassador to the Republic of Benin.

Stephen D. Mull, of Virginia, to be Ambassador to the Republic of Lithuania.

Ralph Frank, of Washington, to be Ambassador to the Republic of Croatia.

William M. Bellamy, of California, to be Ambassador to the Republic of Kenya.

Helen R. Meagher La Lime, of Florida, to be Ambassador to the Republic of Mozambique.

Pamela J. H. Slutz, of Texas, to be Ambassador to Mongolia.

Stephen M. Young, of New Hampshire, to be Ambassador to the Kyrgyz Republic.

Herbert S. Garten, of Maryland, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2005. (Prior to this action, Committee on Health, Education, Labor and Pensions was discharged from further consideration.) **(See next issue.)**

Thomas R. Meites, of Illinois, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2004. (Prior to this action, Committee on Health, Education, Labor and Pensions was discharged from further consideration.) **(See next issue.)**

1 Army nomination in the rank of general. **(See next issue.)**

Nominations Received: Senate received the following nominations:

Carlos T. Bea, of California, to be United States Circuit Judge for the Ninth Circuit.

Jay Phillip Greene, of Florida, to be a Member of the Board of Trustees of the James Madison Memorial Fellowship Foundation for a term expiring November 17, 2005.

David Wesley Fleming, of California, to be a Member of the Board of Trustees of the James Madison Memorial Fellowship Foundation for a term expiring May 29, 2007.

John Richard Petrocik, of Missouri, to be a Member of the Board of Trustees of the James Madison Memorial Fellowship Foundation for a term expiring September 27, 2008.

1 Air Force nomination in the rank of general.

1 Navy nomination in the rank of admiral. **(See next issue.)**

Messages From the House: **(See next issue.)**

Enrolled Bills Presented: **(See next issue.)**

Additional Cosponsors: **(See next issue.)**

Statements on Introduced Bills/Resolutions: **(See next issue.)**

Additional Statements: **(See next issue.)**

Amendments Submitted: **(See next issue.)**

Authority for Committees to Meet: **(See next issue.)**

Privilege of the Floor: **(See next issue.)**

Record Votes: One record vote was taken today. (Total—134) **(See next issue.)**

Adjournment: Senate met at 9:30 a.m., and adjourned, pursuant to the provisions of S. Con. Res. 38, at 9:03 p.m., until 12 noon, on Monday, April 28, 2003. (If the House has not acted upon S. Con.

Res. 38, Adjournment Resolution, then the Senate will reconvene at 12 noon on Monday, April 14, 2003.) (For Senate's program, see the remarks of the Acting Majority Leader in the next issue of the Record.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Indian Affairs: On Thursday, April 10, Committee ordered favorably reported the following business items:

S. 521, to amend the Act of August 9, 1955, to extend the terms of leases of certain restricted Indian land, with an amendment in the nature of a substitute;

S. 522, to amend the Energy Policy Act of 1992 to assist Indian tribes in developing energy resources, with an amendment in the nature of a substitute; and

S. 523, to make technical corrections to law relating to Native Americans, with an amendment in the nature of a substitute.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 274, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, with amendments;

S. Res. 108, designating the week of April 21 through April 27, 2003, as ''National Cowboy Poetry Week'';

S. Res. 111, designating April 30, 2003, as ''Día de los Niños: Celebrating Young Americans''; and

S.J. Res. 8, expressing the sense of Congress with respect to raising awareness and encouraging prevention of sexual assault in the United States and supporting the goals and ideals of National Sexual Assault Awareness and Prevention Month.

House of Representatives

Chamber Action

Measures Introduced: 59 public bills, H.R. 1766–1824; 3 private bills, H.R. 1825–1827; and 11 resolutions, H.J. Res. 51–52; H. Con. Res. 151–152, and H. Res. 197–203, were introduced.

Pages H3351–54

Additional Cosponsors: **Pages H3354–55**

Reports Filed: Reports were filed today as follows:

H.R. 810, to amend title XVIII of the Social Security Act to provide regulatory relief and contracting flexibility under the Medicare Program, amended (Rept. 108–74, Pt. 1); and

H. Res. 197, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 108–75). **Pages H3350–51**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Dreier to act as Speaker Pro Tempore for today. **Page H3307**

Energy Policy Act: The House passed H.R. 6, to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people by recorded vote of 247 ayes to 175 noes, Roll No. 145.

Pages H3309–32

Rejected the Dingell motion to recommit the bill to the Committee on Energy and Commerce with instructions to report it back to the House forthwith with amendments that strike Division A, Energy and Commerce, title III Hydroelectric Energy and replace provisions dealing with hydroelectric licensing by recorded vote of 171 ayes to 250 noes, Roll No. 144. **Pages H3329–31**

Agreed To:

Schakowsky amendment No. 16 printed in H. Rept. 108–69 that expresses the sense of Congress that the Department of Energy should develop and implement more stringent inventory and procurement controls, including controls on the purchase card program and the Department's Inspector General should continue to review purchase card and other procurement and inventory practices. On April 10 the amendment was debated, agreed to by voice vote, and a Tauzin request for a recorded vote was postponed. Today, an insufficient number of members rose to support the request for a recorded vote. The Chair announced that the ayes had prevailed by voice vote and the amendment was agreed to;

Page H3323

Capps amendment No. 18 printed in H. Rept. 108–69 that strikes section 30220 that directs the Secretary of the Interior, in consultation with the

Secretary of Energy and key stakeholders, including coastal States and the oil and gas industry, to conduct a comprehensive inventory of oil and gas resources for areas beneath all of the United States waters of the Outer Continental Shelf; **Pages H3309–13**

Cantor amendment No. 21 printed in H. Rept. 108–69 that strikes section 42011 relating to the prepayment of premium liability for coal industry health benefits; and **Pages H3319–21**

Reynolds amendment No. 22 printed in H. Rept. 108–69 that expresses the Sense of Congress encouraging the prohibition of off-shore oil and gas drilling in the Great Lakes by the Great Lakes States and the Canadian Province of Ontario. **Pages H3321–23**

Rejected:

Kind amendment No. 19 printed in H. Rept. 108–69 that sought to strike Division C, Resources, Title II, Oil and Gas, relating to oil and gas development (rejected by recorded vote of 171 ayes to 251 noes, Roll No. 142); and **Pages H3313–16, H3323–24**

Rahall amendment No. 20 printed in H. Rept. 108–69 that sought to strike Division C, Resources, Title VII, Coal Leasing Amendments that repeals the existing 160-acre limitation for coal leases (rejected by recorded vote of 208 ayes to 212 noes, Roll No. 143). **Pages H3316–19**

The Clerk was authorized to make technical corrections and conforming changes in the engrossment of the bill. **Page H3343**

H. Res. 189, the rule that provided for consideration of the bill was agreed to on April 10.

Legislative Program: The Majority Leader discussed the legislative program for the remainder of the week. **Page H3334**

Clean Diamond Trade Act: The House agreed to the Senate amendment to H.R. 1584, to implement effective measures to stop trade in conflict diamonds—clearing the measure for the President. **Pages H3332–34**

Congratulating the University of Connecticut Huskies for Their NCAA Women's Basketball Championship: The House agreed to H. Res. 187, congratulating the University of Connecticut Huskies for winning the 2003 National Collegiate Athletic Association Division I women's basketball championship. **Pages H3334–39**

Smallpox Emergency Personnel Protection Act: The House passed H.R. 1770, to provide benefits and other compensation for certain individuals with injuries resulting from administration of smallpox countermeasures. The Clerk was authorized to make technical corrections and conforming changes in the engrossment of the bill. **Pages H3339–43**

Recess: The House recessed at 2:43 p.m. and reconvened at 6:46 p.m. **Page H3349**

Increasing the Debt Limit: The Chair announced that pursuant to rule XXVII, as a result of the adoption by the House and the Senate of the Conference Report on H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2004 and setting forth appropriate budgetary levels for fiscal years 2003 and 2005 through 2013, H.J. Res. 51, increasing the statutory limit on the public debt, has been engrossed and is deemed to have passed the House on April 11, 2003. **Page H3349**

Senate Messages: Messages received from the Senate today appear on pages H3307 and H3349.

Referrals: S. 538, was referred to the Committee on Energy and Commerce, S. 783, was referred to the Committee on the Judiciary, and S. 870 was referred to the Committee on Education and the Workforce. **Pages H3349–50**

Quorum Calls—Votes: Four recorded votes developed during the proceedings of the House today and appear on pages H3324, H3324–25, H3330–31, and H3331–32. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 6:48 p.m.

Committee Meetings

PAPERWORK REDUCTION—IS THE ADMINISTRATION DOING ENOUGH?

Committee on Government Reform: Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs held a hearing on ''Mid-Term Report Card: Is the Bush Administration Doing Enough on Paperwork Reduction?'' Testimony was heard from John D. Graham, Administrator, Office of Information and Regulatory Affairs, OMB; Robert E. Wenzel, Acting Commissioner, IRS, Department of the Treasury; John D. Henshaw, Assistant Secretary, Occupational Safety and Health, Department of Labor; Victor S. Rezendes, Managing Director, Strategic Issues, GAO; and public witnesses.

TACTICAL AIRCRAFT PROGRAMS—CONTROLLING COSTS

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing on ''Controlling Costs in Tactical Aircraft Programs.'' Testimony was heard from David M. Walker, Comptroller General, GAO; from the following officials of the Department of Defense; Michael W. Wynne, Principal Deputy, Under Secretary (Acquisition); and Marvin Sambur,

Assistant Secretary, Air Force (Acquisition), Department of the Air Force; and public witnesses.

SAME DAY CONSIDERATION—WARTIME SUPPLEMENTAL APPROPRIATIONS CONFERENCE REPORT

Committee on Rules: Granted, by voice vote, a resolution waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The resolution applies the waiver to any special rule reported on the legislative day of Saturday, April 12, 2003, providing for consideration or disposition of a conference report to accompany the bill (H.R. 1559) making emergency wartime supplemental appropriations for the fiscal year ending September 30, 2003, and for other purposes.

CONGRESSIONAL PROGRAM AHEAD

Week of April 14 through April 19, 2003

Senate Chamber

Senate stands in adjournment until Monday, April, 28, 2003.

Senate Committees

(Committee meetings are open unless otherwise indicated)

No meetings/hearings scheduled.

House Committees

Committee on International Relations, April 16, hearing on Castro's Brutal Crackdown on Dissidents, 2 p.m., 2172 Rayburn.

Next Meeting of the SENATE

12 noon, Monday, April 28

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 1 p.m.), Senate will begin consideration of the nomination of Jeffrey S. Sutton, of Ohio, to be United States Circuit Judge for the Sixth Circuit.

(If the House has not acted upon S. Con. Res. 38, Adjournment Resolution, then the Senate will reconvene at 12 noon on Monday, April 14, 2003.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Saturday, April 12

House Chamber

Program for Saturday: Consideration of the conference report on H.R. 1559, Emergency Wartime Supplemental Appropriations (subject to a rule).

Extensions of Remarks, as inserted in this issue

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(Senate proceedings for today will be continued in the next issue of the Record.)

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