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No. 97

## House of Representatives

The House was not in session today. Its next meeting will be held on Monday, July 7, 2003, at 2 pm.

## Senate

FRIDAY, JUNE 27, 2003

The Senate met at 10:15 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, the Reverend Daniel P. Coughlin, Chaplain of the United States House of Representatives.

### PRAYER

The guest Chaplain offered the following prayer:

Before the Congress of the United States leaves to celebrate Independence Day, we pause to pray to You, Lord God, for the repose of the soul of Senator Strom Thurmond. Lord, reward this most senior statesman for his many years of pledged service to this country.

As the Source of life and justice that will last forever, You have inspired the Founders of this Nation, individuals such as Senator Thurmond and citizens across this land, to continually seek what is right: to pursue lasting values for themselves and for all their brothers and sisters; and to pray always that they may grow in virtue and so strengthen this democracy.

Our national celebration this year is an occasion for us to thank and praise You for this form of government, for its leaders and for the natural and human resources with which You continue to endow this great Nation.

May we also take this moment to pray for the new Chaplain of the U.S. Senate, Chaplain Barry Black. Guide him by Your holy inspiration to ably respond to the needs of the Senators and this community. Gift him with the spirit of wisdom and prayer. And may

he always find joy in serving You by serving in this august chamber. You, Lord God are America's boast now and forever! Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

The PRESIDENT pro tempore. In my capacity as Senator from Alaska, I note there is no quorum. I suggest the absence of a quorum.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

### RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

### MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, the Senate will begin a period of morning business with Senators permitted to speak therein for up to 10 minutes.

### IN REMEMBRANCE OF STROM THURMOND

Mr. SESSIONS. Mr. President, I wish to take a few minutes at this time to express my sympathy to the family of Senator Strom Thurmond, one of America's most dynamic leaders in this past century, a man who lived through extraordinary change in his life, a man whose commitment to his country was unwavering.

I had the opportunity in 1997 to travel with him to China. He was 94, I believe, at that time. His vigor and his strength were extraordinarily impressive to me and all of us who traveled with him. He wanted to see The Wall. He wanted to meet the people of China. He would tell them: America and China are friends. We want to be better friends. He made very perceptive and appropriate remarks.

Then we met Jiang Zemin at his resort in the month of their vacation time and Strom made an extraordinary speech that reflected so well America and had so comprehensive an understanding of the relationships of our countries. That just struck me particularly.

We went out to a Chinese army base. He trooped the line of a group of Chinese troops. I remember saying to him afterwards that I never thought I would be in Communist China, seeing Strom Thurmond, the great cold warrior, troop the line of a group of Chinese troops. But he was extraordinary in that way.

I had come up to this Senate in the mid-1980s as a nominee and it wasn't a very pleasant experience. I will never forget and will always appreciate his

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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courtesy and support for me at that time and enjoyed responding a little bit to that when I was able to come back to this Senate and he was leader on the Senate Judiciary Committee, chairman of the Armed Services Committee. It was just a pleasure to work with him.

He lived through a complete change in the South. He reflected the change that went on in our region of the country. I think he did it in a positive and especially important way. His leadership in moving from the days of segregation to a new era of relations between the races was very important and positive throughout the South.

He served his country in an almost unprecedented way. He was 40 years old when World War II began. He was an elected judge in his home State and he was an army reservist. He insisted that he be allowed to be on active duty and they allowed him to do so. I understand at first it wasn't going to happen.

He ended up in England when they were planning for the Normandy invasion. A number of people were called upon to fly gliders in during that invasion at the time. He volunteered to fly on a glider, one of the most dangerous missions there could be. The planes would pull up these gliders and get them going and just let them go and they would have to find a place to land down behind enemy lines—extraordinarily high risk. Many were killed on landing. Many were killed in combat, many were separated, many were injured. That is the kind of man Strom Thurmond was.

I asked him one time: Strom, did you stay in until Germany surrendered?

He said: Oh, yes, we stayed until Germany surrendered and we were on a train coming back when they declared the war on Japan was over. We were being sent to the East.

He was prepared to go there. As long as this country was in combat he wanted to be there, committing his life, his every effort to the defense of this Republic. He did so in the Senate and he did so in uniform and as a leader in South Carolina.

He was beloved in his State, respected to an awesome degree. He won his Senate race on a write-in vote with a substantial majority, the only Member, I believe, in the history of this Senate ever to be elected on a write-in vote. That shows the power and the energy and the vigor and the leadership of this man. I have appreciated his friendship.

I know his family is hurting at this time and my sympathies are extended to them. I know the great members of his staff, Duke Short and the whole team that worked with him for so many years, are hurting today and our sympathies go out to them as well as to the family.

Mr. President, I know you served with Senator Thurmond so many years. The two of you together have conducted a remarkable effort to maintain our military strength and leader-

ship in the world. He was certainly committed to that.

There are many other things I could say. I will not at this time. I just express my sympathy to his family, his friends, the people of South Carolina, and those around this great country who will mourn his passing.

I thank the President and yield the floor.

The PRESIDENT pro tempore. May the Chair request the Senator to occupy the Chair so this Senator may speak about Senator Thurmond?

Mr. SESSIONS. I will be honored to.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER (Mr. SESSIONS). The Senator from Alaska.

Mr. STEVENS. Mr. President, next Tuesday it will be my honor to be part of the funeral delegation to South Carolina to attend the funeral of our departed President pro tempore. When I first came to the Senate, I was in the Gallery up there watching the debate on the Alaska statehood bill. A filibuster was being led against that bill by the Senator from South Carolina. As a matter of fact, he held up the bill for a considerable period of time.

Because of his opposition, we developed a strategy of trying to get the bill passed by the Senate without amendment—passed by the Senate as it had come to us from the House, without amendment. It was, I think, the only statehood bill in history that ever passed both Houses in identical form without amendment by the Senate. We did that because we knew if the bill went to conference and came back, Strom Thurmond would have another shot at the bill and another filibuster.

I remember that today because I remember how, when I did finally arrive here in 1968 as a Member of the Senate, Strom came up to me and said: I remember you, boy.

And he remembered I had been part of the group from the Eisenhower delegation that worked on our bill. We formed a friendship that day that I never expected to have.

Strom was, as I have said, a distinguished member of the U.S. armed services. He was the oldest officer to land in Normandy. As we all know, he landed in a glider. The pilot was killed. I talked about that with Strom because I had been trained to fly gliders. Even though I was a pilot, some of us were trained to fly gliders in case they needed glider pilots and I had anticipated I might have gone to Normandy. Instead, I was sent to China. When I returned and was a Member of the Senate here, we often discussed our wartime service. Of course, he was considerably older than I was and his experience was entirely different. But over the years I grew, really, to have great fondness for Senator Thurmond, despite our original, really, antagonism. Believe me, as an advocate for statehood for my State, anyone who was going to filibuster that bill was not exactly a friend at that time. But as we grew together and grew older together here in

the Senate, Strom became a person who did give me a lot of guidance. At one time he was chairman of the Armed Services Committee and I was chairman of the Defense Subcommittee for Appropriations, and we did a lot of work together.

But my memory of Strom really goes back to the time after 1981 when we had a dinner for the new President pro tempore as we had taken the majority in the Senate. Strom became President pro tempore. I was the assistant leader. Senator Baker was the leader. We had a dinner at one of the local hotels. Senator Baker and his wife Joy and I and my wife Catherine were at the head table. When it became Strom's time to thank the people there for honoring him, he started talking with the people at the head table, and he came to me. I had just been remarried. Catherine and I were married in December of 1980. Just before that dinner, she had informed me we were going to have a child.

Strom stood up and was introducing people. He came to me and made some kind remarks about me. And he turned and said: Here is his lovely lady who has now joined our family. She is a beautiful woman, and isn't it nice that she is with child?

I thought Catherine was going to break my arm and bust my head. I grabbed Strom and asked him to come over and tell Catherine I had not told him that. She did listen to him for a moment or two. And he smiled, and said: Child, he never told me. He never told me anything about that. He said: I just looked at you. I can tell when a woman is in flower.

Mr. President, being from Alabama, you can understand the way he pronounced that.

It is something I will never forget.

When our child came, he became Uncle Strom to Lily Stevens. Every day he sat here in that chair, he would ask me about Lily. Lily, as a matter of fact, last evening had a tear in her voice as she called to tell me she had heard about Strom.

Strom was really a member of this Senate family. He got to know every one of us in a way that I think no one else did because no one else was near 100 years old. He was like a 1,000-pound gorilla around here; he did what he wanted to do, but he did it in a way which really reflected his southern heritage. He was a southern gentleman to the core.

I have to tell the Senate that there are many things Senator Strom Thurmond did in his life with which I didn't agree. There were many votes he cast here on the floor that I opposed. But I can't think of a person who more epitomized being a Senator and what it meant to be a Senator. He lived up to his principles, and he lived up to the idea of what this democracy is about. He was, I believe, one of the finest Senators who will ever serve in this body.

I am honored, following him as President pro tempore, to go back and participate in the services and to once

again remind his people who sent him to the Senate that he was a person who became a very distinguished Senator whom history will always admire.

Thank you very much.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CHAFEE). Without objection, it is so ordered.

Mr. WARNER. Mr. President, I am deeply moved this morning, as are Senators all over America today—not only those who are present in the Senate, but so many who have gone on from the Senate to other careers—about the loss of our distinguished colleague Senator Thurmond. I think it is coincidental, and indeed most fitting, that the Presiding Officer in the Chamber this morning is the son of the distinguished Senator from Rhode Island, Senator John Chafee.

I first met Senator Thurmond when I joined then the Secretary of the Navy, John Chafee, as his principal deputy and in later years to succeed him. Really, our first call was to come to the Senate to meet with Richard Russell, John Stennis, Strom Thurmond, John Tower, and Barry Goldwater. I remember our calls as the brand-new team of the Secretary of the Navy during the height of the war in Vietnam—at least one of the periods of great intensity—was in 1969. Senator Thurmond greeted us in his office in the same way that he greeted me throughout my 25 years in the Senate. Each of those years—except since his retirement in January that I shared with him, as did John Chafee and others—it was a learning experience every day you were with him.

I stop to think of the men and women of the Armed Forces today all across the world, engaged in fighting in Afghanistan and Iraq, and guarding the outposts of freedom. They have not lost Strom Thurmond because they have the wealth of the memories of him. I don't know of any class of individual—perhaps other than his immediate family—for whom Senator Thurmond had a deeper or more abiding love and devotion than those in uniform.

This record last night covered briefly his distinguished military career, and I don't doubt others will address that. But we always remember that he was a judge in the State of South Carolina. By virtue of his age at that time—I think right on the brink of 40, give or take a year—he would not have been subjected to the draft. He would not, by virtue of his judicial position, have had to leave that position and go into the Armed Forces—other than by his own free will. He resigned his judicial post to go into the ranks of the U.S. Army, where he served with great dis-

tinction, going in on D-Day with the airborne assault divisions, landing, helping those who were wounded—that was his first call—and then marshaling the forces to mount the offensive against the German army, and going through those matters until victory in May of 1945.

When we walked into his office, two things always struck me. One was the portrait that was obviously painted in the period when he was Governor—straight, tall, and erect, eyes that were penetrating, eyes that reflected a tremendous inner confidence and conviction, but eyes that had a soft side, because he did have a soft side. He loved humor. He was very often the object of a lot of humor, including respectfully from this humble Senator. But what a tower of strength. I served with him these many years on the committee as really an aide-de-camp—yes, a fellow Senator, but I was happy to be “general” Strom Thurmond's aide-de-camp on many missions—missions that took me abroad on occasions when he was chairman, and missions from which I learned so much at the hand of the great master on the subject of national events. He was unwavering in his steadfast support of Presidents, be they Democrat or Republican, and unwavering in his resolve for the care of the men and women in uniform on active duty, their families, the retirees. And, oh, Mr. President, did he love the National Guard. There wasn't a bill that went through the Armed Services Committee and conference when he wouldn't tug on my shoulder and say let's beef up a little bit for the Guard and Reserve here. Remember, in times of crisis, they are among the first to respond.

That bit of wisdom has proven ever so true. Going back to the Balkans campaign, the Guard was actively engaged at all levels of that campaign. The Air Guard, for example, flew so many of the missions carrying food, medicine, and other supplies to the ravaged civilians and others in Sarajevo. I remember I joined one time in one of those missions. I remember it so well because the plane behind ours was shot down and lost—just to point up the risks that those Air Guard took on those missions.

Now, today, in Operation Iraqi freedom, worldwide against terrorism, once again the Guard and Reserve are in the forefront—a Guard and Reserve that have benefited through the many years of Strom Thurmond being a Senator and receiving a fair allocation of equipment and money, often in competition with the regular forces.

But Strom Thurmond was there with his watchful eye on the Armed Services Committee to ensure that degree of fairness for the Guard and Reserve. He rose to the rank of major general. I mentioned his portrait as you walked in. Then, in a very discreet way, there was a large frame that contained all of his many decorations. He rarely talked about them. As a matter of fact, only

after one tried to elicit facts from him would he share facts about the combat of war and what he received in World War II, and the other recognitions by our Government and other governments for his contribution to freedom worldwide.

So I say to my dear friend—really a big brother—I thank him for all he has done for the world, for the Nation, for this humble Senator and, I daresay, many others of my contemporaries, as we came along in this institution on the learning curve that was often at the hands of Strom Thurmond.

My final thoughts are with his family, his wife and children, all of whom I have known throughout these years, and with whom I have had the privilege so often to be photographed, from little sizes all the way up, as we do through the years with our colleagues. But I know the Presiding Officer's father, were he here today, would join in the most fervent and heartfelt expressions with regard to our comrad, our colleague, our dear friend, Strom Thurmond.

#### ONGOING MILITARY OPERATIONS

Mr. WARNER. Mr. President, this morning we had another meeting organized by the majority leader, in consultation with the Democratic leader, with Secretary of Defense Rumsfeld and the Vice Chairman of the Joint Chiefs Staff, General Pace, together with representatives from the intelligence agencies.

This is the third time Secretary Rumsfeld has been to the Senate this week. He has been in close consultation with the Senate during these perilous days for our Armed Forces around the world, and most particularly in Iraq. Our discussions, by necessity, were largely related to classified matters and were behind closed doors.

I do share with my colleagues two thoughts. I sensed by those colleagues—quite of number—who joined us this morning a heartfelt concern for the men and women of the Armed Forces who, around the clock, 7 days, 7 nights, are in harm's way in Iraq and Afghanistan, most particularly, and we share in the bereavement of their families for those who are lost from time to time.

Steadfast this Nation must remain in its resolve to bring to a conclusion the hostilities in Iraq and Afghanistan, such that the peoples of those two countries can themselves create a government free of oppression and persecution to enable them to have a very large measure of freedoms, freedoms we enjoy in the form of democracy, beginning with speech, privacy, and a sense of security in their homes, in their workplaces, and in the nation.

This is a long and courageous struggle worldwide, headed by, if I may say most respectfully, a very strong and courageous President of the United States, George Bush, and those principal deputies and many others right

down to the privates, sailors, airmen, and marines who are making possible this freedom throughout the world.

We will stay the course. We will meet every challenge. We shall not waiver in the mission of this country. I just pray and hope the American people have a complete and full understanding of the risks they are taking and the absolutely essential requirement that this Nation continue its leadership and succeed.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations on today's Executive Calendar: Calendar No. 248, the nomination of LTG John P. Abizaid to be General; and Calendar Nos. 254 through 277, and all nominations on the Secretary's desk in the Air Force, the Army, and the Navy.

I further ask unanimous consent that the nominations be confirmed, en bloc; that the motions to reconsider be laid upon the table; that the President be immediately notified of the Senate's action; and that the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations were considered and confirmed, en bloc, as follows:

#### IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be general*

Lt. Gen. John P. Abizaid

The following Army National Guard of the United States officers for appointment in the Reserve of the Army to the grades indicated under title 10, U.S.C., section 12203:

#### *To be major general*

Brigadier General George A. Alexander  
Brigadier General Edmund T. Beckett  
Brigadier General Wesley E. Craig, Jr.  
Brigadier General James R. Mason  
Brigadier General Gerald P. Minetti  
Brigadier General Richard C. Nash  
Brigadier General Gary A. Pappas  
Brigadier General Clyde A. Vaughn  
Brigadier General Dean A. Youngman

#### *To be brigadier general*

Colonel William E. Aldridge  
Colonel Louis J. Antonetti  
Colonel Michael W. Beaman  
Colonel Robert T. Bray  
Colonel Nelson J. Cannon  
Colonel Robert P. Daniels  
Colonel David M. Davison  
Colonel David M. DeArmond  
Colonel Myles M. Deering  
Colonel James B. Gaston, Jr.  
Colonel Alan C. Gayhart, Sr.  
Colonel David K. Germain  
Colonel Frank J. Grass  
Colonel Gary L. Jones  
Colonel James E. Kelly  
Colonel Kevin R. McBride  
Colonel James I. Pylant  
Colonel Steven R. Seiter

Colonel Thomas L. Sinclair  
Colonel Frank T. Speed, Jr.  
Colonel Deborah C. Wheeling  
Colonel Matthew J. Whittington

#### IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

#### *To be brigadier general*

Col. William J. Germann

#### IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

#### *To be brigadier general*

Col. William M. Jacobs

#### IN THE MARINE CORPS

The following named officers for appointment in the United States Marine Corps Reserve to the grade indicated under title 10, U.S.C., section 12203:

#### *To be major general*

Brig. Gen. John W. Bergman  
Brig. Gen. John J. McCarthy, Jr.

#### IN THE AIR FORCE

The following officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

#### *To be brigadier general*

Col. Thomas F. Deppe

#### IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be admiral*

Adm. William J. Fallon

#### IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be lieutenant general*

Maj. Gen. Michael M. Dunn

#### IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be lieutenant general*

Maj. Gen. Keith B. Alexander

#### IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be lieutenant general*

Lt. Gen. Wallace C. Gregson, Jr.

#### IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

#### *To be rear admiral (lower half)*

Capt. Terry L. McCreary

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

#### *To be rear admiral (lower half)*

Capt. Martin J. Brown  
Capt. William A. Kowba  
Capt. Michael J. Lyden

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

#### *To be rear admiral (lower half)*

Captain John M. Bird  
Captain John T. Blake  
Captain Fred Byus  
Captain Frank M. Drennan  
Captain Mark E. Ferguson, III  
Captain John W. Goodwin  
Captain Richard W. Hunt  
Captain Arthur J. Johnson, Jr.  
Captain Mark W. Kenny  
Captain Joseph F. Kilkenny  
Captain William E. Landay  
Captain Michael A. LeFever  
Captain Gerard M. Mauer, Jr.  
Captain Douglas L. McClain  
Captain William H. McRaven  
Captain Richard O'Hanlon  
Captain Kevin M. Quinn  
Captain Raymond A. Spicer  
Captain Peter J. Williams

#### IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be general*

Gen. Robert H. Foglesong

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be lieutenant general*

Maj. Gen. Daniel P. Leaf

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

#### *To be major general*

Brig. Gen. Joseph E. Kelley

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

#### *To be major general*

Brig. Gen. Douglas Burnett

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

#### *To be brigadier general*

Col. Craig S. Ferguson

#### IN THE NAVY

The following named officer for appointment as Vice Chief of Naval Operations, United States Navy and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 5035:

#### *To be admiral*

Vice Adm. Michael G. Mullen

#### IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be lieutenant general*

Lt. Gen. William T. Hobbins

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be lieutenant general*

Maj. Gen. Randall M. Schmidt

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position

of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Walter E.L. Buchanan III  
IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Lt. Gen. Dan K. McNeill

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. William G. Boykin  
IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Robert R. Blackman, Jr.

NOMINATIONS PLACE ON THE SECRETARY'S  
DESK

IN THE AIR FORCE

PN457 Air Force nominations (436) beginning REBECCA G. ABRAHAM, and ending JEFFREY YUEN, which nominations were received by the Senate and appeared in the Congressional Record of March 26, 2003

PN458 Air Force nominations (18) beginning BRIAN J. ACKER, and ending ANGELA D. WASHINGTON, which nominations were received by the Senate and appeared in the Congressional Record of March 26, 2003

PN459 Air Force nominations (16) beginning PAUL M. BARZLER, and ending CHARLES W. WILLIAMSON, III, which nominations were received by the Senate and appeared in the Congressional Record of March 26, 2003

PN691 Air Force nomination of James R. Burkhart, which was received by the Senate and appeared in the Congressional Record of June 5, 2003

PN692 Air Force nominations (6) beginning CHARLES M. BELISLE, and ending BRETT A. WYRICK, which nominations were received by the Senate and appeared in the Congressional Record of June 5, 2003

PN693 Air Force nominations (85) beginning GLENN D. ADDISON, and ending DANIEL J. ZACKMAN, which nominations were received by the Senate and appeared in the Congressional Record of March 26, 2003

PN694 Air Force nomination of Thomas K. Hunter, Jr., which was received by the Senate and appeared in the Congressional Record of June 5, 2003

PN695 Air Force nomination of Jeffrey J. King, which was received by the Senate and appeared in the Congressional Record of June 5, 2003

PN716 Air Force nominations (3) beginning JEAN B. DORVAL, and ending GARY M. WALKER, which nominations were received by the Senate and appeared in the Congressional Record of June 12, 2003

PN717 Air Force nomination of Richard J. Delorenzo, Jr., which was received by the Senate and appeared in the Congressional Record of June 12, 2003

PN718 Air Force nomination of Gerald M. Schneider, which was received by the Senate and appeared in the Congressional Record of June 12, 2003

PN719 Air Force nomination of Jane B. Taylor, which was received by the Senate and appeared in the Congressional Record of June 12, 2003

PN720 Air Force nominations (5) beginning DARRELL A. JESSE, and ending NORBERT S. WALKER, which nominations were received by the Senate and appeared in the Congressional Record of June 12, 2003

PN721 Air Force nominations (4) beginning THOMAS C. BARNETT, and ending JEAN A. VARGO, which nominations were received by the Senate and appeared in the Congressional Record of June 12, 2003

PN722 Air Force nomination of Edward C. Callaway, which was received by the Senate and appeared in the Congressional Record of June 12, 2003

PN723 Air Force nomination of H. Michael Tennerman, which was received by the Senate and appeared in the Congressional Record of June 12, 2003

PN724 Air Force nomination of Steven E. Ritter, which was received by the Senate and appeared in the Congressional Record of June 12, 2003

PN725 Air Force nomination of Bryan A. Keeling, which was received by the Senate and appeared in the Congressional Record of June 12, 2003

PN726 Air Force nomination of Robert L. Zabel, Jr., which was received by the Senate and appeared in the Congressional Record of June 12, 2003

PN727 Air Force nominations (3) beginning DARRYL G. ELROD, JR., and ending KEVIN R. VANVALKENBURG, which nominations were received by the Senate and appeared in the Congressional Record of June 12, 2003

PN728 Air Force nomination of Drew Y. Johnson, Jr., which was received by the Senate and appeared in the Congressional Record of June 12, 2003

PN729 Air Force nomination of Rachel L. Beck, which was received by the Senate and appeared in the Congressional Record of June 12, 2003

PN740 Air Force nomination of Larry J. Mastin, which was received by the Senate and appeared in the Congressional Record of June 16, 2003

PN741 Air Force nominations (5) beginning ROBERT L. DAUGHERTY, JR., and ending CHARLES V. RATH, JR., which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2003

IN THE ARMY

PN666 Army nomination (102) beginning CRAIG M. ANDERSON, and ending DIANE M. ZIERHOFFER, which nominations were received by the Senate and appeared in the Congressional Record of May 20, 2003

PN667 Army nominations (12) beginning ANULI L. ANYACHEBELU, and ending DONALD G. ZUGNER, which nominations were received by the Senate and appeared in the Congressional Record of May 20, 2003

PN668 Army nominations (72) beginning DOREEN M. AGIN, and ending BONNITA D. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of nulldate

PM669 Army nominations (10) beginning KEVIN R. ARMSTRONG, and ending NANCY A. VINCENTJOHNSON, which nominations were received by the Senate and appeared in the Congressional Record of May 20, 2003

PN696 Army nomination of James A. Decamp, which was received by the Senate and appeared in the Congressional Record of June 5, 2003

PN697 Army nomination of Timothy H. Sughrue, which was received by the Senate and appeared in the Congressional Record of June 5, 2003

PN698 Army nominations (2) beginning LESLIE J. MITKOS, JR., and ending BERRIS D. SAMPLES, which nominations were received by the Senate and appeared in the Congressional Record of June 5, 2003

PN699 Army nominations (2) beginning PATRICIA J. MCDANIEL, and ending NICH-

OLAS K. STRAVELAKIS, which nominations were received by the Senate and appeared in the Congressional Record of June 5, 2003

PN700 Army nomination of Scott D. Kothenbeutel, which was received by the Senate and appeared in the Congressional Record of June 5, 2003

PN701 Army nomination of Glenn T. Bessinger, which was received by the Senate and appeared in the Congressional Record of June 5, 2003

PN730 Army nominations (5) beginning JANE M. ANDERHOLT, and ending JAY A. WHITAKER, which nominations were received by the Senate and appeared in the Congressional Record of June 12, 2003

PN731 Army nominations (7) beginning RODNEY A. ARMON, and ending MARK W. THACKSTON, which nominations were received by the Senate and appeared in the Congressional Record of June 12, 2003

PN732 Army nomination of Anthony Sullivan, which was received by the Senate and appeared in the Congressional Record of June 12, 2003

PN733 Army nomination of Bryan C. Sleight, which was received by the Senate and appeared in the Congressional Record of June 12, 2003

PN742 Army nomination of Kenneth S. Azarow, which was received by the Senate and appeared in the Congressional Record of June 16, 2003

PN743 Army nomination of Michael F. McDonough, which was received by the Senate and appeared in the Congressional Record of June 16, 2003

IN THE NAVY

PN562 Navy nomination of Michael U. Rump, which was received by the Senate and appeared in the Congressional Record of April 30, 2003

PN563 Navy nominations (2) beginning WILLIAM A. DAVIES, and ending GARY S. TOLLERENE, which nominations were received by the Senate and appeared in the Congressional Record of April 30, 2003

PN564 Navy nominations (2) beginning DOUGLAS W. FENSKE, and ending MICHAEL J. KAUTZ, which nominations were received by the Senate and appeared in the Congressional Record of April 30, 2003

PN565 Navy nominations (3) beginning BRIAN H. MILLER, and ending PERRY T. TUEY, which nominations were received by the Senate and appeared in the Congressional Record of April 30, 2003

PN566 Navy nominations (3) beginning GERALD W. CLUSEN, and ending MARK A. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of April 30, 2003

PN567 Navy nominations (7) beginning KENNETH J. BRAITHWAITE, and ending ANDREW H. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of April 30, 2003

PN568 Navy nominations (7) beginning CHRISTOPHER M. BALLISTER, and ending CARL M. M. LEE, which nominations were received by the Senate and appeared in the Congressional Record of April 30, 2003

PN569 Navy nominations (8) beginning JEFFREY D. ADAMSON, and ending MARCUS K. NEESON, which nominations were received by the Senate and appeared in the Congressional Record of April 30, 2003

PN589 Navy nominations (236) beginning DANFORD S. K. AFONG, and ending THEODORE A. WYKA, which nominations were received by the Senate and appeared in the Congressional Record of May 1, 2003

PN590 Navy nominations (23) beginning SCOTT F. BOHNENKAMP, and ending CHRISTOPHER L. WALL, which nominations were received by the Senate and appeared in the Congressional Record of May 1, 2003

PN591 Navy nominations (15) beginning CHARLES L. COLLINS, and ending CYNTHIA R. SUGIMOTO, which nominations were received by the Senate and appeared in the Congressional Record of May 1, 2003

PN592 Navy nominations (29) beginning GREGORY S. ADAMS, and ending PETER A. WITHERS, which nominations were received by the Senate and appeared in the Congressional Record of May 1, 2003

PN604 Navy nominations (10) beginning BRADFORD E. ABLESON, and ending OLRIC R. WILKINS, which nominations were received by the Senate and appeared in the Congressional Record of May 8, 2003

PN605 Navy nominations (10) beginning CHRISTOPHER A. BARNES, and ending SCOTT M. STANLEY, which nominations were received by the Senate and appeared in the Congressional Record of May 8, 2003

PN606 Navy nominations (32) beginning THOMAS M. BALESTRIERI, and ending ROBERT S. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of May 8, 2003

PN607 Navy nominations (30) beginning LISA L. ARNOLD, and ending PEGGY W. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of May 8, 2003

PN608 Navy nominations (22) beginning SCOTT W. BAILEY, and ending KEVIN R. WHELOCK, which nominations were received by the Senate and appeared in the Congressional Record of May 8, 2003

PN609 Navy nominations (15) beginning MATTHEW R. BEEBE, and ending STEVEN M. WIRSCHING, which nominations were received by the Senate and appeared in the Congressional Record of May 8, 2003

PN610 Navy nominations (35) beginning EVAN A. APPLEQUIST, and ending RICHARD D. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of May 8, 2003

PN611 Navy nominations (86) beginning WILLIAM B. ADAMS, and ending DANIEL J. ZINDER, which nominations were received by the Senate and appeared in the Congressional Record of May 8, 2003

PN638 Navy nominations (3) beginning REBECCA E. BRENTON, and ending WARREN C. GRAHAM, III, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN639 Navy nominations (6) beginning KATHY A. BARAN, and ending MARGARET A. TAYLOR, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN640 Navy nominations (5) beginning MICHAEL D. DISANO, and ending VINCENT M. SCOTT, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN641 Navy nominations (6) beginning NANCY R. DILLARD, and ending CHRISTOPHER L. VANCE, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN642 Navy nominations (7) beginning JEAN E. BENFER, and ending CYNTHIA L. WIDICK, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN643 Navy nominations (7) beginning DAVID L. BAILEY, and ending RUSSELL L. SHAFFER, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN644 Navy nominations (7) beginning ROBERT W. ARCHER, and ending JIM O. ROMANO, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN645 Navy nominations (8) beginning CHRISTOPHER L. ABBOTT, and ending WILLIAM A. WRIGHT, III, which nominations

were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN646 Navy nominations (13) beginning CHARLES S. ANDERSON, and ending PHILIP A. YATES, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN647 Navy nominations (19) beginning BRIAN K. ANTONIO, and ending THOMAS L. VANPETTEN, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN648 Navy nominations (239) beginning EUGENE M. ABLER, and ending MICHAEL E. ZAMESNIK, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN649 Navy nomination of Judy L. Miller, which was received by the Senate and appeared in the Congressional Record of May 14, 2003

PN650 Navy nominations (7) beginning THOMAS W. HARRINGTON, and ending ROBERT L. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN651 Navy nominations (11) beginning MATTHEW O. FOLEY, III, and ending FRANK G. USSEGLIO, II, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN652 Navy nominations (13) beginning CRAIG E. BUNDY, and ending CLIFF P. WATKINS, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN653 Navy nominations (13) beginning WILLIAM M. ARBAUGH, and ending RICHARD E. WOLFE, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN654 Navy nominations (14) beginning DANIEL M. BLESKEY, and ending WILLIAM E. VAUGHAN, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN655 Navy nominations (22) beginning BARTLEY G. CILENTO, JR., and ending JAMES L. WHITE, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN656 Navy nominations (31) beginning NANCY J. BATES, and ending LLOYD G. WINGFIELD, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN657 Navy nominations (52) beginning ANNEMARIE ADAMOWICZ, and ending MARY A. WHITE, which nominations were received by the Senate and appeared in the Congressional Record of May 14, 2003

PN734 Navy nominations (7) beginning SHERRY L. BRELAND, and ending JULIA D. WORCESTER, which nominations were received by the Senate and appeared in the Congressional Record of June 12, 2003

PN745 Navy nominations (46) beginning RAUL D. BANTOG, and ending DONNA M. WILLOUGHBY, which nominations were received by the Senate and appeared in the Congressional Record of June 16, 2003

PN758 Navy nominations (6) beginning LINSLEY G. M. BROWN, and ending JOSEPH S. NAVRATIL, which nominations were received by the Senate and appeared in the Congressional Record of June 18, 2003

PN686 Public Health Service nominations (173) beginning THOMAS D. MATTE, and ending RONALD R. PINHEIRO, which nominations were received by the Senate and appeared in the Congressional Record of June 3, 2003

#### NOMINATION OF GENERAL ABIZAID

Mr. WARNER. Mr. President, just a day or so ago the Armed Services Com-

mittee, as is its responsibility, held a nearly 4-hour hearing on the nomination of General Abizaid, U.S. Army, for appointment to the grade of full general. Within days, a change of command will take place such that he will succeed General Franks as the Commander of the U.S. Central Command. I think General Franks has performed his duties with extraordinary professionalism, courage, and conviction, and his strength of mind and knowledge were an inspiration to all members of the Armed Forces who served in his command throughout the ongoing operations in Afghanistan and the ongoing operations in Iraq.

I have come to know General Franks quite well. He is a lovely individual—he has his soft side—a marvelous husband, and he has a wife who has given him enormous support throughout his long and distinguished career in the Army.

We are fortunate now to have an individual whom General Franks encouraged the President and the Secretary of Defense to have succeed him, and that is General Abizaid.

General Abizaid will have as his responsibility the Central Command which extends from Africa right up to the European sector where it abuts with General Jones's role as the Chief of U.S. Forces in that area. He served as General Franks's principal deputy in the planning and execution of Operation Iraqi Freedom.

The committee, in the course of the hearings, was very complimentary of both General Franks and General Abizaid and their staff and particularly the men and women in the Armed Forces who executed their plans, especially in the historic, stunning, 17-day advance to Baghdad that led to the overthrow of the Saddam Hussein regime.

We all recognized throughout that hearing, as we did this morning in our briefings with Secretary of Defense Rumsfeld and GEN Peter Pace, that this operation is continuing in terms of the risks to the men and women in the Armed Forces every hour of the day. They are courageously facing those risks, and we must stay the course in this situation.

General Abizaid, throughout his hearing, repeatedly said he is prepared to pick up the responsibilities of General Franks and stay that course and bring, from the military perspective, the fastest possible conclusion to the hostilities, such that Ambassador Bremer, working in parallel with CENTCOM, can reestablish a form of government under the control of the Iraqi people, and to bring to the Iraqi people the basic necessities of life, be it electricity, sewage, or otherwise.

Now, the most challenging phase of the military operation, as we said in the course of the hearings, really once the major combat was secured, was finally bringing the situation under control to provide a sense of security throughout Iraq, and that is being done. We are making progress.

He assured us that progress is being made and that he has the experience to carry it forward with his long distinguished career in the Army. He has been a part of the Central Command officer corps on four occasions in his career. So he does have extraordinary background, a unique background, to take on this responsible post.

He was joined by his lovely wife Kathleen in the course of the confirmation proceedings. He was so respectful to his wife, which the record reflects. They have three children, all of whom are of adult age now, who are actively working one way or another in the cause of freedom in various parts of the world.

He also brings experience with regard to joint duty, joint responsibilities. That means the combined efforts of the Army, the Navy, the Air Force, the Marine Corps, and such other areas of military participation.

I want to pay tribute to the civilians in the Department of Defense. They, too, are present throughout Iraq and accepting a very high level of risk in supporting the troops in their missions.

His prior assignments were as Director of the Joint Staff, Director for Strategic Plans and Policy, J-5, on the Joint Staff, and a participant in joint operations in Kosovo and Bosnia, and in northern Iraq following Operation Desert Storm. He was integral in that situation. All of this eminently qualifies him for the challenges of commanding general of the U.S. Central Command.

He brings a unique perspective to this post. He is truly an expert and a student in this region. He is currently serving his fifth tour of duty in the Middle East. He is fluent in Arabic and has a proud—and I underline this, a proud—family heritage closely tied to the cultures of this region of the world.

He is the son of a man who served this Nation as an enlisted man in the U.S. Navy in World War II. So he comes from a family with longstanding service to this Nation.

I had the joy of talking with his wife, and we reminisced about how her father was a medical doctor, serving in the combat zones of France in World War I, as did my father serve as a doctor in the Fifth Division in the trenches in France in World War I.

That concludes my remarks with regard to General Abizaid. I am pleased this morning that the Senate has confirmed him and we will shortly notify the President.

#### NOMINATION OF MARK E. FERGUSON III

Mr. WARNER. Mr. President, I acknowledge that, as a body, we have just promoted Captain of the U.S. Navy Mark Ferguson to the rank of admiral. He will receive that promotion in due course. I hope to be present.

Many Senators know Mark Ferguson. Perhaps their first recollection of him as a young officer is he was an aide-de-camp to the NATO Supreme Allied Commander. In that capacity, he made

many visits to the offices of Senators, and on the occasions when General Clark was hosting congressional delegations in the NATO command area, this wonderful naval officer was integral in making the arrangements. He is a marvelous family man, what we call a black-shoe naval officer, which means he is proud of the shoes he has worn on the decks of all types of surface vessels throughout his career. He is a sailor's sailor and brings to this new post a marvelous background of achievement. We wish him and his family well in his new post as a young frocked admiral, which will take place during the course of this summer.

#### UNANIMOUS CONSENT AGREEMENTS—EXECUTIVE CALENDAR

Mr. WARNER. Mr. President, I ask unanimous consent that on Tuesday, July 8, the time determined by the majority leader, after consultation with the Democratic leader, the Senate proceed to executive session for the consideration of Calendar No. 227, the nomination of David Campbell to be U.S. District Judge for the District of Arizona, provided that the Senate then proceed to a vote on the confirmation of the nomination with no intervening action or debate. I further ask consent that following the vote, the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I ask unanimous consent that at a time determined by the majority leader, after consultation with the Democratic leader, the Senate proceed to executive session for the consideration of Calendar No. 88, the nomination of Victor Wolski to be a judge of the U.S. Court of Federal Claims. Further, I ask that the same order apply to Calendar No. 132, the nomination of Bruce Kasold to be a judge of the U.S. Court of Appeals for Veterans Claims.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

#### MEASURE PLACED ON THE CALENDAR—S. 11

Mr. WARNER. Mr. President, I understand that S. 11 is at the desk and is due for its second reading.

The PRESIDING OFFICER. The Senator is correct. The clerk will read the bill by title.

The bill clerk read as follows:

A bill (S. 11) to protect patients' access to quality and affordable health care by reducing the effects of excessive liability costs.

Mr. WARNER. On behalf of the majority leader, I object to further proceedings on the measure.

The PRESIDING OFFICER. The objection is heard. The bill will be placed on the calendar.

Mr. WARNER. That would be under rule 14?

The PRESIDING OFFICER. That is correct.

#### PROVIDING FOR THE CONDITIONAL ADJOURNMENT OR RECESS OF BOTH HOUSES OF CONGRESS

The PRESIDING OFFICER. Under the previous order, the Senate having received from the House H. Con. Res. 231 in the form contemplated in the agreement, the resolution is agreed to and the motion to reconsider is laid upon the table.

The concurrent resolution (H. Con. Res. 231) was agreed to, as follows:

#### H. CON. RES. 231

*Resolved by the House of Representatives (the Senate concurring).* That when the House adjourns on the legislative day of Thursday, June 26, 2003, Friday, June 27, 2003, or Saturday, June 28, 2003, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, July 7, 2003, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on Thursday, June 26, 2003, Friday, June 27, 2003, or Saturday, June 28, 2003, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, July 7, 2003, or at such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

#### MORNING BUSINESS

Mr. WARNER. Now, I ask unanimous consent that the Senate be in a period for morning business to be determined by the leadership. It is hoped during that period of time that Senators can make themselves available to speak with respect on our late colleague Senator Strom Thurmond.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. I yield the floor.

Mr. DORGAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

# IN REMEMBRANCE OF STROM THURMOND

Mr. DORGAN. Mr. President, let me add my voice to those of my colleagues who last evening and this morning have expressed sympathy to the families of Senator Strom Thurmond. I was privileged to serve in this Chamber for many years while Senator Strom Thurmond was a Senator. He was quite a remarkable American. He was a hero in many ways. His life was controversial in some ways.

I talked to Strom Thurmond one day about the Second World War. Americans should know, when he was in his 40s, this man volunteered for service in the Second World War, volunteered to get in a glider to fly at night and crash-land behind enemy lines, behind German lines. All of the rest in that glider were young kids, 18, 19, 20-year-old GIs. This 40-plus-year-old lawyer and judge who volunteered for service in the Second World War was in that glider that crash-landed behind enemy lines.

He was quite a remarkable American and had a remarkable political career. In his later years as he suffered health challenges and difficulties, but he never complained, ever. He showed up for all of the votes in the Senate even at times when it appeared to us it was difficult for him to do so.

The American people, I know, will thank Senator Strom Thurmond for the service he gave to his country. I wanted to add my voice to the many others in this Chamber who wish to remember the memory of this remarkable American.

## CONGRESSIONAL CEMETERY

Mr. DORGAN. Mr. President, I call to the attention of the Senate and the country something that is important. Some while ago I went to what is called the Congressional Cemetery here in Washington, DC. I want to state why I did that.

I went to visit a gravesite of a man named Scarlet Crow, an American Indian. He came to Washington, DC, in 1867 with some other American Indians from my part of the country, a member of the Wahpeton-Sisseton Sioux Tribe. He came here to negotiate a treaty. He was found under the Occoquan bridge one morning, dead. The death certificate said Scarlet Crow committed suicide. I actually got a record of the investigation of Scarlet Crow's death—remember, now, this is 1867—and discovered the police reports in Alexandria, VA, and the investigator who investigated Scarlet Crow's death seem to suggest that Scarlet Crow was murdered. He did not commit suicide, in fact, he was murdered. He was found lying under a bridge with a blanket neatly folded over him. They say he hanged himself. The police investigators said the branch from which they allege Scarlet Crow hanged himself could not have held a 6-year-old child.

That was a different time. American Indians came to this town to negotiate treaties. This man, Scarlet Crow, never returned to the Dakotas because he died under the Occoquan bridge under mysterious and strange circumstances. It appears his death was not fully investigated or resolved. The death certificate simply says he committed suicide.

Because I was interested in this and because he came from a part of the country where I reside, I went to the cemetery one day to find Scarlet Crow's gravesite. Here is Scarlet Crow's tombstone. It is at a place called the Congressional Cemetery. The Congressional Cemetery is a place I had not previously visited. It is here in Washington, DC. It holds the bodies of many Congressmen and Senators and others. It was founded in 1807 by a group of citizens residing in the eastern section of the new Federal city of Washington. Immediately, it became the sole burial place in Washington for Members of Congress. For over 60 years, Members of Congress and other Government officials were interred at what was known as Congressional Cemetery. The Government appropriated money to help construct some buildings, roads, and walls and to make other site improvements.

Other than relatively small and very infrequent Federal dollars, Government support ended many decades ago and the cemetery has fallen into disrepair. It is a rather forlorn place, as a matter of fact. I will show some pictures. This is the entrance to Congressional Cemetery. You can see the beat-up roads. Let me show an example of the roads inside the Congressional Cemetery. This, one would think, would be a place of honor, a place that is repaired and made to look presentable. Instead, here is what the Congressional Cemetery appears like to those who visit it. Roads in desperate disrepair. This does not look like a cemetery that has been maintained at all. It has not been.

Here is another picture of what the cemetery looks like inside. Roads in disrepair, grass growing out of the middle of those roads.

One wonders why, with a Congressional Cemetery, which was the burial place for so many Members of Congress, and many others over so many years, why the Federal Government and Congress would not restore it to its place of honor.

I am pleased that some of my colleagues, at my request, included some small amount of money in the Legislative Branch appropriations bill in FY2002, and a bit earlier, as well.

As we begin the appropriations process this year, I think in the honor of those who are laid to rest in that Congressional Cemetery, we really do need to do what is necessary to make that cemetery a place of honor.

Let me discuss a couple of the people who are buried at this cemetery. Vice President Elbridge Gerry is buried at

the cemetery. I have a picture showing his tombstone. This is a tombstone of former Vice President of the United States Elbridge Gerry. He is buried in the cemetery.

There is a term, "gerrymandering," in politics that many will recognize. Gerrymandering comes from Elbridge Gerry.

His marker describes he was born in 1744, died in 1814. It quotes on his words on his grave marker:

It is the duty of every man, though he may have but one day to live, to devote that day to the good of his country.

These words describe how Gerry lived. In fact, the day that Gerry died he had to get to the temporary Senate Chambers in the Patent Office building so he could preside over the Senate. British troops burned the Capitol in the War of 1812 and the Senate was functioning from a temporary location in 1814. In those days, the Vice President presided over the Senate almost daily because the President pro tempore did not have a continuous office. On November 23, 1814, determined to preside over the Senate, Gerry suffered a fatal stroke.

At that time, Members of the Senate gathered in their chairs at the customary hour. Upon hearing the reports that Vice President Gerry had died, the body voted to send two Senators to the Vice President's home to "ascertain the fact." When they returned with confirmation, the Senate appointed a joint committee to "consider and report measures most proper to manifest the public respect for the memory of the deceased," and then the Senate adjourned. On the following day, the Senate ordered that the President's chair "be shrouded with black during the present session; and as a further testimony of respect for the deceased, the members of the Senate will go into mourning, and wear black crape around the left arm for thirty days."

Gerry is the only signer of the Declaration of Independence buried in Washington, DC. On the Fourth of July, there is annually an event at his tomb in the Congressional Cemetery with the Sons and Daughters of the American Revolution.

There is another person buried at the cemetery who is an interesting person. His name is Issac Bassett. He was the second page who served in the U.S. Senate. He came to work in the Senate at age 9 in 1831. He never left. He worked there until 1895. He came to work at age 9 as a page in the U.S. Senate, and he worked here for 64 years. One wonders whether any of the current pages will work continuously for the next 64 years. I don't expect so. He was here even longer than the longest serving U.S. Senator, the late Strom Thurmond. He is buried at the cemetery. Right next to him is a larger marker for Alexander Bache, the founder of the U.S. Coastal Survey and a charter member of the National Academies of Science and its first president.

In addition to the nearly 80 Members of the House and Senate buried in the Congressional Cemetery, there are also 128 cenotaphs erected to honor former Members.

Here is what they look like.

The latest cenotaphs were for Speaker Tip O'Neill, Hale Boggs, and Nicholas Begich. It is something that has been done for quite some while. There is currently some interest in placing a cenotaph for our recently departed colleague, Daniel Patrick Moynihan.

These cenotaphs were designed by the distinguished Capitol Architect, Benjamin Henry Latrobe.

As transportation improved, it became custom to remove remains to a congressman's home state for burial, but a cenotaph was placed in the Congressional Cemetery in their memory. The practice ceased in 1877.

It is my hope that this Congress will take a look at this cemetery and understand that the Congressional Cemetery is the final resting place of nearly 80 Members of the House and the Senate, a signer of the Declaration of Independence and two Vice Presidents. It is where you will find the grave of John Phillip Sousa. You will see the gravestone of J. Edgar Hoover. It is quite a remarkable cemetery.

Let me again show a photograph that shows the entrance and the roads in this cemetery. It is in desperate, desperate disrepair. The Congressional Cemetery ought to be a place of honor. It is the final resting place for many who served this country with great distinction for so many years.

As this Congress considers what our responsibilities are and what we can and should do, it is my hope that we will invest the small amount of resources necessary to once again provide the honor and majesty that should accompany this monument of ourselves called the Congressional Cemetery.

Cemeteries have a way of casting personalities. Everywhere you go at the Congressional Cemetery, you can't help but notice strong personalities who served this country over its more than two centuries.

I indicated when I started that this cemetery doesn't belong to the U.S. Government. It is run by a nonprofit organization. But when the cemetery was started in 1807, it received financial support from the federal government. It was created by a group of citizens who wanted it to become the sole burial place in Washington, DC, for Members of Congress. And over nearly two centuries—Senators, Congressmen, and public officials who served this country in a remarkable way have found their way to this final resting place in the Congressional Cemetery. It is a shame, in my judgment, for it to have fallen into such desperate disrepair.

My hope is that in the coming couple of weeks in the appropriations process, we may once again continue to make some progress to address it. I have spoken with Mr. BYRD, the Senator from

West Virginia, at some length about this and with other colleagues. I think all recognize that this is something to which we should pay some attention. I know there are many other very big issues we deal with here in the Senate. But this is something that I think is important to the memory of who we are, who served our country, how we treat them in death, and how we respect their memories. We can and should do better to bring a sense of repair and majesty to the Congressional Cemetery.

It is not too far from this building. I encourage all of my colleagues to go to the Congressional Cemetery and drive down those roads full of potholes in great disrepair and ask yourself if we don't have an obligation to do something about it. I hope so.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

#### IN REMEMBRANCE OF STROM THURMOND

Mr. BIDEN. Mr. President, I would like to proceed in morning business to briefly discuss two totally different subjects, if I may.

I rise initially to acknowledge the passing of a good friend of mine. People may find it strange to hear the Senator from Delaware say that, because they are used to so much hyperbole from all of us in the Senate, in Congress, and many in public office. They find it difficult to believe that people with disparately different views, as Strom Thurmond and I had, were good friends.

I received a call not too many weeks ago from Nancy, Strom Thurmond's wife, telling me she had just spoken to the Senator. To use Nancy's phrase, she said that Strom "was now on God's time, Joe." I wondered for a moment about exactly what she meant. She went on to say that he doesn't have much time left, his body is shutting down.

She said he made a request which both flattered me greatly and saddened me significantly. She said he asked her to ask me whether or not I would deliver a eulogy for him at his burial, which is going to take place on Tuesday next—this coming Tuesday.

It might come as a surprise to a lot of people that on Tuesday, somewhere approaching 4 or 5 o'clock, people—including representatives from Strom's family—will stand up to speak of him and that I will be among them. I am a guy who as a kid was energized, angered, emboldened, and outraged all at the same time by the treatment of African Americans in my State—a border State—and throughout the South. When I was not much older than the young pages who are now sitting down there I literally ran for public office and got involved in public office and politics because I thought I would have the ability to play a little tiny part in ending the awful treatment of African Americans. I will stand up to speak about Strom Thurmond.

In the 1950s I was a child in grade school, and in the late 1950s and into the 1960s I was in high school. As hard as it is to believe now, that was an era where, when you turned on your television, you were as likely to see "Bull" Conner and his German Shepherd dogs attacking black women marching after church on Sunday to protest their circumstance, or George Wallace standing in a doorway of a university, or Orville Faubus.

This all started to seep into my consciousness when I was in grade school, as it did, I suspect, for everyone in my generation. It animated my interest, as I said, and my anger. I was not merely intellectually repelled by what was going on in the South particularly at the time, I was, as is probably a legitimate criticism of me, angry about it and outraged about it.

The idea that I would come to the Senate at age 29—to be precise, I got elected at age 29; by the time I got sworn in, I turned 30—and 2 years later to be serving on a committee with J. Strom Thurmond, him the most senior Republican and me the most junior not only Democrat but junior member of the committee. Over the next 28 years he and I would become friends. He and I would, in some instances, have an intimate relationship.

The idea that my daughter, who is now a 22-year-old grown woman, would, to this day, in her bedroom, have one picture sitting on her dresser of all the pictures she has since she was a child. From the moment she was born—her father was a Senator and her entire life I have been a Senator—she has had the privilege of being able to meet Senators and Presidents and kings and queens. She has one picture sitting on her bureau. It startled me when I realized it the other night. She does not live at home. She, like all young people, is on her own. It is a picture of her and Strom Thurmond, taken when she was 9 years old, sitting on her desk.

If you had told me—first off, if you had told me when I was 20 years old I was going to have a child, that would have been hard to believe. But if you told me when I was 29 years old—when I did have two children—that one of my children, as I approached the Senate roughly 30 years later, would have a childhood picture of her or him in Strom Thurmond's office, standing next to his desk with his arm around her, and it was kept on her bureau, I would have said: You have insulted me. Don't do that.

The only point I want to make today, as I do not intend at this moment to attempt to eulogize Strom, is that I think one of the incredible aspects of our democracy—even more precisely, our Government, our governmental system—that is lost today on so many is it has built into it the mechanisms that allow you not only to see the worst in what you abhor and fight it but see the best in people with whom you have very profound philosophic disagreement.

There is an old expression: Politics makes strange bedfellows. That is read today by most young people, or anyone who hears it, as meaning what it maybe initially meant: that they are strange bedfellows because people need things from each other, and they compromise. So you end up being aligned with someone with whom you disagree, out of self-interest.

But the majesty of this place in which I stand—this Senate, the floor of this place, the floor of the Senate at this moment—is it has another impact on people I do not think many historians have written very well about, and I think it is almost hard to understand, even harder to articulate; and that is, it produces relationships that are a consequence of you looking at the best in your opponent, the best in the people with whom you serve, the best about their nature.

I remember, as a young Senator—I guess I was 31—wandering on the floor one day. New Senators will not like what I am about to say, but when you are a newer Senator, you have less hectic Senate responsibilities than you do when you are a more senior Senator. You are no less important. But being chairman of a committee gives you the honor of turning your lights on and turning them off, meaning you are the first and last there. When you are not a senior Member, you are not required to do that as much.

So I was wandering literally onto the floor, like my friend from Montana just has, and there was a debate going on.

(Mr. BURNS assumed the chair.)

Mr. BIDEN. One of my colleagues, who also became a friend, was railing against something I felt very strongly about. And at the time, because of the circumstance in which I got here, I was meeting regularly, once a week, with one of the finest men I ever knew, the then-majority leader Senator Mike Mansfield.

When I got here, between the date I got elected and the date I arrived, my wife and daughter were killed in an automobile accident and I was not crazy about being here. Senator Mansfield, being the great man he was, took on the role of sort of a Dutch uncle. He would tell me what my responsibility was and why I should stay in the Senate.

And then, without my knowing it, really, at the time—looking back, it is crystal clear—he would ask me to come and meet with him in his office once a week and talk about what I was doing. But he acted sort of like he was the principal and I was the young teacher, and I was coming to tell him how my classes were going. But, really, it was just to take my pulse and see how I was doing.

Anyway, I walked on the floor one day, and a particular friend of mine, Jesse Helms—he has become a close friend, God love him. He is in North Carolina now in retirement—he was going on about something I had a very serious disagreement with.

I walked into Senator Mansfield's office—which was out that door—and I sat down with him. He said: How is it going? And I began to rail about how could this Senator say such and such a thing? It had to do with the Americans with Disabilities Act or what was being discussed then. And Senator Mansfield, in his way, just let me go on, and then he said: Joe—I will not bore you with the whole story. This relates to Strom—he said: Joe, you should understand one thing. And he told me the story about Harry Truman.

When Harry Truman first got to the Senate—I will paraphrase this—he wrote back to his wife Bess and said: I can't believe I am here. I can't believe how I got here with all these great men.

Apparently, not long thereafter, he wrote back to Bess and said he couldn't understand how all these other guys got here.

Well, he told me that story. And he said: Let me tell you, every single solitary man and woman with whom you will serve in the Senate has something very special that their constituency sees in them. And your job is to look for that.

I can't imagine anybody saying that today, can you? I can't imagine, in this raw political environment we are in, somebody having the insight Mike Mansfield had and telling a novitiate, if you will, a new, young Senator, that part of my job was to look for that thing in my colleague, a colleague with whom I have a bitter disagreement, to look for that thing in him that his constituency recognized which was special and sent him here.

Maybe subconsciously, because of that, I became one of Strom Thurmond's close friends and, as his AA will tell you, one of his protectors, especially as he got older. Mike Mansfield was right. I never called Mike Mansfield "Mike." I am standing here as a senior Senator saying Mike Mansfield. I never called him Mike until the day he died. I called him Mr. Leader. And Strom Thurmond had a very special piece of him that his constituents saw that had nothing to do with the most celebrated aspects of his career.

The most celebrated aspects of his career were the ones I abhor the most: The filibuster to fight civil rights and to keep black Americans in the shadow of white Americans or signing the Southern Manifesto.

It is funny—I say to my friend from Montana—I actually got tied up with a lot of Southerners.

Senator John Stennis became my friend. I had his office. I have the table he presented to me in the conference room that had been Richard Russell's, upon which—I am told—the Southern Manifesto was signed. I might note parenthetically, if you all know John Stennis, he talked at you like this all the time. He would hold his hand like this. When I was looking through his office, when he was leaving, to see whether I could take his office because

of my seniority, he reminded me of the first time I came by his office as a young Senator to pay my respects, which was a tradition then. And I sat down at that conference table which he used as his office desk.

He patted the leather chair next to me. He said: Sit down. He said: What made you run for the Senate? After congratulating me.

And like a darn fool I told him the exact truth. I said: Civil rights, sir.

As soon as I said it, I could feel the beads of sweat pop out on my head, my underarms get damp. Why am I telling this old segregationist that the reason was civil rights? That is not a very auspicious way to start off a relationship.

He looked at me and said: Good. Good. Good.

That was the end of the conversation.

Over the intervening years, we served 18 years. We shared a hospital room in Walter Reed for 3 months. He was in there, and I was. He became supportive of me in my effort to run for President back in the 1980s. We became good friends. But 18 years later, when I came back to look at his office to see whether or not I would take his office because it was a more commodious space, I walked into the office. It was during that interregnum period after the Presidential election. President Bush was about to take office. There had been this transition.

Anyway, I said to his secretary of many years—I am embarrassed, I can't remember her first name. I think it may have been Mildred. He was in the Senate 42 years, maybe 43—is the chairman in?

She said: Senator, you can go right into his office.

I walked in. He was sitting in the same spot he was 18 years earlier. Only this time in a wheelchair with an amputated leg was John Stennis. I said: Mr. Chairman, I apologize.

He said: Come in, sit down. Sit down. He patted the chair. I sat down. He startled me. He said: You all remember the first time you came to see me, JOE?

I had not. And he reminded me. I looked at him and he recited the story. And I said: I was a pretty smart fellow, wasn't I, Mr. Chairman?

And he said: I wanted to tell you something then and I am going to tell you now. He said: You are going to take my office, aren't you?

I said: Yes, sir, Mr. Chairman.

He caressed that table—it was a big mahogany table about half the size of the table in the cabinet room—as if it was an animate object. He said: Do you see this table, JOE?

I said: Yes, Mr. Chairman.

He said: This table was the flagship of the Confederacy from 1954 to 1968. He said: Senator Russell would have us every Monday, Tuesday, Wednesday—I forget what day—and we would have lunch here. He said: Everybody had a drawer. And he opened one of the drawers. He said: We planned the demise of the civil rights movement at this table.

He said: It is time now that this table go from the table of a man against civil rights to the table owned by a man for civil rights. I give you my word on that.

I was moved by that. I looked at him, and he said: One more thing, JOE, before you leave. He said: The civil rights movement did more to free the white man than it did the black man.

And I said: How is that, Mr. Chairman?

None of you here are old enough to remember him, but again the way he talked, he went like this, he said: It freed my soul. It freed my soul.

The point I want to make that I am grappling with here is the men and women who serve here, and Strom Thurmond in particular, actually change. They actually grow. They actually, because of the diverse views that are here and the different geography represented, if you are here long enough, it rubs against you. It sort of polishes you. Not in the way of polish meaning smooth, but polishes you in the sense of taking off the edges and understanding the other man's perspective.

I believe Strom Thurmond was a captive of his era, his age, and his geography.

I do not believe Strom Thurmond at his core was racist. But even if he had been, I believe that he changed, and the news media says he changed, they think, out of pure opportunism. I believe he changed because the times changed, life changed. He worked with, he saw, he had relationships with people who educated him, as well as I have been educated.

Hubert Humphrey wrote a book—and I had the great honor of serving with him—called “The Education of a Public Man.” I watched Strom Thurmond as the percentage of his staff increased in terms of black representation. He and I were chairmen, or cochairmen, of the Judiciary Committee for almost two decades—16 years I believe. I watched him. He would lean over to me in the middle of a hearing because we had a genuine trust and say: Joe, what did they mean by that?

I will never forget we were holding a hearing on a Supreme Court Justice, and at the end the last group of witnesses we had—we had six witnesses—included a young man representing the gay and lesbian task force. He was chairing and I was the only one with him because the hearing was already finished and these were people coming to register opposition or support. They ranged from all kinds of groups that were before us—extremely conservative ones and liberal ones—to give everybody their say. Everybody on the committee knew it was basically over. Because of being the ranking Democrat or ranking Republican or the chairman, you have to be there.

I will never forget sitting next to him and he leaned over and said: What is he saying? This young man was explaining the point of view of why, in fact, to be

gay was not to be in any way maladjusted. But Strom came from an era and a time that was different, so he looked at the young man and he said: Have you received psychiatric help, son?

Now, everybody in that room who was under the age of 40 laughed and thought he was being a wise guy. He was serious.

He leaned over to me and he said: Joe, why do they call it “gay”?

He wasn't being snide. He literally, at 91 years old, didn't understand that. I guess it must not have been Rehnquist. It must have been someone later. He did not understand. Remember, this man was over 100 years old. He came from the Deep South. People from the far North don't understand either. But he came from an environment that was so different. But in this place, over time, he had the ability, without even knowing it, to apply Mike Mansfield's standard, which was to look at the other guy or woman and try to figure out what is the good thing about them that caused their people to send them here, with all their warts, foibles and faults.

I deem it a privilege to have become his friend. We were equals in the sense that our vote counted the same. Our influence on some issues was the same. But I am 60 and he was 100. There was always a 40-year chasm between us. I could say things to Strom and be irreverent with him. I could grab him by the arm and say: Strom, don't—which I would not have been able to do if there had been a 10-year difference. I was like the kid. It is strange—I find it strange even talking about it—how this relationship that started in stark adversarial confrontation ended up being as close as it was, causing Strom Thurmond to ask his wife whether I would deliver a eulogy for him. I don't fully understand it, but I do know it is something about this place, these walls, this Chamber, and something good about America, something good about our system, and it is something that is sorely needed—to look in the eyes of your adversary within our system and look for the good in him, and not just the part that you find disagreeable or, in some cases, abhorrent.

I will end on a more humorous note. I had the privilege of being asked to be one of the four people to speak at his 90th birthday party. The other people were George Mitchell, then majority leader, a fine man; Bob Dole; and Richard Milhouse Nixon. It was before a crowd of a thousand or more people, black tie, here in Washington. It was quite an event. It kind of shocked everybody that I was asked to be one of the speakers. It shocked me to be seen with Richard Milhouse Nixon, even though he was President when I arrived here.

I did some research about Strom to find out about his background before I did this tribute on his 90th birthday—a combination tribute and roast. You know what I found? I found a lead edi-

torial—I don't have it now—from the year 1947 or 1948 from the New York Times, and the title, if memory serves me correct, is something like “The Hope of the South.” It was about Strom Thurmond. The New York Times, the liberal New York Times, in the late forties—it must have been 1947—wrote about this guy, Strom Thurmond, a public official in South Carolina, who got himself in trouble and lost a primary because he was too empathetic to African-Americans because when he was a presiding judge, he started an effort statewide in South Carolina that tried to get better textbooks and materials into black schools, and he tutored young blacks and set up an organization to tutor and teach young blacks how to read. Strom Thurmond. Strom Thurmond. I think it was in 1946 or 1947. The essence of the editorial was that this is “the hope of the South.” In the meantime, he got beat by a sitting Senator for being “weak on race.”

I think Strom Thurmond learned the wrong political lesson from that and decided no one would ever get to the right of him on this issue again. But I also was sitting next to him when he voted for the extension of the Voting Rights Act.

The only point I want to make is, people change, people grow, and people react to crises in different ways. I choose to remember Strom Thurmond in his last 15 years as Senator rather than choose to remember him when he started his career.

I do not choose that just as a matter of convenience. I choose that because I believe men and women can grow. I believe John Stennis meant it when he said the civil rights movement saved his soul. I believe Strom Thurmond meant it when he hired so many African Americans, signed on to the extension of the Voting Rights Act, and voted for the Martin Luther King holiday.

I choose to believe that he meant it because I find it hard to believe that in the so many decent, generous, and personal acts that he did for me that it did not come from a man who is basically a decent, good man, and the latter part of his career reflects that.

I choose it not just because I am an optimist. I choose it not just because I want to believe it. I choose it not just because I believe there is a chemistry that happens in this body. I choose it because I believe basically in the goodness of human nature and it will win out, and I think it did in Strom.

I will have more to say—or less to say but hopefully more succinctly and in a more articulate way—at his funeral.

I close by saying to Nancy, Strom, Jr., and all of his children, how much I cared about their father, how much, in a strange way, he taught me, and how much I hope he learned from those of us who disagreed so much with his policy on race. The human side of this can never be lost. They lost the blood of

their blood, bone of their bone. It was a tough time. But I am flattered that he asked me, and I just hope that I and others are worthy of his memory when we speak of him on Tuesday.

#### WAR IN IRAQ

Mr. BIDEN. Mr. President, I planned yesterday to be here today to speak about a totally different subject, and then we learned last evening what happened to Strom Thurmond. With the permission of my colleagues, I wish to move for a few minutes to a totally different subject, and that is the war in Iraq. I say "the war in Iraq" because there is still a war in Iraq.

I returned from Baghdad on Tuesday with two of my distinguished Republican colleagues—Senators LUGAR and HAGEL. I came away with several impressions that I want to pass on to my colleagues in the hope that it will give some additional information or insight. My impressions, although not stated in the same way by my two colleagues, Senators HAGEL and LUGAR, I am confident are the same ones they had because we did a number of press conferences and we talked at length. It was a 14-hour flight back. We are good friends, and we all agree on the essence of what I am about to say, although we have different emphasis on different points. Let me say what those primary impressions are and why I think there is such an urgency.

First, there is still a war going on. It is more like a guerrilla war but there is a war. Meeting with our military troops, meeting with our generals, one told us: Every time I send a young man out on patrol on the streets of Baghdad in a humvee, I tell them: Treat it as if you are in battle.

He told us how they know now that our young men and women are being targeted not by some random group of Islamists who are angry but by professionals, the leftover fedayeen, the Republican Guard. Where did all these folks go? They went back into their communities.

One colonel told us they know that people who are engaged in going after Americans are instructed in the following way: All our young men and women wear helmets and flack jackets. They are instructed when there is a disturbance to come out of the crowd. If they are going to try to kill one of our young men and women, there is a 4-inch opening to do it; that is, space between the back of the helmet and the top of the bulletproof vest is where they aim to kill our soldiers. That is not the work of just random and irrational people who are angry we are in their country. How well coordinated and how well organized it is they do not know, and I do not know, but there is still a war going on.

The second impression I came back with is, what a remarkable group of people we have working in the toughest of conditions against the longest of odds to put Iraq back on its feet and

back into the hands of the Iraqi people. I am not merely talking about our military, which has been celebrated with good reason and everybody knows; I am talking about our civilians. I am talking about Ambassador Bremer. I am talking about Ambassador Crocker. I am talking about Secretary Slocum. I am talking about the most talented group of people we have assembled, the people who have had incredible experience in Bosnia, in Kosovo, and in Afghanistan in trying to stand up a police department.

We spent an hour or more at the police training academy with men I know are the best in the world. I know because I spent so much time in the Balkans and so much time dealing with the subject. I know they are the single best in the world. In fact, coincidentally, one of them happens to be a former chief of police of the Newark Police Department in the town in which I attended college, the University of Delaware. These are incredibly talented people working under incredibly difficult conditions, made more difficult, I am sad to say, by the incredible miscalculations this administration is making about how to proceed in Iraq.

Many of us on this floor—I am not unique—have pointed out that winning the war is only half the problem, the smaller half. Winning the peace is an astronomically difficult subject. As I say to my colleagues and anyone who asks, if the Lord Almighty came down and sat in this chair and agreed to give the President and those on the ground in Iraq the right answers to the next 20 decisions they had to make, the next 50 decisions they had to make, consequential decisions, we still only have, in my view, a 65-percent chance of getting it right.

That is how complicated Iraq is. That is how difficult this problem is. But it has been made much more difficult, frankly, by the wrong assumptions that were made by the administration. This is not second-guessing. These are things that, for a year before, many of us argued with them about.

I supported us taking out that tyrant, but there seems to be a tone deafness right now, and that is that the administration thought building the peace would be built upon three assumptions they had, for which, in the hearings we held I never found any basis. One is, they expected to find a fully functioning bureaucracy when they got to Iraq, a literate country that would have in place for each of their departments—think of it in terms of the United States—their department of education, their department of public works, their department of highways, their department of security. We were told, with absolute certainty by the administration, that all we had to do was go in and decapitate the Baathists, that is the neo-Nazis who ran that country, and we would have this infrastructure ready to take over the running of their country. But it melted away. It is not there.

The second assumption was we were told they expected to find an army intact. Again, we decapitate the bad guys but there would be a standing army we could work with. That melted away. It does not exist, and to the extent it exists, it is engaged in guerrilla activity.

The third assumption was we were going to find a police force in the country that once we took the bad apples out of—like we did, by the way, in Colombia, helping them vet their national police—that we would have tens of thousands of police officers we could work with who were trained. There are none, and there never were any.

The result has been massive problems in terms of getting basic services back and restoring security. We have seen looting and political sabotage against power, oil, and water plants, some organized resistance, which seems to be getting more organized. All of this is compounded by years of neglect by Saddam Hussein's regime. Neither this administration nor any of us could have reasonably anticipated how badly he treated the infrastructure of his own country. It is not merely that he did not repair the infrastructure during the period when the embargo was on them, when they were operating under sanctions, but for 30 years.

In fairness to the administration, no one knew how badly he had raped and pillaged his own country and infrastructure. We knew what he did to his people but we did not know this.

Ultimately, Iraqis need to do all these jobs: Administrative, be the army, be the police force, restore security, maintain security, but it is going to take a long time to do that. Meanwhile, we the international community should be filling the gaps, not we the United States alone.

What is worse is we should have known better. We had extensive experience in the Balkans. We had considerable experience in Afghanistan, which is a failure, in my view. We had considerable bipartisan testimony from experts on the left, right, and center, going back to July, that these problems would be protracted and they would be deep. I will never forget two leading generals, the former head of CENTCOM and former NATO director, testifying before our committee, and I remember the parallel they used.

They said we have this incredible military juggernaut which we have planned incredibly well and executed it incredibly well, but we should in tandem be planning for the occupation of Iraq. There was virtually no planning, but that is water over the dam.

That is not just me. Ask my Republican colleagues who deal with this. There was no planning. The question now, and my purpose today, is not to say, aha, look at the mistake you made, you did not listen. It is to say, let's get over this. Now that we realize and the whole world understands these infrastructures do not exist, it is time to internationalize the effort.

First, we need a significant infusion of military and civilian police to fill

the gap of the Iraqi police. On another date, I will spend more time on this, but there are 79,000 Iraqi police spots we have to fill. Our experts on the ground in Iraq say there is a need immediately for 5,800 European crack police, the gens de guerre, to be brought in to maintain the peace and security of the citizens, stop the looting, make the traffic lights work, investigate the murders and the rapes, while we are training 80,000 new police officers.

There is a gigantic vacuum, and our own people on the ground say we need help now. So I implore the President to get over his feelings about the Europeans, the French and the Germans in particular, and seek their assistance because I believe they are ready to assist. They need to be asked.

As I said, we are starting from scratch to build an Iraqi police force of 73,000 people with 18,000 cars. Now we have about 30,000 Iraqi police, all ill trained, with about 200 cars. How long will it take to get to 73,000, which is a very thin blue line? The estimate of many is about 5 years. So what do we do in the meantime if we do not seek to internationalize this?

Second, we need to sustain and probably increase our military forces in Iraq, and it need not be more Americans. We should be reaching out to NATO. When I have spoken to Lord Robertson, when I have spoken to the head of NATO, and spoken to the country specific, I am told they are prepared to send hard, tough, fighting troops into Iraq, but they want to be asked. To the best of my knowledge, the President and Secretary of Defense and the Vice President have decided not to ask. If that is true, that is foolhardy.

We need between 30,000 and 60,000 forces there, and they should be NATO forces. Meanwhile, the notion that has been floated out of the Pentagon by Mr. Rumsfeld, as he suggested 6 weeks ago that we could get down to 30,000 troops by the end of the year, is pure fantasy. Who are we kidding? Get down to 30,000 troops within 6 months? Unless he has a plan no one has ever heard of internationalizing this to the extent that they are backfilled with European and other forces.

We need to get more troops in. They need to be effective, and the best place to look is NATO. As I said, I met with Secretary General Robertson last weekend. NATO is willing to help, but the administration has to ask. So please ask, Mr. President.

Third, we are going to need significant resources to get all of this done. Just a couple of weeks ago my committee, headed by Senator LUGAR, had testimony from leading members of the administration saying do not worry; basically, the oil revenues are going to take care of all of this. What a joke. We have a leading oil man appointed by the administration in Baghdad with whom we sat and met, my two colleagues and I. He said we will get to 1 million barrels a day maybe by the end

of the summer; maybe by the end of 2004, an average of 2.4 million a day.

Let me explain that. It means there may be the ability to generate \$5 billion worth of revenue this year and \$14 billion next year; and it costs us \$3 billion a month just to maintain our troops there.

It is time we start leveling with the American people. Maybe the most important impression was our folks on the ground are doing an incredible job. I am not being solicitous. I am not just saying we are doing a great job. They are doing an incredible job. The most positive thing I came away with: I went over despondent about a lack of a political game plan of transferring government to the Iraqis. I am truly impressed with Ambassador Bremer and his team. They have that process underway, after we finally discarded what I assume was the Cheney-Rumsfeld idea of putting Mr. Garner in there and finding Mr. Chalabi—I may be wrong about that; if I am, I apologize for sounding harsh.

But the President was wise enough to recognize the model they originally came up with on the political transition—General Garner is a fine man, and the expatriates being the basis upon which the government would be stood up quickly—was not realistic, and he made a swift change. I implore the President to make a similar change in thinking about police and the military.

Nobody back home understands. The American people have not been given the facts, in my view, to be able to fully understand how monumental the task is we are undertaking, how long it will take and how much it will cost, how many troops. The President needs to go to the American people and tell them.

I will end where I began 10 months ago in this Chamber after my hearings in July—almost a year ago, when I chaired the Foreign Relations Committee. I said then and I repeat it: The one thing all who come out of the Vietnam era generation can agree on is, regardless of what our view was on the war at the time, no foreign policy, no matter how well fashioned, can be sustained without the informed consent of the American people.

As I have said repeatedly, folks in my State and around the country thought when we went in that Johnny and Jane would come marching home as they did after gulf I, immediately after the war. There is a bit of shock and dismay on the part of the families of the National Guard and the reservists when they find out their dads and moms are not coming home; they are being extended.

We knew ahead of time they would have to be extended. You knew it, I knew it. We did not tell. We told them, the President didn't. Mr. President, please go on television, tell the American people what is expected of them now. They will respond. We are a mature people. They don't like the fact that 161,000 Americans have to stay

there for an extended period of time. But we have to tell them, and tell them why it is so important it be done. It is in the naked self-interests of the United States that we get this right—that we stand up with a government at the end of the day that is at least more democratic, is not a breeding ground for terror, and is a stabilizing influence in the region because it will save the lives of our children and our grandchildren if we do it right. We have an opportunity to do it right. This is doable. But not on the cheap, and not without leveling with the American people.

Nearly 2 months ago, on May 1, President Bush landed on the USS *Abraham Lincoln* to address our troops and the Nation. Behind them was a large banner that read "Mission accomplished." Our troops did accomplish their first mission, a remarkable mission in Iraq, of ridding its people of the tyrannical regime of Saddam Hussein. But the larger and more difficult mission is building the peace in Iraq and is far from accomplished. In fact, it has only just begun.

I respectfully suggest it is time for the President to explain that to the American people, to talk to us straight about the hundreds of thousands of troops who will be needed immediately and the tens of thousands of troops who will be needed for a long time, and the tens of billions of dollars that will be needed, and how we will have to energize the international community as donor nations to come up with that money so we do not hold the bag for it all. It will take many years.

When Senator LUGAR and I held our hearings, everybody kept saying, the day after the war, and we said, no, it is not the day after, it is the decade after Saddam Hussein is down—the decade after. I have not found one reasonable person who suggests that the United States will not be heavily involved, even after there is a transition to an Iraqi Government, for at least the next 3 to 5 years. If anybody thinks it is less than that, they are kidding themselves. If it is less than that, it will mean we will lose the peace.

I know it is dangerous, and I can see my colleague looking at me; it is dangerous to prognosticate in this business because everybody remembers exactly what you said. But I am saying the same thing I said last July. It was a worthy goal to take down Saddam Hussein. He was a danger to his people. The one thing the whole world has seen is what a madman he was. He has killed 300,000 of his own people at least. Mass graves abound. We did a worthy and noble thing. But we must internationalize this effort now. Now. Now. We must level with the American people.

I conclude by saying what the troops told us. You have been on these missions. These young men and women we have dinner with, these young troops we go out and ride around with, the people we spend our time with in the

country, they want to know in Baghdad, are we going to support them? They know how tough this is. They know how many more of them are going to die. They know their life is at risk. They know this is an incredibly difficult undertaking, and they are wondering why, when they pick up the papers back home, it is not being stated that way. It is being treated as if this is over. The American people deserve to be leveled with.

Everyone here knows, whether we say another year or 10, whether it is 75,000 troops or 160,000, whether it is \$1 billion or \$20 billion or \$40 billion, we all know it is a lot more than any of us are telling the American people.

It is time, as one of my Republican colleagues said, to tell the truth. I am not suggesting the President is lying. He is not. I am suggesting the American people do not have any idea what we have signed them on to. We had better tell them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

#### SENATOR STROM THURMOND

Ms. STABENOW. Mr. President, I take a moment to send my thoughts and prayers to the family of Senator Strom Thurmond of South Carolina, a man of a remarkable career who made his mark in the permanent history books of the Senate and the country. I know he will be remembered at the funeral next week that many colleagues will be attending. We send our thoughts and prayers to his family at what I am sure is a difficult time as they face this loss.

#### PRESCRIPTION DRUG AND MEDICARE IMPROVEMENT ACT

Ms. STABENOW. Mr. President, last night's vote on the Medicare prescription drug bill is one of the toughest votes I have cast since becoming Senator in 2001.

As the people of Michigan know, I made the issue of adding a prescription drug benefit to Medicare one of the centerpieces of my 2000 campaign. I told Michiganians that if they sent me to the Senate, I would fight to add a meaningful prescription drug benefit to Medicare. I also said I would do everything within my power to lower prescription drug prices for everyone.

For years, I have crisis-crossed Michigan and listened to seniors who desperately need help with paying for their medicines. I have heard from middle class, retired people who have had to cut pills in half because they could not afford to pay for their full prescriptions. I have gone with seniors to Canada where they could actually afford to buy American-made prescription drugs because they cost so much less north of the border.

Since 2001, I have sponsored and cosponsored bills that would provide a comprehensive prescription drug ben-

efit in Medicare and lower prices for all Americans. These are the goals that I have fought for and have spoken out for on this Senate floor time and time again.

Specifically, I have cosponsored S. 7, a bill that would provide a meaningful Medicare prescription benefit. And I have co-sponsored bills to open the border to Canada to allow families to purchase low-cost, F.D.A.-approved drugs made in the U.S. that have been sold in Canada for half the price or less.

I have co-sponsored legislation creating more competition to lower prices by allowing more generics, or unadvertised brands on the market and helping States set up bulk purchasing programs to lower prices for those without health insurance to help pay for their prescription drugs.

I have particularly focused on lowering prices for all Americans because the soaring cost of prescription drugs is hurting all of us.

When a brand-name prescription drug goes up in price three times the rate of inflation, everyone is affected by that. It hurts our seniors, many of whom must pay for prescriptions directly out of their pockets. It harms our businesses by dramatically increasing their health care costs. The average small business has seen their health care premiums double in the last 5 years. This affects our ability to grow and to provide new jobs.

The bill that the Senate passed last night only accomplishes some of my goals. It has its strengths and weaknesses. It is a step in the right direction, but only a beginning step.

On a positive note, this bill establishes an outpatient prescription drug benefit for all seniors for the first time since the entire program was created in 1965.

Currently, Medicare only covers prescription drugs for those who are in the hospital. As we all know, this has been a seniors challenge for our seniors.

Unfortunately, the benefit is confusing and will vary depending upon decisions made by insurance companies, but at least this bill establishes for the first time that there should be a benefit.

The bill provides a benefit for low income seniors who make less than 160 percent of poverty. Married couples earning less than \$19,392 per year will receive a comprehensive prescription drug plan. This will help approximately 350,000 seniors in Michigan. Again, this is a step in the right direction.

This bill also provides a catastrophic benefit for seniors who have extraordinary prescription drug bills each year. For some seniors, it is not uncommon for them to have monthly prescription drug bills of over \$1,000 per month or \$12,000 per year. This bill has a catastrophic cap at \$5,800 per year. After \$5,800, seniors would only have to pay 10 percent of additional out-of-pocket costs in one year. This is a positive step.

This bill also includes several improvements in payments for Medicare

providers. Since 1997, many Medicare providers have been underpaid and have been forced to make difficult decisions regarding serving new Medicare patients. Specifically, this bill provides increased payments for rural providers such as hospitals, ambulance services, and home health agencies. This is important to the people of Michigan.

The bill also makes great strides in helping to lower prescription drug prices for all Americans. For the first time, we have closed loopholes in our drug laws that have allowed brand name drug makers to keep lower cost generic drugs off the market. This bill will mean that there will be more competition between similar drugs and thus lower prices for families, for businesses, and for everyone using prescription drugs. This is a positive aspect that I have been fighting for, for the last 2½ years.

It also includes a provision that I have long championed that will allow pharmacies and families to purchase lower priced prescription drugs from Canada. In some cases, the same drugs that are sold in Canada can cost up to 50, 60, or 70 percent less than they cost here in the U.S. That makes absolutely no sense.

Regrettably, opponents of this type of free market competition attached a provision that allows the Secretary of Health and Human Services to stop its implementation. I hope that HHS Secretary Tommy Thompson will not block it and allow U.S. citizens to get lower priced, FDA approved, American made prescription drugs from Canada.

Unfortunately, this bill has serious drawbacks as well which is why it has been such a difficult situation for me. The Republican Congress, along with the President, has not been willing to allocate enough funding to provide a comprehensive benefit to most of our middle class seniors.

They arbitrarily picked a figure of \$400 billion in total spending for 10 years even though we know that it would take twice that amount to provide American seniors with the same kind of prescription drug coverage that we in the Congress enjoy. Why was that decision made? I have always said this is a question of values and priorities.

Which is more important, or more effective, putting money in people's pockets and improving the quality of life for Americans, another trillion dollar tax cut for the privileged few, or meaningful prescription drug benefit that will help our seniors and their families afford live saving medicine and put money back in people's pockets through lower prescription drug prices.

The answer to that question, I believe, is very clear. Unfortunately, misplaced priorities have resulted in a prescription drug plan that is much less than American families need and deserve.

There are many short-comings in this plan that I will continue to do everything in my power to correct.

For example, the drudge benefit stops when a senior's drug expenditures are between \$4,500 and \$5,800. During that period, after seniors have spent \$4,500 on their prescription drug costs, and before they reach \$5,800, seniors would pay 100 percent of that \$1,300 in prescription drug bills. This is a major gap in coverage.

Secondly, the copayments, the deductibles, the premiums are too high and too unpredictable. The \$35 premium often quoted is not even guaranteed in the bill. Seniors will be left to the mercy of insurance companies that will decide the premiums and the benefits that will be provided. This is not in the bill. It is up to the insurance companies.

Another very important issue relates to those who already have prescription drug coverage. There is currently not enough incentive in this plan to make sure employers do not drop existing prescription drug coverage for their retirees. This is a very important issue for the retirees in Michigan.

I will continue to fight for changes in this legislation to protect those who currently have coverage, who have worked hard their whole lives, who have retired and have been fortunate enough to have good benefits and are very concerned that they not lose them, as we work to help others who do not have coverage. It makes no sense to set up a system that might actually take away benefits currently being provided to retirees through private insurance.

Furthermore, one of the most negative parts of this bill is the fact that it does not allow seniors to get their prescription drugs through the traditional Medicare system as their first choice. Under the bill passed by the Senate, seniors must pick a private prescription drug plan or enroll in a private PPO or HMO if one is available to them.

Traditional Medicare, that seniors know and depend on, is only available if private plans are not available. Does this make sense? Only if you are a pharmaceutical company or an insurance company. I believe seniors should have many choices, including the choice to stay in the Medicare Program they know and trust.

As I have said so many times before on this Senate floor, when given a choice between traditional Medicare and a Medicare HMO, 89 percent of our American seniors and persons with disabilities have chosen traditional Medicare—89 percent.

This choice is not available to them under this bill. I believe this is a major flaw that I will continue to do everything I can to correct.

During debate on this bill, I sponsored and cosponsored and supported amendments that would have corrected all of these problems. These amendments would have stopped the benefit shutdown, reduced out-of-pocket costs, protected current retiree coverage, and provided a real comprehensive Medi-

care prescription drug benefit. Regrettably, none of these important amendments received the necessary support from my Republican colleagues to pass.

When deciding how I would cast my vote on this bill, I looked at all of these things: the positive and the negative. I evaluated whether or not this was a step forward for Michigan families, for Michigan workers, for Michigan businesses and, most importantly, for our seniors who have waited too long for help to pay for their medicine.

After many hours of thoughtful review and discussions with those affected by this legislation, I voted in favor of this bill last night, not because it was the best we can do but because it is a first step in the right direction. This direction—the direction in which we need to move—is for a real, meaningful prescription drug benefit for our seniors who have waited too long for their Government to act.

We were successful in improving this bill in some ways during this debate, but much more needs to be done. There will be other opportunities to do so, and I will take them.

This bill does not take effect until 2006. So between now and then I will be fighting hard to provide seniors with the real prescription drug benefit they need and deserve, and I will continue to help lead the fight to lower prescription drug prices for everyone.

As we know, this legislation is not finished. It must now go to a conference committee, a joint committee between the Senate and the House of Representatives, where differences between the Senate and House bills will be addressed. There are critical differences between the two bills.

The House of Representatives passed, by only one vote, a bill that truly begins to unravel Medicare. The House started down the road of privatizing the health care system of senior citizens and the disabled in our country. They voted to begin the process of turning back the clock to the days when too many seniors and families could not find or afford private insurance.

If I had been in the House of Representatives last evening, where I served for 4 years, I would have voted no. If the House bill comes before the Senate as it is currently written, I will vote no. Unlike the Senate, where we worked in a bipartisan way to develop a plan that the majority of Senators could support, the House process was very partisan and polarizing, and it resulted in an extreme plan that could not be supported by my Democratic colleagues who care deeply about strengthening and preserving Medicare for the future.

Our seniors expect and deserve the best plan we can offer. I will continue to work with my colleagues to achieve that goal. And I hope and pray that we will be successful.

Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. DOLE). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. FRIST. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE HONORABLE J. STROM THURMOND, FORMER U.S. SENATOR AND PRESIDENT PRO TEMPORE EMERITUS FROM THE STATE OF SOUTH CAROLINA

Mr. FRIST. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 191, which is at the desk, and I ask that the resolution be read.

The PRESIDING OFFICER. The clerk will report the resolution.

The assistant legislative clerk read as follows:

A resolution (S. Res. 191) relative to the death of the Honorable J. Strom Thurmond, former United States Senator and President Pro Tempore Emeritus from the State of South Carolina.

S. RES. 191

Whereas the Honorable J. Strom Thurmond conducted his life in an exemplary manner, an example to all of his fellow citizens;

Whereas the Honorable J. Strom Thurmond was a devoted husband, father, and most recently, grandfather;

Whereas the Honorable J. Strom Thurmond gave a great measure of his life to public service;

Whereas, having abandoned the safety of high position, the Honorable J. Strom Thurmond served his country during World War II, fighting the greatest threat the world had thus far seen;

Whereas the Honorable J. Strom Thurmond served South Carolina in the United States Senate with devotion and distinction;

Whereas his service on behalf of South Carolina and all Americans earned him the esteem and high regard of his colleagues; and

Whereas his death has deprived his State and Nation of a most outstanding Senator: Now, therefore, be it

*Resolved*, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable J. Strom Thurmond, former Senator and President Pro Tempore Emeritus from the State of South Carolina.

*Resolved*, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

*Resolved*, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable J. Strom Thurmond.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Madam President, this resolution has been submitted by myself and on behalf of Senator DASCHLE, Senator GRAHAM, and Senator HOLINGS in honor of the honorable and great J. Strom Thurmond.

Last night shortly after 9:45, we were notified of the death of Strom Thurmond. At that time, I pointed out that it was a century ago—a long time ago—when Mark Twain was alive and Teddy Roosevelt was still President, J. Strom

Thurmond was born in Edgefield, SC, and, thus, began a life of public service unmatched—unmatched—in the modern history of America.

Strom Thurmond served as United States Senator from December 1954, 2 years after I was born, until January of this year, nearly a half century of service in this body—this body we have the honor of participating in on a daily basis.

Though his period of service is a remarkable accomplishment in and of itself, Strom led a remarkable life even before coming to the Senate. Late last night and over the course of the morning, if one turned on a television set, they would hear anecdotes, stories about this great man, and those pre-Senate years when he was a teacher, an athletic coach, and a superintendent of education.

He studied law under his father, Judge J. William Thurmond, and became a city attorney, a county attorney, a State senator, and eventually a circuit court judge. He resigned his position as a circuit judge to volunteer to fight in World War II. This he did at the age of 39, 18 years after serving as an Army reservist and having earned a commission as a second lieutenant.

Indeed, as we all know, age never was an obstacle for Strom Thurmond. As a member of the 82nd Airborne, Strom landed a glider at Normandy on D-Day and helped secure the foothold for the Allies to liberate the European continent.

For his distinguished service, Strom was awarded five battle stars and 18 other decorations, including the Legion of Merit with oak leaf cluster, the Purple Heart, the Bronze Star for Valor, the Belgian Order of the Crown, and the French Cross of War. No wonder when a speech writer once used the word “afraid,” Strom Thurmond handed the text back with the retort:

I’ve never been afraid of anything.

After the war, Strom returned home to South Carolina. He was elected Governor in 1946, and then ran for President of the United States as the States Rights Democratic candidate. Strom won four States and 39 electoral votes, and that tally stands as the third largest independent electoral vote in U.S. history.

Though he did not win the Presidency, Strom was determined to serve in Washington. He ran for the Senate in 1954, became the only candidate elected to Congress by a write-in vote in American history, and he was re-elected eight more times.

In the most recent years, it became increasingly difficult for Strom to go back and forth to South Carolina, but that did not stop the people of South Carolina from coming to him, and it should not have. For decades, Strom attended every county fair, handled every constituent request, and sent a congratulatory note to every high school graduate, many of whom came to intern in his office. It has been said that almost 70 percent of South Caro-

linians have met Strom Thurmond face to face. Over the course of his long and distinguished career, Strom Thurmond was a witness to history.

As a young man, he knew people who stood in the presence of Andrew Jackson. He campaigned for the votes of men who fought in the Civil War. He and Herbert Hoover won their first elective office in the same year, 1928.

Strom more than saw history, he wrote it. He was the first major southern Democrat to switch to the Republican Party. He served for more than 17 years as President pro tempore of the Senate. As chairman of the Armed Services Committee, he ensured that our men and women of the Armed Forces had the best training, the best equipment, and the best leadership in the world.

As we all know, Strom did set the record for the oldest and longest serving Senator. He served with about one-fifth of the nearly 2,000 men and women who have been Members of the Senate since 1789. He was nearly one-half the age of the U.S. Constitution. Strom certainly faced his trials. As the Dixiecrat candidate for President in 1948, he campaigned on a platform of States rights, but in doing so he also opposed civil rights, as he did for many years as a Senator.

History will reflect that part of Strom’s life. We will let history also reflect that when Strom saw that America had changed, and changed for the better, he changed, too.

A longtime friend of Senator Thurmond’s, Hortense Woodson, once said of him:

Everything he’s done has been done to the full. There’s no halfway doings about Strom.

Indeed, Strom Thurmond will forever be a symbol of what one person can accomplish when they live life to the fullest. God bless our friend and our colleague from South Carolina, Senator Strom Thurmond.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM of South Carolina. Madam President, I compliment our majority leader for his statement. It was very eloquent and it means a lot to Senator Thurmond’s family.

I know personally that Senator Thurmond had a great fondness for Senator FRIST. He told me he is a very smart man and he is a good doctor, too. If you ever need him, look him up.

I rise today in support of this resolution on behalf of myself and Senator HOLLINGS. I appreciate the majority leader and Senator DASCHLE allowing this to occur. It is offered in the spirit of Strom Thurmond’s life. Something can be said about Strom Thurmond in the Senate very easily. He loved the Senate and the Senate loved him. His colleagues who have served with him so long all have personal stories of fun, good times, tough fights. He was a valuable ally and a worthy opponent, and the Senate has lost its longest serving Member. Many of us have lost a very dear friend. That goes for the Senate

family, the people who help us with the doors, the clerks, and the reporters of debates. Everyone enjoyed and appreciated Senator Thurmond.

It is important to comment on Senator Thurmond, the man. His children have lost their father. Whether one is 100 or 200, it is always difficult, no matter how long one lives, to give up their father and mother.

I have talked to two of his three children today, and I have expressed my condolences. They are doing very well but they are sad because they have lost their daddy. I have talked with his wife. We reminisced about their life together, the raising of their children, and the experiences they have had. So my prayers, along with the prayers of everyone in the Senate, go to the family. He was a good family man. If a script was written in Hollywood about his life, it would not have ended any better in this regard.

He became a first-time grandfather at the age of 100 last week. He has three children under 30. He had his first child when he was 68. He was just a phenomenal person. He has done things that most of us could not dream of doing in many ways.

I am convinced that two things drove him in his final years: That he wanted to finish out his term because he is not a quitter, and when he was elected to serve his last 6-year term he meant to serve it out. He helped me to become his successor, and I will be forever grateful. He also wanted to see his grandchild born, and God allowed him to do that. He was presented his grandson last week. They tell me it was a very magic and touching moment. A week later, he passed on.

He has suffered personal tragedy, lost a daughter in an accident. He has experienced much good and bad in his life. He has touched so many people. It is a loss to the Senate. It is a loss to his family. It is a loss to his staff.

Duke Short, who served with Senator Thurmond in Washington for so many years, was a very loyal and capable staff director. I know that Duke and his family feel the loss.

Dr. Abernathy in South Carolina has been with Strom Thurmond since the 1940s when he worked with him as Governor. Dr. Abernathy is a legend in his own right.

There are so many people who have worked for Senator Thurmond throughout the years, and I know they feel this loss. Senator Thurmond has had enough interns to probably fill up a football stadium. His first group of interns are now on Social Security.

He was elected in 1954. I was born in 1955. All I have known in my life is Senator Thurmond, and for 36 years Senator Thurmond and Senator HOLLINGS served together. Both of them are distinctive gentlemen, bigger than life. A lot of us who have associated with Senator Thurmond feel his loss.

South Carolina has lost her favorite son. Much has been said and will be said of Senator Thurmond’s legacy.

The majority leader, Senator FRIST, went over his life very well, and it is just an amazing story to tell: Being a superintendent of education in the 1920s; getting elected for the first time in 1928; being a judge in South Carolina at the start of World War II, deciding to give up that job which would have exempted him from service, being in his early forties; joined the 82nd Airborne, landing in a glider. The pilot of the glider was killed when it landed. His men were wounded. He led them out and secured the objective.

When the war in Europe was over, he volunteered to go to Japan and he fought until they quit. He was just an unbelievable person who embraced life.

People ask me: How did he make it so long? He just had a passion. He had a passion for everything he did—his family, his constituents. His legacy in South Carolina is quite simple for every South Carolinian—black, white, rich, poor, no matter whether you are from upstate, middle, low State—I am sure every State has different regions and different dialects but the one thing we had in common: If we had a problem, we knew who to call. We knew to pick up the phone and call Senator Thurmond because if he could help you, he would.

The average, everyday South Carolinian, from the company owner to the janitor, believed that Senator Thurmond was on their side. And when they called, they received a call back. When they wrote a letter, they received a letter back. The reason I know that is people tell me everywhere I go.

One guy told me Senator Thurmond used to cut his grass. These stories abound. Some of them have been embellished, I am sure, but the only way that he could have lasted this long in politics, doing as many things as he has done, taking on the issues that he has taken on, is that at the end of the day people saw that he had a servant's heart.

Part of his legacy is the 1948 campaign, and it needs to be mentioned. Senator FRIST mentioned it. That was a tough time in our country. He ran as a States rights candidate with a lot of passion for the limited role of the Federal Government. He won on the platform that divided the races. That was a dark time in South Carolina. That was a dark time in our Nation.

Senator Thurmond made a choice later in life. He could have done almost anything he wanted. But as the 1950s came to a close and the 1960s came about and people started insisting their Government treat them better, Senator Thurmond made a choice. Instead of hanging on to the rhetoric of the past and the politics of the past, he embraced the future.

Here is what he does not get much credit for. Instead of going with the flow, which some people want to ascribe to him, he in a subtle way led a change. He could have been a barrier to change, but he made it easy for people in South Carolina, politicians on the

Democratic and Republican sides, to embrace change because when Strom came out for something, it made it easier for you to come out for something because it gave you cover. When Strom Thurmond appointed the first African-American judge in the history of South Carolina to the Federal bench, it made it easier for the people in the statehouse to give appointments to African Americans. That is what we do not need to lose.

When he embraced traditional Black colleges and started giving them the same recognition and funding as every other university in South Carolina, it made it easier for the legislature to improve the quality of life for everybody. At the end of his life, in 2001, he was awarded lifetime recognition from the Urban League in South Carolina, that is designed to build racial harmony, for his lifetime of service to traditionally African-American colleges.

That needs to be mentioned as much as the 1948 campaign. He will be held accountable in history for that part of his life. History should know that in many subtle ways, in many bold ways, he allowed my State to move forward, and everybody in my State is better off for it.

From a personal point, when I was in the House, I was the first Republican to be elected from my Third Congressional District in 120 years. One reason I was able to win when everybody behind me was beaten for 120 years was, Senator Thurmond, for the first time in his political career, embraced a campaign very directly—because he had been smart enough not to get involved in political races and try to represent everybody. He took to me, and I am the beneficiary of that. He said: I will come and campaign for you, Lindsey. I said: Great. And I turned to my staff and said: What do you do with a 92-year-old man? I was worried we would wear him out and we could not utilize his services. I was worried about him at age 92. Three days he campaigned for me. When he left, I said: Thank God he is gone. He wore me out.

He had a passion I had never seen. I picked him up at the airport on day 1, in an airplane flown by his personal pilot who was 75 years old, a single-engine plane. We went to a parade in September. It is hot in South Carolina in September. We went from one end of town to the other shaking hands. We went to the funeral home because he remembered the guy who owned the funeral home always gave him apples. He walked in unannounced because the Senator wanted apples, and he got the apples. He campaigned all day. We had a fundraiser that night. We went to a football game that night. He made a speech at half time. We went to a rodeo that started at 9 o'clock at night, and he got up in the middle of the ring on a barrel and gave a speech. He wanted to see the third shift change at the textile plant. I said: I am too tired, and I went home. That went on for 3 days.

When he left, I asked him to sign a fundraising letter for me. We were all

worn out. He looked at the letter and he said you misspelled your own name and you are in the Third District, not the Second District.

At 92 years of age, he had a passion and he helped me. I stand appreciative. When I ran for the Senate, he endorsed me in a primary. I can tell you, I would not be his successor if he had not come out and said: LINDSEY GRAHAM is the right guy to follow me. That will stick with me forever.

What have I learned from Senator Thurmond? If you are willing to change, you can serve your State and Nation well. If you care about people, they will take care of you. Let it be said that God gave to this Nation, my State, South Carolina, a public servant, a man of great character and heart, and that we miss him, but we thank God that he gave us J. Strom Thurmond.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Madam President, I enjoyed hearing my colleague from South Carolina tell his stories about Strom Thurmond. I rise to join the tribute to the memory of Strom Thurmond that is, very appropriately, the day after his death.

Most of the time when someone dies, we gather in great sorrow and we mourn his passing and we think about what might have been. In Strom's case, there is no reason to think about what might have been. He did it all. There was nothing left undone. There was nothing left to accomplish.

This should not be a time of mourning or sorrow but a time of celebration. So I rise to celebrate the life of Strom Thurmond. The best way to do that, I think, is to tell Strom Thurmond stories. All of us are full of Strom Thurmond stories.

I remember D-Day, when the big celebration occurred on the anniversary of D-Day and Strom Thurmond was not there. ARLEN SPECTER, who was there, greeted him in the Senate and said: Strom, it was a marvelous, marvelous celebration, and you should have been there. And his response was: I was there when it counted. It put us in our place.

My father had the experience of working with Strom Thurmond. My father was elected in 1950, and, as has been noted, Strom Thurmond was elected in 1954. They became instant friends, not just political friends. There were occasions when they disagreed politically, but they became personal friends.

When Strom married, my mother—old enough to be Strom's wife's mother—kind of took Nancy under her wing and they became friends. The Thurmongs and the Bennetts remained close for a long, long time, to the point when my children started getting married, my parents said: You have to send Strom Thurmond an announcement. And we did and thought we had taken care of our social obligation. Then we

get a phone call from Strom Thurmond's office: We got this announcement, and we don't mean to be prying, but who are you? Well, we are the children of Wallace Bennett. There was a pause. Then the person on the end of the line said: And who's Wallace Bennett?

But Strom knew who Wallace Bennett was, and when I came to the Senate, Strom greeted me very warmly and called me Wallace. It took a little while for him to figure out that I was not my father. And that was a compliment to me because I was very proud of my father and the service he performed in the Senate, and I took the opportunity to touch base with Strom.

From that, I thought: This man in his nineties is not all that sharp. He confuses me. He does not have all of this as straight as he might. Then I had a couple of experiences that set me straight. We had an issue with the State of Utah that was all wrapped up in the Armed Services Committee. It was quite a complicated issue. Someone said to me: Explain that to JOHN WARNER because JOHN WARNER is second ranking to Strom and is handling all of the detailed kind of things. You go talk to JOHN WARNER. He said: You will be talking to somebody who I know can handle the problem.

So I went to Senator WARNER and I started outlining the details of this situation to him. He cut me off. He said: You are going to have to talk to the chairman.

I, having had this image of this old man, thought, I don't really want to have to talk to the chairman. And, as delicately as I could, I said to JOHN: Can't we work this through and kind of handle it? He said no. He said: That is a serious enough issue, I don't dare handle that. You are going to have to talk to the chairman.

Just then, Senator Thurmond walked through the doors. So, gathering up my courage as a freshman Senator, I walked over to him and said: Senator Thurmond, I would like to visit with you about—and I no sooner got the title of the issue out of my mouth, than he said: It's all taken care of. And he kept walking. I followed him along, sure that he had not understood what I was talking about. This was a complicated kind of issue, and he had oversimplified it and assumed that it had been taken care of.

So I started to intrude again with some of the details. He was very respectful and wasn't patronizing. But he said: I know; I understand; all taken care of.

Well, thus dismissed, I went back to my staff and said: I think we have a problem here. Senator WARNER won't handle it, and he insists that Senator Thurmond has to handle it, and Senator Thurmond just said it has all been taken care of.

We contacted the Armed Services Committee staff, and they said: Oh, yes, that has all been dealt with. Senator Thurmond stepped in, he under-

stood the issue, he made his decisions, he took care of it, and it is all taken care of.

So I decided, well, I had better not underestimate this man, in spite of his age.

Then I had the experience while I was on the campaign plane with Senator Dole in the 1996 election when we were flying around the eastern States on the day of the South Carolina primaries. The word came in that Senator Dole was winning the South Carolina primary. We had some exit polls that looked pretty good. We decided to change our itinerary and fly to South Carolina so that Senator Dole could be there to receive the plaudits and applause and the excitement of winning the South Carolina primary. So we did. Of course, this had been a long day. We didn't leave South Carolina to come back to Washington on the campaign plane until after the returns were in and all of the celebrations had been held.

Senator Dole, very appropriately, went up into the front part of the plane to take a nap as we were flying back. Senator Thurmond had hitched a ride back to Washington on the campaign plane. That left Senator Thurmond and me and one or two others sitting around the table just behind the front part of the plane chatting.

It was now midnight, way past my bedtime, and here we were having political discussions on a campaign plane in the middle of the Presidential campaign—the kind of thing that political junkies like me love to do. It was a great discussion. But the interesting thing about it was that Strom Thurmond not only understood the discussion and participated in the discussion, but he led the discussion. He was instructing us about political lore. He was telling tales out of his past, which is what old people often do. But he was also analyzing things for the future and had a firm hand on everything. I thought I was talking to a man at least 20 and maybe 30 years younger than his chronological age. I understood: OK, this man still has all of his faculties, mental as well as physical.

We landed at Dulles Airport well after 1 o'clock in the morning. Everybody was dragging except Strom, who strode off to his car in fine style. I remember what he said on that occasion about how you live a long time. He said you eat right, you exercise regularly, and you keep a positive outlook. He did all of those things, although I am not quite sure about the eating right part because there were times when I caught Strom eating some things that I am not sure a dietician would recommend.

The time came for him to run for reelection. I couldn't believe at 94 he was going to run for reelection. Ninety-four is the time you retire. Being a skeptic, I had a hard time believing the people of South Carolina would vote for a 94-year-old man. So I sidled up to one of his top staffers as we were getting

ready for that campaign. I said: Can Strom Thurmond really win one more time in South Carolina? Is this going to be close? He said: No, it is not going to be close at all. Strom is going to win going away.

By the way, I remembered when the Republicans had taken control of the Senate in 1994 and we were having our discussions about platforms. One of the issues that was raised by one of the freshman Senators newly elected was term limits and how we needed to be for term limits. We were debating back and forth. Strom was sitting there not talking. Suddenly, he spoke up, and he said: I am for term limits. We all kind of giggled a little. He said: But if they are not enacted, I am going to run again.

Here he was running again—94 years old. And I was being told by his staff that Strom would win overwhelmingly. I said: Look, we all love him. We all love the history. But 94 years old? He said: Let me tell you a story.

This is my favorite Strom Thurmond story.

He said: I was Strom's AA, and I got a phone call from a woman in South Carolina who said to me: I need the Senator's help. Here is the situation. My fiancé and I got married just before he shipped out in the Navy for a 6-month cruise in the Mediterranean. We knew we would not like the separation, but we decided, for a variety of reasons, that we should get married now rather than wait until after he got back. He has just called me and said he has been given leave. He has 2 weeks of leave right now in the middle of this 6-month tour, except that he cannot leave the theater in case something should arise that would require him to be back on the ship within 24 hours. He has to stay in or around the Mediterranean area where his ship is. So he said catch an airplane, come over here, we can have a 2-week honeymoon in the Mediterranean and I can still be available for the military situation, if it should arise.

She said: I went down to get my passport and I was told it takes 2 weeks to get a passport. By the time I get a passport to fly over to be with my husband, his leave will be up and he will have to get back on the ship. Can the Senator help me get a passport any faster than 2 weeks?

Well, said the staffer, I will find out. He called the woman in South Carolina who was handling passports and introduced himself and said: I am calling on behalf of Senator Thurmond to see what we can do about getting this woman's passport a little faster. The passport lady said: It takes 2 weeks. Well, Senator Thurmond would really be grateful. She said: I don't care what Senator Thurmond wants. It takes 2 weeks. I don't care who you are, and I don't care who he is. Passports take 2 weeks.

Well, he said, I have to tell you that under these circumstances, I am now going to have to call Senator Thurmond. When there is a situation I can't

handle myself, I have to involve him. Those are my instructions. She said: Call him. Tell him anything you want. He can call me. I don't care. Passports take 2 weeks.

So he said: Well, I am not threatening you. I am just telling you. I have to call Senator Thurmond.

So he hung up talking to the passport lady, and he picked up the phone and called Senator Thurmond. Now, it seems Senator Thurmond was in Germany, and it was in the middle of the night in Germany, but his instructions were that he was to call Senator Thurmond in any such situation. So he woke Senator Thurmond up, in the middle of the night in Germany, and started to explain this situation.

He did not get half way through the explanation I have given here when Senator Thurmond said: What is her name?

He said: Well, her name is—and he started to describe the wife of the marine who was sent out with the Navy.

Senator Thurmond said: No, no, not her name, the passport lady's name.

So he gave Senator Thurmond the passport lady's name.

Senator Thurmond said: Thank you very much—and hung up.

Ten minutes later the staffer said: I got a phone call from the passport lady. She exploded over the phone and said: He called George Shultz. The Secretary of State now knows my name.

Senator Thurmond called George Shultz and he said: George, you've been a marine. This is their honeymoon. Can't you get this lady to give the woman a passport?

She got her passport. She got to the Mediterranean. She had her honeymoon.

The staffer said to me: Senator, South Carolina is full of stories like that. South Carolina is full of people like that. Strom Thurmond will win, big time. No matter how old he is, no matter what his situation, that is the kind of service Strom Thurmond has rendered as a Senator.

One of our colleagues was in the Senate doctor's office, as we go in there from time to time, and he noticed Strom coming out of the doctor's office with a very worried look on his face. We were all very concerned about Strom and his health in his later years. So the colleague said to the doctor: What's the matter with Strom?

The doctor said, appropriately: I cannot discuss the medical condition of one patient with another patient, so I can't say anything to you. He said: However, I don't think it would be violating medical ethics to tell you that Strom is a little worried about the fact that he can no longer do one-arm push-ups.

This was a man of legend. Eat right, exercise, keep a positive attitude, always be available for your constituents, even when it is the middle of the night in Germany, and never worry about who you may call or upset as long as you are working on behalf of a

constituent. This was Strom Thurmond.

We have all kinds of stories. These are my favorite ones. I offer them as part of the celebration of an extraordinary life, a life fully lived, of someone about whom we need not say: Well, we worry about what might have been. In his case, there was nothing left over that might have been because he did it all.

I yield the floor.

The PRESIDING OFFICER (Mr. CORNYN). The Senator from South Carolina.

Mr. GRAHAM of South Carolina. Mr. President, I thank Senator BENNETT from Utah for that remembrance. It was just exactly what needed to be said. I say to the Senator, I know he loved you and your father dearly. On behalf of the people of South Carolina, I thank you very much for what you just said.

Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 191) was agreed to.

The preamble was agreed to.

Mr. GRAHAM of South Carolina. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### LEGISLATIVE ACHIEVEMENTS

Mr. FRIST. Mr. President, most of our colleagues are departing, and we will shortly, in just a bit, for a recess which, as all of us know, is a time for visiting with our constituents, visiting around the country with people who give us the opportunity to serve in the Senate and interact with them in a way that we can ask questions. How are we doing? You elected us to fulfill a vision that you have had and which we are doing our best to lead with. So it gives us an opportunity to really sit back and assess how we are doing as public servants, as Senators representing our own States.

As I look back over the last week, it has truly been an exciting week for America. After years of discussion, after years of debate, we passed a bill this morning, in the middle of the night, late last night after midnight, that we know, once we work through conference, and once it is signed by the President of the United States, will strengthen Medicare, will improve Medicare, will modernize Medicare in a way that we simply never have since the origin of Medicare in the mid-1960s.

We know from this legislation that we developed in a bipartisan way, that

for the first time in this program and, indeed, in the history of the country, seniors, through the Medicare Program, will have access to prescription drugs. They will have for the first time the option to choose health care coverage that best suits their individual needs. It is all voluntary. They don't have to take advantage of any of these new options that they will have. Their health care coverage will be responsive not only to them, the way this program is designed, but to the constant advances in health care delivery and new medicines and new technology that we know characterize health care today but will even more so characterize health care in the years to come. It will be able to capture those lifesaving innovations of modern medicine.

Best of all—I keep mentioning it—I am very pleased with the way this bill came to the Senate floor, was debated, and in committee prior to that because it really was a bipartisan effort. Many times, especially when the American people look at the way we operate here, they say: That extreme partisanship and that rhetoric going back and forth; how in the world does any business get done?

This particular legislation, probably as complicated as any legislation that would be on this floor—and clearly it is big; this is the largest single expansion of an entitlement program in the last 30 years—was carried out in a way that debate took place in a civil fashion and people came together, not always agreeing, as we saw last night and early this morning, on every single issue, but we tackled the issues head on, something our seniors deserve, something the American people expect. And we delivered a bill that reflects the needs and priorities of both sides of the aisle.

Not everybody is perfectly happy with it. We know it is not perfect. But it is as good as can be generated from this body at this point in time.

That is sort of the last week, the last couple weeks. Over the last 6 months, as leadership in the Senate, we have tried to lead this body in a way that is very much mission focused, that is very much building on relationships, centered on different relationships on both sides of the aisle in a way that values are important—the values of civility and trust, and with a real action orientation, looking for solutions to problems, not just talking about them, not just legislating for legislation's sake but actually delivering where problems are identified.

So if you look at being mission focused and relationship centered and values based and action oriented, that is what you set out to do. Then it provides a good opportunity, now as we go into this recess about 6 months into the year, to see what sort of job we are delivering for the American people.

Again, I mentioned the bill last night because I think it fits all four of those

criteria and shows us with that common mission of moving America forward and doing it in a very respectful and civil way.

Over the past 60 days, the Senate has acted, responded, and provided solutions to many of the jobs problems and the challenges brought to us. Every Senator can leave for this Fourth of July recess today proud of what they have accomplished on behalf of our fellow citizens. We passed the third largest tax cut in history. The Jobs and Growth Act is providing immediate relief to millions of Americans, American citizens, their families, to States, to businesses. Of the \$350 billion stimulus and growth package that we passed, nearly \$200 billion, a full 60 percent, is provided this year and next, not way off in the future. Indeed, many of those checks will start flowing in the next 4 weeks.

This injection of money, this injection of resources will grow the economy, and by growing the economy will create jobs, will increase investment, will provide States with resources to maintain essential government services, and will reduce unemployment.

On this chart, I do list, in this whole jobs and growth dimension, the fact that we did do a budget, the second earliest in the history of this body in terms of generating a budget on April 11. And we did pass the jobs and growth package on May 23. If you look, just since this jobs and growth package was signed into law, stocks have surged about \$619 billion in value. We should not read too much into short-term fluctuations in stock prices, but indeed, recent trends in the stock market suggest that overall conditions are set for a resumption of strong overall economic growth.

As I mentioned, because of passage of this jobs and growth package, American workers will have more money in their paychecks. A family of four making \$40,000 will see their taxes reduced by \$1,133 in 2003. Those checks for \$400 will be sent to nearly 25 million taxpayers starting in about 4 weeks.

We also voted in these last several weeks to expand the child tax credit to include low-income families. Because of the jobs and growth act, working Americans will have more money in their pockets to spend, to save, to invest how they wish next month.

Last month, we also passed—I have this listed under health—the global HIV/AIDS bill on May 15. As a physician, as one who has been trying to fight this virus for the last 20 years—really since about 1983 when this virus first appeared—23 million people have been killed. It has infected another 40 million people alive today and will, in the best of all worlds, kill another 60 million people. This bill, in a bipartisan way, working with the President of the United States, who led, and with the House and with the Senate, will have the impact of helping prevent another 7 million infected people.

It will help care for 10 million HIV-infected individuals and AIDS orphans

and probably, most importantly, does bring back hope to millions of people in this country but indeed all over the world who recognize that ultimately that virus can and will be destroyed.

It links prevention, care, and treatment in a comprehensive way, led by the United States of America, where we can leverage our leadership so that countries all over the world will step up and join us arm in arm in fighting this deadly virus.

Our work in passing this global HIV/AIDS legislation demonstrates that we as a society place a high value on life. History will judge us on how we respond to such challenges and, indeed, we can now say very proudly that we are responding, that we in this body made the right choice. We are taking the necessary steps to put an end to one of the most deadly scourges of human life in recorded history. It is a moral challenge, a medical challenge, a humanitarian challenge. But we are responding, and we are leading.

Alongside these legislative accomplishments, we also passed a number of other measures. In the last 2 months we passed the Department of Defense authorization, the Federal Aviation Administration, FAA, authorization, and the extension of unemployment benefits.

We also allotted significant resources to upgrade technology at America's historically black colleges and universities.

I am particularly very excited about this legislation because, again, firsthand, I have had the opportunity to visit and speak at historically black medical schools. In fact, I was at Morehouse School of Medicine a few weeks ago. On my visit there, I had the opportunity of looking at their technology and innovation center, where they are actually using technology to best teach young physicians-in-training so they will be able to extend the great power they have as physicians in making others' lives better.

We took a historic step in bringing a National Museum of African American History and Culture to our Nation's Capital. There have been 80 years of petitions on bringing an African American museum to the family of museums we have here in Washington, but only in this Senate are we finally, by passing that legislation, close to having a museum of African American history in Washington on the Mall. I want to take the opportunity to thank all of my colleagues, but in particular Senator BROWBACK, and in the House, Congressman JOHN LEWIS, for their leadership on this initiative.

We passed expedited hiring authority for the Security and Exchange Commission under the leadership of Senator SHELBY. This legislation will allow the SEC to hire the accountants and the economists they need to enforce corporate accountability and maintain that investor confidence we know and trust, and that we know must be the undergirding foundation of our investor economy today.

Our colleague from Maine, Senator SUSAN COLLINS, led the campaign to increase public access to cardiac or heart defibrillation. We passed a trauma care systems planning piece of legislation that is potentially important to everybody listening to me. If you happen to be in a motor vehicle accident driving home from work today, where are you going to go? How quickly are people going to respond? Are you going to have a tertiary trauma center nearby? We, in effect, will double our national efforts through this legislation as we focus on trauma care systems planning. I had the opportunity to introduce that, and passage was on June 23.

My colleague from Tennessee, Senator ALEXANDER—through his leadership, we passed the American History and Civics Education Act. Because of this act, and through this act, America's students will be able to learn our Nation's great history and civic traditions.

That reminds me of Senator GREGG, the Senator from New Hampshire, and his tremendous work on the initiative called Keeping Children and Families Safe Act, which was signed by President Bush just this week, focusing on our children and their safety and their security.

Earlier this year, in March, we passed the ban on partial-birth abortion, a procedure that is unnecessary and offends the sensibilities of the American people.

The following month we passed the President's faith-based initiative—not the whole initiative, but an important aspect of it, through a bill called the CARE Act.

The same month we passed AMBER Alert. Some are listed here on the chart, including partial-birth abortion ban, faith-based initiative, AMBER Alert, which we have all seen on television and heard on radio where the names actually come forth, where we have a national alert in the event some tragedy has occurred.

Last week the child care conference report was passed. Millions of lives of Americans and future citizens will be protected by each of these initiatives passed. They all passed on the floor of the Senate, demonstrating our deep commitment and compassion for our most vulnerable citizens.

Internationally—and I have some of these under security—again, I will not go through each one. While all of this has been going on, we have funded Operation Iraqi Freedom. Who will ever forget that morning watching the Iraqi people pull down that statue of Saddam Hussein? The United States, this body, will continue to aggressively support the war on terror. We will continue that financial commitment, whatever it takes, and that moral commitment to the war until America's enemies are defeated.

Internationally, also globally, we passed the Moscow Treaty, the NATO expansion. When you look at Bulgaria and Estonia, Latvia, Lithuania, Slovakia, and Slovenia, we see democracy

in action, where 15 or 20 years ago people would have said "impossible." So the very freedoms we are fighting for, whether it is in Iraq or this ongoing war of terror, they are embodied in what we have voted on in this Senate—expansion of NATO to include these new democracies.

We also passed the Microenterprise Assistance Program, which will help impoverished citizens build and grow small businesses, so people who may not have access to capital are given some assistance, which, combined with their own entrepreneurial spirit, can grow and they can have that opportunity to take part in a growing economy. This economic tool is especially powerful for impoverished women in developing countries all over the world. I spend some time every year going to Africa and in a few months I will be going with a Senate delegation to South Africa, Botswana and Namibia. Last January, I was in Uganda, Tanzania, Kenya, and the Sudan. You see the importance of these what are called microenterprise grants, giving people that opportunity to grow economically, help their family return to dignity and opportunity that they simply don't otherwise have.

I listed here a series called values. I mentioned most of these. But the Burmese Freedom Act is an issue that is ongoing in a part of the world where we see the civil liberties we take for granted being stripped away. When you say freedom in this country, you think of freedom of speech, freedom of expression, and freedom of the press. But the Burmese Freedom Act is necessary because in that part of the world—particularly right now—those freedoms don't exist. Again, this was an important response on behalf of the Senator from Kentucky and others to bring attention to the human rights abuses that are being put forth and committed by the Burmese government against its citizens.

So the Senate, by working together, has accomplished a lot, with a lot of hard work and cooperation. I once again thank my colleagues for their efforts. We are doing all this, and I put "action" up here on the chart, and the goals that we have met because day to day we are focusing on each of these and we rarely have the opportunity to go back. The importance is on "action." This is occurring now in this first 6 months, but it occurred compared to the last Congress, when we never passed a budget.

In the last Congress, we didn't pass 11 out of 13 appropriations bills. In the last Congress, we did not pass Medicare. So it is the action, and the solution is fulfilling the agenda that we put forth. That is what the American people expect. We have made the legislative process work.

The one area that I believe continues to undermine the effectiveness of the Senate is the obstructionism towards the President's circuit court nominees, the judicial nominees. This is unprece-

dented in our 200-year history, the tactics to endlessly delay the process and prevent the Senate from performing its constitutional responsibility to vote on the President's judicial nominees. That is inconsistent with the Constitution.

Our responsibility is to advise and consent. Yet we are being denied a simple up-or-down vote, allowing people to vote how they wish, but allowing them to express advice and consent by voting which is, in the end, the only way we can express that advice and consent. The Senate has few constitutional responsibilities as important as exercising that advice and consent on the President's judicial nominees. I am determined to press forward in the next weeks to carry out a fair and orderly Senate process and return to the norms of the last 200 years, where Senators are given that opportunity for an up-or-down vote.

Looking ahead, July will be a busy month. I do want my colleagues to know—and we had some discussion with the Senator from West Virginia last night in terms of making sure we have good productive Fridays—I can assure my colleagues that in July, in large part because we will be addressing the appropriations bills very aggressively during that month, we will be working 5 days a week, and it is likely that votes will continue late in the day on Fridays, at least later than usual on Fridays.

During July, in addition to the appropriations bills, we will complete action on the Energy bill, which we all know is critical to generating an affordable, reliable energy supply.

I know we will be aggressive in passing these appropriations bills for the Cabinet agencies. Early on, I expect to see the Department of Defense, the Department of Homeland Security, Labor and Health and Human Services, and, at the same time, I want to address one other issue in July—and this is an ambitious schedule—but I do believe strongly, and I say this in part as a physician, yes—that we have an obligation to diminish—I would like to say eliminate—the frivolous medical liability lawsuits that are being applied today.

That needs to be the goal: to get rid of the frivolous lawsuits because they unnecessarily drive up the cost of health care, and if you unnecessarily drive up the cost of health care, you end up driving people to the ranks of the uninsured.

We will address that issue during the month of July, as well as issues surrounding genetic discrimination, an issue that has already been addressed in committee and is ready to come to the floor.

This is an impressive list, I think. It is one I am confident we will be able to handle in a systematic and productive way, always keeping in mind that goal of moving America forward and that we are working for the American people. They send us here to get results, not unnecessary legislation, but get re-

sults to the problems and challenges they face.

If we look at the list, I think we are on the right track. We have accomplished a lot. We have had a number of successes. We have seen results. We are delivering to the American people in strong, effective legislation, and I have every expectation that we will continue building on this record of success in the weeks and months to come.

To my colleagues, I do wish them all a happy Fourth of July. I hope they will travel safely. I extend my best wishes to them and their families.

Mr. President, in a few minutes I will be back with another statement, and then we will have some closing business over the course of the day.

For now, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOMENICI. 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. DOMENICI. Parliamentary inquiry: What is pending before the Senate?

The PRESIDING OFFICER. The Senate is in morning business.

Mr. DOMENICI. The Senator from New Mexico desires to proceed as in morning business.

The PRESIDING OFFICER. The Senator has that right.

#### THE HOPE-FILLED SENATOR FROM NEW MEXICO

Mr. DOMENICI. Mr. President, I was in my office and I regret that I was unable to be in the Chamber when the distinguished majority leader, Dr. BILL FRIST, gave a rather elaborate, detailed, and enlightened discussion regarding illnesses, ailments, cures, and the evolution of diseases in this country and in the world.

I commend him for that. Had I been in the Chamber at that time, I would have taken the opportunity to present him with the first document that the Senator from New Mexico is having printed. It will be something that I choose to call "The Hope-filled Senator." The hope-filled Senator is the story of America's future in terms of diseases, prescriptions, and cures. It is my own story of what I believe is going to happen to prescription drugs, to the medical profession, and to the delivery of health care over the next 30 to 40 years.

I am hoping that this very brief summary of the hope-filled Senator's thoughts will be of some help to Senators and people who are so worried about the costs of prescription drugs. Will it really work; will we really have enough money to do it or not?

Today, I will not repeat the contents of this hope-filled statement that I delivered as the Senator from New Mexico, calling myself a hope-filled Senator.

Suffice it to say that when one discusses a program of the magnitude of this prescription drug program, that it is absolutely imperative that it is looked at from more than one vantage point. One vantage point is to look at it as Senators did on the Senate floor, in the back rooms and in caucuses. We talked about the specifics of who is going to get the drugs, how much is it going to cost, will we have enough money, and are we going to be able to pay for it? We asked will America go bankrupt? Will Medicare really survive and will it be competitive? Are we really building into the system? We examined the ingredients that are so well known for bringing prices down. We examined competition for delivery and competition for business. All of that is one way to look at it.

One must look at it that way, but another way to look at it is to try to think of what is going to happen to health delivery and medical care during the ensuing 10, 20, 30, or 40 years. The hope-filled Senator is talking about those things as he looks at the next four decades.

By way of recapitulation of what was in my statement of a hope-filled Senator, there are three or four big things. We finished mapping the chromosomes of the human anatomy. We call that the genome system. That means that after years of mankind researching to try to find where in the chromosome of the human body was the aberration that caused multiple sclerosis, and years of research at various institutions to locate the gene, or the number of genes that caused, perhaps, schizophrenia—what we finally did in a record period was to take them all, map them and index them. We can say we know where they all are. We do not have to go looking for them anymore.

I do not mean to make this a big thing, because people sometimes think they do not have to worry about it. But this is a big thing. For years, even in our lifetime, we can remember reading a story that would leave the medical journals and be big enough to hit the newspapers. The story would say, "Michigan State group of researchers discover the location on the genome system of a multiple sclerosis gene." Remember that? Boy, that was big time.

Soon, I am going to hand to the majority leader the first copy of a document called "The Hope-filled Senator." I am going to have it encapsulated with gold print. It is the hope-filled Senator's other side of the story. It is the story of the delivery system of health care during the next 40 or 50 years as it most assuredly will impact on this prescription drug system.

I did not go bother a bunch of scientists in putting this document together. So, they may find this document lacking. But what I did, and I repeat it now because our leader is in the Chamber, I used four or five big things that are going to change. I started with the genome mapping, indicating that

we have now located the aberrations on the chromosome system of the anatomy of every known disease from which mankind suffers.

Why is that important in the hope-filled Senator's dissertation regarding prescription drugs? Because there is no question during the delivery system that we tried so valiantly to find out how much it is going to cost. During that time many diseases for which we are spending huge amounts of money in prescriptions are going to be cured. Researches will know where the illnesses are and they will be able to research how to fix them. And, they are going to fix many of them.

What does that mean? That means many of the expected costs that the Congressional Budget Office plugged into their estimates are going to be different. Indeed, there are going to be prescription drug breakthroughs that come from this genome mapping that are going to clearly indicate that there are different ways to do what we are doing today. We can achieve better results. So, as I said this will dramatically change the delivery system of health care.

I was foolish enough, as a hope-filled Senator, to predict that before the turn of 40 years the hospitals in America will not be the hospitals of today. I predicted that we would have hospitals that are going to be more concerned with genetics than with the individual curing of an ailment.

I did not dream that up. When I first started working on genomes, I had a magnificent, wonderful doctor who egged me on, and he was the inventor of Tylenol. He used to sit in my office and talk with me. He used to draw what he thought a hospital might look like in 30 or 40 years. I used to laugh and throw the drawings away. He drew a center where you would check your gene system and they would tell you, as you left, what was wrong with you and how they would fix you. Or if you got sick, that is what they would plug in. That would be the hospital.

He is still alive; he is currently practicing as a very old doctor. He joined up with doctors who are down in the South delivering health care to poor people free. He does this just because he wants to keep on being a doctor. He was so thrilled that he hooked me on this concept that we never lost contact.

In this hope-filled sermon, we start with that.

Then I said, the American economy is going to change so rapidly in terms of its productivity and, at the same time, produce new things because of nanoscience. I defined nanoscience as the newest science that is so unique, and so way out, that today's scientists are saying we will not recognize the products that humanity will be using because of nanoscience. They are practicing a science of changing the molecules that make up a substance. Imagine, compare that with making zinc by adding a couple of compounds. That

science is today's industry. They will be changing the molecular makeup so things change and become something different.

It is predicted with the five centers that exist in America today on nanoscience, and many more to come, that the breakthroughs, once they start, will occur with such rapidity that the productivity in America and in the world will change. That means those who make medicine and cures will be part of picking up that change and those breakthroughs also.

The third that I am aware of, and there are probably some I am missing, is a most incredible science. For lack of better terminology it is called microengineering or the production of microengines.

I visited the Sandia National Laboratory in New Mexico. They wanted to show me microengines. I thought, you have to be kidding; what kind of engines could there be that are so small they have now reached this level? They showed me. Microengines are so small. Now we have in the computer business a chip, and on the surface of the chip we can put these different things, and that is how we get these millions of megabytes. Now it is trillions and numbers we did not even use to use. They actually create engines that are so small they put them on a chip, but they can be synchronized and organized as engines on that little chip.

The engines look to me something like an oil patch when you see the drilling wells with the pumps. They are so small you could never see them unless you used an extremely powerful microscope.

What will happen with these engines? We do not know. But, they have a hypothesis. It is entirely possible that one of the first things we will do with these engines is organize them so well that we will be able to inject them in the human body. They will be directed to do some work, and they will do it like they are told. And, believe it or not, they possibly will go in and eat what you want them to eat. They will be able to go into the heart system to open up areas we worry are clogged. These little microengines will dissolve those clogs for you.

Those are engineers that can do that work. We will not even have to send patients over to Vanderbilt University to a bunch of scientists or heart specialists.

There will be huge numbers of breakthroughs if we add those three things to a vibrant American economy. We must not mess up by causing the American economic system to go to sleep. We must keep the economy vibrant, by doing the right things in terms of taxing the right things and not the wrong things. If we continue to fund the right research instead of the wrong things, and we keep on funding NIH but maybe we reach the point where 10 percent a year might be enough and maybe we move over and fund some physical science like the Energy Department

and a few other institutions of our Government that are doing basic science so physical science can catch up with the biological sciences. There will be huge numbers of breakthroughs.

My hope-filled delivery dissertation says: Don't be so worried about whether we will be able to deliver on what we promise. We may be able to deliver even more than we think we are going to deliver. And let's just watch out that in putting the system together—and I know the majority leader has been worried about this—that we don't just put bureaucracy in place where it inhibits the injection of these new things into the delivery system.

That is why HCFA, which this Senator personally as a young Senator found was such a terrible inhibitor to delivering appropriate care had to be changed. The management tool had grown so big that all we heard as Senators when we went home to our hospitals, to our doctors, to our clinics, to those centers that were taking care of people in shelters, all we heard was HCFA is messed up so badly that we are doing worse with their rules than if we did not have any rules. It was so bad once that I thought I would come back here and introduce a bill that recommended we experiment with 100 places where we will treat seniors with no regulations. We would look at them once every 6 months. And take a chance and see if they are not better run and the people taken care of better and cheaper than those who have to have someone checking off every time an apple was delivered to a senior that happened to have been decayed, if it was brown and faulty. At one time, you had to note that you delivered a bad apple, literally, to a senior.

Now, frankly, I know a lot about fiscal policy.

I know a lot of experts on this bill who are worried about whether we are going to have enough money to deliver under this system. But I chose to go over it and spend a little bit of time on it. Once I decided we were going to try this and to talk about this, I say to my friend, the majority leader—yesterday afternoon while he was still burdened, I sat down and wrote on a piece of paper what the score would be at whatever hour we voted last night. What I wrote down was the vote would be 78 yes, and 22 no. The vote turned out to be 76–21. I think I know what happened to one of them who would have made it 77, the Senator from Pennsylvania. But I think it became pretty clear to people like me that the Senate was ready. I had a hope they were ready, because even if they weren't, I had a hunch they had some hope we could get this done.

Mr. FRIST. Mr. President, will the Senator yield?

Mr. DOMENICI. I am pleased to yield.

Mr. FRIST. Mr. President, just about 30 minutes ago I sat down and wanted to review a little bit about the last 6 months. As I did that and came to the

floor and cited some of the legislation we have done, I so much appreciate the comments of the Senator from New Mexico because they fit with the hope which I translate into maybe additional dreams and hopes, but reality.

I have been blessed to be in this body for the last 8 years, but prior to that, 20 years in the scientific field and spending hours and nights in laboratories thinking and trying to hypothesize about what would occur 6 months later; or why a capillary muscle relaxed in a way based on the metabolic environment and doing my best to figure it out and doing the experiments; but then 6 months later because of the work of other people in maybe unrelated fields, having that hypothesis changed and productivity to increase to the point that my idea was solved—not the way I wanted to, but because of investment with science. I would run over from the laboratory to the clinical arena and work in a health care system that was beautiful, which was delivering the very best quality of care but looking at it through really a Medicare system at the time that was so rigid and inflexible because of the 130,000 pages of regulations from HCFA—the Health Care Financing Administration—which had evolved over a period of 30 years with good intentions but which so micromanaged and so straitjacketed the physicians, the scientists, the researchers, the patients, governing the doctor-patient interaction—130,000 pages of governing which meant you could not capture whether it is the nanotechnology or the 3 billion bits of information out of the human genome project today, with the micromanaging that the Senator was talking about—that can't be assimilated into the system of health care delivery at a rate which the American people deserve.

I mention that because as I was going through this legislation, I was thinking of AIDS/HIV, a huge problem with 23 million people dead and 40 million people infected, and there is no cure. Another 60 million people will die. Thus, we need to encourage that innovation, invent that vaccine, engage in that science. Right now we don't know what the hypothesis is. But it is there, and we are going to see it in our lifetime, because in part, just as the Senator from New Mexico led the support in the human genome at the time, at the time nobody really knew what was going to happen, he was out here 15 years ago leading on the human genome project, for a shorter period of time we had that phone book of 3 billion bits of information which is there. It is the phone book, as he said. Now it can be applied.

I mention that because 12 hours ago on this floor we passed a piece of legislation that delivers prescription drugs in an unprecedented way for the first time in the history of the Medicare program. We are helping seniors with prescription drugs. But at the same time it modernizes Medicare to get rid of the unnecessary bureaucracy, the

redtape, the straitjacket, the micro-management, building in the flexibility where those new ideas, the dynamism from the marketplace, the innovation in the marketplace can be assimilated and speed up the process where we can address this huge unfunded liability which we know occurs in Medicare today because of what our seniors deserve. But we have a doubling of the number of seniors.

At the same time we offer the prescription drug package, we modernize Medicare in such a way that it is flexible. These new ideas will be incorporated in a rapid fashion.

Heart transplantation. At the time I first started heart transplants, it was very rare. Lung transplants had never been done successfully. I am not that old. But I had the opportunity to be involved in heart transplants. It took about 5 years after I was doing them routinely in the private sector for Medicare to allow any reimbursement for our seniors—5 years because of bureaucrats. It is the way Government works. It takes a long time. That is just one procedure.

The optimism which the Senator talked about, I think so realistically and eloquently, is there. There is no question.

When we talk about 14 years out trying to predict essentially a static system moving ahead, and it is not going to happen—the advances in technology are just like that. The half-life of science has gone from 10 to 7 to probably 4 years now, and it is going to be down to 2 years. It is the same way with the health care delivery systems, and the old fee-for-service.

My dad practiced medicine for 55 years. As the Senator was talking about the genetic testing that is going to be available, the appropriate response and how we are going to be able to develop cures, I was sitting there thinking of my dad with his black bag in the 1940s, 1950s, and 1960s. He didn't have any medicines. He had none. He had antibiotics after 1945, but none before that.

But the revolution I have seen when I was doing heart transplants and lifting people's hearts out and putting them in was made possible because of one drug—cyclosporine. If the pharmaceutical companies had not invested to get that drug, we would not have been able to do heart and lung transplants.

The advances we went through in that 20 or 25 years—and now I see because of the work like the human genome projects and nanotechnology—that combination—once we allow that to marry with our health care and government-sponsored programs, the sky is the limit. Productivity will increase. The advances can be assimilated. We will be able to think more in terms of, yes, longevity, but also quality of life.

It does come down to hope. I very much appreciate the Senator articulating the big vision, because every day we are here, in the back of my mind I am thinking the same thing. Prescription drugs are important, but at the

same time to develop a system that can capture that technology and at the same time look at HIV/AIDS and make sure there is a vaccine bill, and that we keep trying. We are all trying to get it through.

But right now, because of the medical liability issues which we are going to address in July, when you have predatory trial lawyers—not all are predatory—who are really going to come in and say that vaccine has certain side effects, there is going to be a lawsuit, and there will be a lot of frivolous lawsuits that drive up the cost of health care and drive people to the ranks of the uninsured.

One last issue which I didn't mention earlier but which we addressed on the floor goes into this—medical safety in the hospital.

The Institute of Medicine report said there are 100,000 people who die every year because of medical errors in the hospital. Most of that is cross-reaction from drugs and the like. The best way to approach that is to have information voluntarily shared by physicians and by nurses to learn in an ongoing, continuous quality management program and to have that information available, which is correct, and which is self-correcting. But if you have predatory trial lawyers all the way around, and you have incentives not to share that information, we are never going to make this system better.

So it all fits together: the science, the technology, the framework which the Senator explained so well. What we are doing in Medicare, the access to prescription drugs, global HIV/AIDS—you put all that together. If we keep moving things, as we have in the last, I would say, 6 months, I am absolutely—absolutely—convinced we are going to be able to capture those hopes.

In many ways, people say: You're dreaming. You describe them as hopes. Having seen science and technology in my own life, they may have started as dreams, and they may be hopes now, but in our lifetimes they are going to be reality.

Mr. DOMENICI. Thank you so much for your comments. I was very pleased to yield.

I just want to say, without hopes and dreams in these fields, there is no question we are overwhelmed. It is hopes and hope-filled ideas that keep us energized. But it does not mean we do not have a big job because, as a matter of fact, the hopes can truly be deenergized by systems that do not let it work. That is what we have to worry about.

In my opinion, the breakthroughs are going to be so rapid that the bureaucracy that manages the change is going to have to be looked at all the time by people who really know. The breakthroughs will occur, and it will make your 5-year example—of how long it took for the heart to go from being done to being accepted—it will make that example pale as compared to the breakthroughs that are going to be over and over and around here and over

there. We think the new bureaucracy—which the Senator and others helped put together—will make that work better.

I do want to hold the floor. I thank the Senator.

The PRESIDING OFFICER (Mr. BENNETT). The Senator from New Mexico.

#### IN REMEMBRANCE OF STROM THURMOND

Mr. DOMENICI. Mr. President, I rise to speak about my friend, Senator Strom Thurmond. I do not have any prepared remarks but I want to speak for a few moments about Senator Strom Thurmond.

Senator Strom Thurmond spent many, many years sitting in the seat, for those observing the Senate Chamber, right next to the seat where the distinguished majority leader is sitting right now.

I have eight children. Senator Thurmond, as everyone knows, lived a very long life with his first wife without children. I don't know if that had anything to do with his huge interest in asking people such as me how my children were, and I am not one who is very loathe to tell people about my children's successes.

So he used to say to me, and to anyone around, he would point at me, and say: "There is the Senator with all the smart kids." Of course, I was embarrassed, and I would bend down and say: "Senator, there are lots of Senators with smart children."

Then he would say: "Well, you told me about one" . . . and he would explain what I told him. He would ask, "how is that one doing?"

Well, obviously, those days are gone now. I was privileged, with my wife Nancy, to go to the wedding of his daughter here in this town not too many years ago. It was a beautiful wedding, a big wedding. It was a beautiful daughter and a beaming father, Strom Thurmond.

He was already past 90, for certain, and how thrilled he was to walk down the aisle and to be part of the normal wedding activities.

I note that with all the blessings he has received in his life, and all the legacy that he leaves, he got one blessing that he deserved; that is, that wedding and that marriage yielded his first grandchild. And I just wonder because he had already left the Senate; he was no longer here; he was in a hospital, but I just wonder, how happy that day must have been for him. He had a grandchild at that very old age.

There are Senators, such as from his home State, who have known him through campaigns and actions and activities that I hear of. I have read of these activities, but I did not participate in them, so they will do better than I in talking about him. But I am 71. I am very lucky, I feel, in that I have spent 31 years in the Senate. The only thing I did prior to that is, 6½ years before I came here, I accepted a

dare from a group of friends to run for an office. I ran and got elected. And that office was for city council, which put me in a mayorship of sorts in our biggest city.

So you know, if you write down, at 71, what I have done: I ran for a non-partisan office, got elected, served 4 years, waited 2 years, got elected to the Senate, and came here. But we all know, if we are going to put down what Strom Thurmond has done as a public servant, all of which clearly is one's legacy, it would take me quite a while to discuss it all. Just his military career would be a rather good speech and a rather good talk on the Senate floor.

The other thing that, to me, is of such rare, rare importance is that when you consider 100 years, and that 80 or 79 of those years he was an adult, you just think of all the things that have changed during his adulthood. Governance, governmental changes, cultural changes, philosophical leanings and tendencies of our great country changing. You have to conclude that this man, who represented a State that also changed and had become a great industrial State, and a great educational State, with fantastic educational institutions, that this great man also learned how to change. He changed with time, not changing in the sense of giving up but rather of gaining more for himself and becoming more rather than becoming less.

Now, I have known a lot of great Senators, more than most, because there are only five or six Senators who have been here longer than I, as of today, maybe five. So I have known a lot of them. I think it is only fair to say, for his family, for Nancy, for his children, there really have never been any Senators like him that I have been privileged to know.

He was indeed unique. He was so different that you cannot forget him. First, he was so personal to everyone. He was never forgetting. He was always considerate. He spent more time and effort at little things.

I know nothing about his constituent work. Let those who know speak. I speak of little things here in the Senate. The Chair and I both watched during a week at the end of a day's work, we watched Strom Thurmond while he was still around and healthy and walking. We watched what he did. He went with his staff from one event to another, perhaps three, four, five events an evening, because he had been invited and because it was somebody who said: "Would you come to my party?" "Would you come to my fundraiser?" "Would you come to my birthday?" "Would you come and join me; we have visitors from my State." What it was that made him that kind of person, who knows? I don't know. You don't know. The Senate doesn't know. I am not sure his family knows. But the truth is, we know he did that.

All of these would appear, what I have said so far, to be things that one might say are not very important.

Well, I stated them because I think they are very important. They are of utmost importance. I think they are the essence of who he is and what he is and what he was.

But don't let anyone think he didn't do his work. When you look at the committees he chaired, the events that happened during those chair-filled years, be it on the Judiciary, on Armed Services, or whatever, you have to know he had a great capacity for work and he did his work and got it done.

Can you just imagine not having a chance to know him when he was a judge? What a great judge he would have been. Can you imagine, not having a chance to know him, what a good school superintendent he must have been? Can you imagine not getting to know him, what a good commissioner he must have been at the local level where he governed? For I believe he is what he was. And it is probable that he took care to do everything right and he took care to be concerned and worried about people, as he did his job, and that he never forgot the people who were good to him and meant something to his success.

I, for one, am very sorry we will be going to a funeral. But, I guess it is really only fair to say that he has been very blessed. After all, we won't, any of us, ever go to a funeral for a fellow Senator who has lived 100 years—none of us. This will be the only one. Because he has been very, very blessed. The Lord has been kind and decent to him. Those around him should be very proud. Obviously, his kinfolk are sad.

I remember at that wedding, while we were celebrating youth, his daughter was a young lady. I remember meeting his sister, two sisters I believe. They were alive and there. I don't mean to cast any aspersions about the fact they were alive. They were lively, I assure you. They knew a lot. They were talking. They were carrying on conversations. Strom Thurmond was talking with them about us and my wife Nancy.

They were quick to ask us to sit down, and you could hardly believe that a man almost 100 was there with sisters at a wedding for a very young daughter of his, who has just since then had his first grandchild. What a beautiful, beautiful tribute all of this is to Strom Thurmond's family, to their heritage, and to those around them and those who love them.

My wife Nancy and I extend our heartfelt condolences to Nancy and all of the other kinfolk, to his relatives, and clearly to his daughter and son-in-law who have that young grandchild of whom he must be so proud.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mrs. DOLE. Mr. President, last evening we received the news of the passing of a dear friend and leader in this Chamber, Strom Thurmond. Strom Thurmond retired this year at the age of 100 after more than half a century

serving the people of South Carolina and our Nation as a Senator, as Governor of South Carolina, and as a State legislator.

Remarkably, his career in the Senate spanned the administrations of 10 Presidents, from Dwight Eisenhower to George W. Bush. His passing last night certainly will be felt by so many Members of this Chamber who had grown accustomed to the courtly gentleman from South Carolina. But his life leaves a lesson for us all in compassion, respect, civility, dedication, and hard work.

Before he was elected to the Senate in 1954, as the only write-in candidate in history to win a seat in Congress, Strom Thurmond was elected county school superintendent, State Senator, and circuit judge. He resigned his judgeship to enlist in the Army in World War II. He landed in Normandy as part of the 82nd Airborne assault on D-Day and, the story goes, flew into France on a glider, crash-landing in an apple orchard. He went on to help liberate Paris, and he received a Purple Heart, five Battle Stars, and numerous other awards for his World War II service.

My husband Bob and I were honored to have known Strom Thurmond for so many years and to count him among our very special friends. He and Bob shared a great deal of common history, dating from their World War II days. And his southern gallantry always had a way of making this North Carolinian feel right at home.

I first worked with Strom Thurmond when I served as Deputy Special Assistant to the President at the White House. Even then he was an impressive Senator. President Reagan praised his expert handling as chairman of the Senate Judiciary Committee of nominees to the U.S. Supreme Court.

In fact, it was Strom Thurmond's skill as chairman that helped to shepherd through the nomination of Sandra Day O'Connor as the Nation's first female on the U.S. Supreme Court. I had always admired Strom Thurmond for his constant dedication to the people of South Carolina and to the industries of that State.

Bob Dole has joked that someone once asked if Strom had been around since the Ten Commandments. Bob said that couldn't have been true; If Strom Thurmond had been around, the 11th commandment would have been: Thou shalt support the textile industry.

And that industry still needs a lot of help. In fact, when President Reagan called Strom to wish him a happy 79th birthday back in 1981, Strom Thurmond, with his constant attention to South Carolina interests, used the opportunity to talk to the President about the textile industry.

Indeed, South Carolina is full of stories of how the senior Senator from South Carolina managed to cut through redtape to make sure that his residents got the things they needed.

And whenever South Carolinians called, or anyone else for that matter, Strom Thurmond could always be counted on to show up—at a Fourth of July parade, a county festival, or a State fair, armed with his trademark Strom Thurmond key chains.

North Carolinians developed a fondness for Strom Thurmond. He often flew in to Charlotte before driving to his Edgeville, SC, home. He became so familiar in the airport that many of the workers there knew him, and he knew them all for stopping to share a kind word or a funny story.

I was so honored that just before Strom went home for good to South Carolina, he came in his wheelchair, with Nancy's help, to my little basement office to welcome me to the Senate.

Bob and I send our heartfelt condolences to Strom's family, our dear friend, Nancy, and the children, including daughter Julie, who worked with me at the American Red Cross. He was a loving husband, a proud father, and new grandfather, and, of course, the people of South Carolina, for whom he worked tirelessly throughout his career in public service and to whom he chose to return when his work was done in the Senate.

Today as I remember him, his life, and his legacy, I think of the Bible in the 25th chapter of Matthew when the Lord said:

Well done, thou good and faithful servant. . . . enter thou into the joy of thy Lord.

May God bless him and his family.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

(Mrs. DOLE assumed the Chair.)

#### FILIBUSTER REFORM

Mr. FRIST. Madam President, last Tuesday, the Committee on Rules and Administration favorably reported S. Res. 138, a proposal to amend the Senate's cloture rule. The committee's action represents an important milestone on the road to filibuster reform. It brings the Senate one key step closer to ending filibusters on nominations. On May 9 of this year, I introduced S. Res. 138, along with a bipartisan group of 11 cosponsors. Our purpose was to respond to a disturbing change in the way the Senate considers nominations.

Lengthy and apparently implacable filibusters have erupted on two judicial nominations. Although it has long been clear that a majority of Senators stand ready to confirm Miguel Estrada and Priscilla Owen, it is increasingly obvious that a minority of Senators never intends to permit these nominations to come to a vote.

Beyond these filibusters are the expressed threats to filibuster additional nominees, threats that may well materialize after the Senate reconvenes in July.

Given the record already established this year, we have every reason to take these threats seriously and to imagine they will be executed. Killing judicial nominations by filibuster is not simply business as usual in the Senate. Up until now, no judicial nomination has ever been rejected in that fashion.

Even the failed Supreme Court nomination of Abe Fortas 35 years ago is not truly an exception to this rule. In the Fortas case, one cloture vote was taken with 45 Senators supporting cloture and 43 opposed. At least five additional Senators who missed that vote expressed opposition to cloture. Yet another who supported cloture expressed opposition to the nomination.

It was far from plain, even to the nominee, that a majority was ready to confirm the nomination, much less a supermajority was available to invoke cloture.

After a single cloture vote taken four session days after the nomination was brought to the floor, the nominee asked that his name be withdrawn.

These facts differ dramatically from those pertinent to filibusters underway in this Congress and from the rest of Senate cloture history on judicial nominations.

Thus far, we have had six cloture votes on Mr. Estrada and two cloture votes on Justice Owen, with more than a majority of Senators but less than a supermajority, favoring cloture. So the filibusters endure with no end in sight.

Prior to this year, the record number of cloture motions filed on any single judicial nomination was 2, and 17 such motions were filed overall. In a majority of those cases, cloture was invoked and confirmation followed. Even when cloture failed, confirmation followed. In all cases, the nominations were brought to a vote, the full Senate worked its will, and the nominees were confirmed.

The Estrada and Owen filibusters and their threatened progeny are anything but customary. They represent a disturbing change in Senate norms, a change that has been defended on untenable grounds.

Proponents of the filibusters claim they have no choice. With the Senate and its committees controlled by the party of the President, they have no choice but to filibuster, or so they say. Their logic is facile but faulty, and it runs contrary to many years of Senate tradition.

For 70 percent of the 20th century, one party controlled the White House and the Senate. This was the case for 6 years of President Wilson's term and the entire terms of Presidents Harding, Coolidge, and Hoover. It was the case through 12 years of President Franklin Roosevelt and 6 years of President Harry Truman. It was the case for all of the Kennedy-Johnson years, all of

President Carter's years, 6 of President Reagan's years, and 2 years under President Clinton. In some of those eras, the Senate minority was Republican; in others Democratic. But at no time did those minorities resort to partisan filibusters of judicial nominees. At no time did those minorities deny the Senate the right to vote on confirmation.

What is happening now is aberrant. It breaks with Senate traditions. If the trend begun with the Estrada and Owen filibusters is not arrested, a disturbing new practice will take root.

Partisan filibusters to kill nominations will lead inevitably to more of the same in retribution. Left to fester, things can only get worse. The outcome cannot be good for current or future Senates, for current or future Presidents, for current or future nominees.

Those of us concerned about these consequences have two fundamental choices: We can either acquiesce to this partisan change in Senate norms, or propose a reform to Senate rules. Unwilling to accept a change in Senate traditions that will damage and weaken this institution, we offer a targeted and limited amendment to the rules.

Our remedy is narrow, aimed not against the filibuster generally, but against filibusters on nominations. If adopted, our proposal would have declining cloture requirements of 60, 57, 54, 51, and then a simple majority on successive cloture votes. The first cloture motion cannot be filed until a nomination has been pending for 12 hours. Successive cloture motions cannot be filed until the prior cloture motion has been resolved. As under current rules, each cloture motion will take 2 days to ripen. Our proposal is true to Senate traditions. It will permit robust debate and time for reflection, but also allow the Senate to reach a definite resolution on confirmations.

As I have said on this floor and before the committee, the filibuster is not sacrosanct. When it has been abused, it has been reformed. The very cloture rule itself represented just such a response to filibuster abuse. It has been amended five times since it was first adopted in 1917. Moreover, the very modest debate limitations we propose are significantly less restrictive than more than 25 provisions now in statute law that expedite Senate debate on measures ranging from budget reconciliation to the execution of war powers.

Madam President, some on the other side of the aisle have said our proposal is too extreme in that it would undermine their capacity to use existing rules to reshape Senate norms. Others from the same side have said our reform is too narrow because it does not attack filibusters in all circumstances.

My response is this: We must fix what is damaged, but we do not require radical surgery. We shall reform our rules to repair what is broken and restore traditions. Beyond that, we shall leave our rules alone.

Our opponents contend that our narrow reform will inevitably lead to the wholesale destruction of the filibuster in the Senate and that it will convert the Senate into a smaller copy of the House. I know of few, if any, Senators who would support that outcome, and I regard such predictions as fanciful. This proposal does not attack the use of filibuster on legislation. Instead, it builds on an existing tradition of distinctive procedures for the consideration of executive business.

One of those traditions is a 1980 precedent urged by Majority Leader BYRD which obviates debate on a motion to proceed to a nomination. Using the logic of our opponents, one could theorize that a next consistent step would be to mimic this precedent and kill debate on a motion to proceed to legislation. But 23 years have passed and that next step has not been taken. In its wisdom, the Senate has known how far it must go to resolve particular problems and when it must stop.

Our opponents argue that filibuster reform will undermine the balance of power between the President and the Senate. They claim if we adopt this proposal, the Senate will diminish itself and become the President's handmaiden. I do not desire that result, and I strongly disagree with that conclusion.

What their position amounts to is that Senate power to check a President can only be vindicated if a minority prevails against a majority ready to confirm.

Once again, for 70 of the last 100 years in this century, one party controlled both the Senate and the White House. Yet filibustering nominations was unheard of most all of that time. Was the Senate the President's handmaiden then and only now has awakened to its constitutional purpose?

Over two centuries, a number of judicial nominations failed on the Senate floor. Filibusters were unnecessary to defeat Clement Haynsworth, Harold Carswell, or Robert Bork, much less many earlier nominees, starting with President Washington's nominee, John Rutledge.

The full Senate, no President's handmaiden, asserted constitutional checks and balances. If we can only affirm Senate power by the filibuster, then we have come to a new and very unfortunate place. Thus, we propose to reform Senate rules in order to restore Senate traditions.

Filibuster reform is imperative. It will enable all Senators to meet their constitutional responsibility to advise and consent. With Senators so empowered, the voice of all Americans will again be heard on these matters.

## EXECUTIVE SESSION

# NOMINATION OF VICTOR J. WOLSKI, OF VIRGINIA, TO BE JUDGE OF UNITED STATES COURT OF FEDERAL CLAIMS

Mr. FRIST. Madam President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Executive Calendar No. 88.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read the nomination of Victor J. Wolski, of Virginia, to be a Judge of the United States Court of Federal Claims.

## CLOTURE MOTION

Mr. FRIST. This nomination has been pending on the calendar since March 27. This is one of four nominations on the calendar to the U.S. Court of Federal Claims that we have been hoping to clear for Senate action. I now send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

## CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Executive Calendar No. 88:

Bill Frist, Orrin Hatch, Larry E. Craig, Craig Thomas, Michael B. Enzi, Chuck Grassley, Arlen Specter, M. Crapo, John E. Sununu, Elizabeth Dole, James Talent, John Ensign, Susan Collins, Judd Gregg, John McCain, R.F. Bennett, and Gordon Smith.

Mr. FRIST. I ask unanimous consent that the live quorum under rule XXII be waived, and that the vote occur on Tuesday, July 8, immediately following the vote on the Campbell nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRIST. I also announce if cloture is invoked and the nomination is subsequently confirmed, I will be prepared to ask unanimous consent that the remaining three nominations to the Court of Federal Claims be immediately confirmed so that all four nominations would be cleared at the same time.

## EXECUTIVE CALENDAR

Mr. FRIST. I ask unanimous consent that the Senate proceed to the consideration of the following nominations: Calendar Nos. 202, 246, 247, 251, 253, 278, 279, 280, 281, 282, 283, 284, 286, and all remaining nominations on the Secretary's desk.

I further ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid upon the table, any statements relating to the nominations be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

## DEPARTMENT OF JUSTICE

Robert D. McCallum, Jr., of Georgia, to be Associate Attorney General.

## LEGAL SERVICES CORPORATION

David Hall, of Massachusetts, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2005.

Lillian R. BeVier, of Virginia, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2004, vice Hulett Hall Askew, term expired, to which position she was appointed during the last recess of the Senate.

## THE JUDICIARY

Fern Flanagan Saddler, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Judith Nan Macaluso, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

## DEPARTMENT OF STATE

Marsha E. Barnes, of Maryland, a Career Member of the Senior Foreign Service, Class Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Suriname.

Robert W. Fitts, of New Hampshire, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Papua New Guinea, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Solomon Islands and Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Vanuatu.

John E. Herbst, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ukraine.

William B. Wood, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Colombia.

Tracey Ann Jacobson, of the District of Columbia, a Foreign Service Officer of Class One, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Turkmenistan.

George A. Krol, of New Jersey, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Belarus.

Greta N. Morris, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of the Marshall Islands.

John F. Maisto, of Pennsylvania, to be Permanent Representative of the United States of America to the Organization of American States, with the rank of Ambassador.

## FOREIGN SERVICE

PN678 Foreign Service nominations (193) beginning Ali Abdi, and ending Lawrence C. Mandel, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of May 22, 2003.

PN685-1 Foreign Service nominations (148) beginning Beth A. Salamanca, and ending

Peter H. Chase, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of June 3, 2003.

# BARRY C. BLACK, CHAPLAIN OF THE UNITED STATES SENATE

Mr. FRIST. I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 189, which is at the desk.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 189) electing Doctor Barry C. Black, of Baltimore, Maryland, as Chaplain of the United States Senate.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Madam President, this unanimous consent was with regard to our new Chaplain, ADM Barry Black, who will be joining us shortly as the 62nd Chaplain of the Senate. I have had the wonderful opportunity of initially meeting Admiral Black over the last several months and wish to point out his distinguished record of public service, his compelling life, his 27-year career in the Navy where he has delivered ministry to over 600,000 Navy, Marine Corps, and Coast Guard service members.

Since the year 2000 he has provided moral counsel, spiritual counsel to the Navy's top officers as the 22nd Chief of Navy Chaplains. He was the first person of color to hold that particular office in naval history. He has provided spiritual guidance to soldiers and their families during Operation Desert Shield and Desert Storm.

His calm manner, his soothing manner is a beautiful fit, I believe, for what this body both has come to depend on with our past Chaplains and has come to expect in our Chaplain, one of whom, Dr. Lloyd Ogilvie, I had the opportunity to know for the last 8 years.

Admiral Black has had an inspiring life, and I look forward to all of our colleagues and their spouses, their families, and the extended Senate family to come to know him in the way that I have.

I ask unanimous consent that the resolution be agreed to and that the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 189) was agreed to, as follows:

## S. RES. 189

*Resolved*, That Doctor Barry C. Black, of Baltimore, Maryland, be, and he is hereby, elected Chaplain of the Senate, effective Monday, July 7, 2003.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

# WELFARE REFORM EXTENSION ACT OF 2003

Mr. FRIST. Madam President, I ask unanimous consent that the Senate immediately proceed to H.R. 2350 which is being held at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2350) to reauthorize the Temporary Assistance for Needy Families block grant program through fiscal year 2003, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill appear at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2350) was read the third time and passed.

# BILL EMERSON AND MICKEY LELAND HUNGER FELLOWSHIPS

Mr. FRIST. I ask unanimous consent that the Senate immediately proceed to H.R. 2474 which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2474) to authorize the Congressional Hunger Center to award Bill Emerson and Mickey Leland Hunger Fellowships for fiscal years 2003 and 2004.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2474) was read the third time and passed.

# PROVIDING SECRETARY OF HOME- LAND SECURITY TO BE IN- CLUDED IN THE LINE OF PRESI- DENTIAL SUCCESSION

Mr. FRIST. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 179, S. 148.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 148) to provide the Secretary of Homeland Security to be included in the line of Presidential succession.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill appear in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 148) was read the third time and passed, as follows:

S. 148

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

# SECTION 1. SECRETARY OF HOMELAND SEC- URITY IN PRESIDENTIAL LINE OF SUCCESSION.

Section 19(d)(1) of title 3, United States Code, is amended by inserting "Secretary of Homeland Security," after "Attorney General,".

# PROHIBITION OF REMOVAL OF ART AND HISTORIC OBJECTS FROM SENATE WING OF CAPITOL AND SENATE OFFICE BUILDINGS

Mr. FRIST. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 181, S. Res. 178.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 178) to prohibit Members of the Senate and other persons from removing art and historic objects from the Senate Wing of the Capitol and Senate office buildings for personal use.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Madam President, I ask unanimous consent that the resolution be agreed to, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD without any intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 178) was agreed to.

The resolution reads as follows:

S. RES. 178

*Resolved*, That (a) a Member of the Senate or any other person may not remove a work of art, historical object, or an exhibit from the Senate wing of the Capitol or any Senate office building for personal use.

(b) For purposes of this resolution, the term "work of art, historical object, or an exhibit" means an item, including furniture, identified on the list (and any supplement to the list) required by section 4 of Senate Resolution 382, 90th Congress, as enacted into law by section 901(a) of Public Law 100-696 (2 U.S.C. 2104).

(c) For purposes of this resolution, the Senate Commission on Art shall update the list required by section 4 of Senate Resolution 382, 90th Congress (2 U.S.C. 2104) every 6 months after the date of adoption of this resolution and shall provide a copy of the updated list to the Committee on Rules and Administration.

# THE CALENDAR

Mr. FRIST. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 170, S. Res. 174, and Calendar No. 171, S. Res. 175, en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRIST. Madam President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

# DESIGNATING THURSDAY, NOVEM- BER 20, 2003, AS "FEED AMERICA THURSDAY"

The resolution (S. Res. 174) designating Thursday, November 20, 2003, as "Feed America Thursday" was considered and agreed to.

The preamble was agreed to.

The resolutions, with its preamble, reads as follows:

S. RES. 174

Whereas Thanksgiving Day celebrates the spirit of selfless giving and an appreciation for family and friends;

Whereas the spirit of Thanksgiving Day is a virtue upon which our Nation was founded; Whereas 33,000,000 Americans, including 13,000,000 children, continue to live in households that do not have an adequate supply of food;

Whereas almost 3,000,000 of those children experience hunger; and

Whereas selfless sacrifice breeds a genuine spirit of Thanksgiving, both affirming and restoring fundamental principles in our society: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates Thursday, November 20, 2003, as "Feed America Thursday"; and

(2) requests that the President issue a proclamation calling upon the people of the United States to sacrifice 2 meals on Thursday, November 20, 2003, and to donate the money that they would have spent on food to a religious or charitable organization of their choice for the purpose of feeding the hungry.

# DESIGNATING THE MONTH OF OC- TOBER 2003 AS "FAMILY HIS- TORY MONTH"

The Resolution (S. Res. 175) designating the month of October as "Family History Month" was considered and agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 175

Whereas it is the family, striving for a future of opportunity and hope, that reflects our Nation's belief in community, stability, and love;

Whereas the family remains an institution of promise, reliance, and encouragement;

Whereas we look to the family as an unwavering symbol of constancy that will help us discover a future of prosperity, promise, and potential;

Whereas within our Nation's libraries and archives lie the treasured records that detail the history of our Nation, our States, our communities, and our citizens;

Whereas individuals from across our Nation and across the world have embarked on a genealogical journey by discovering who their ancestors were and how various forces shaped their past;

Whereas an ever-growing number in our Nation and in other nations are collecting,

preserving, and sharing genealogies, personal documents, and memorabilia that detail the life and times of families around the world;

Whereas 54,000,000 individuals belong to a family where someone in the family has used the Internet to research their family history;

Whereas individuals from across our Nation and across the world continue to research their family heritage and its impact upon the history of our Nation and the world;

Whereas approximately 60 percent of Americans have expressed an interest in tracing their family history;

Whereas the study of family history gives individuals a sense of their heritage and a sense of responsibility in carrying out a legacy that their ancestors began;

Whereas as individuals learn about their ancestors who worked so hard and sacrificed so much, their commitment to honor their ancestors' memory by doing good is increased;

Whereas interest in our personal family history transcends all cultural and religious affiliations;

Whereas to encourage family history research, education, and the sharing of knowledge is to renew the commitment to the concept of home and family; and

Whereas the involvement of National, State, and local officials in promoting genealogy and in facilitating access to family history records in archives and libraries are important factors in the successful perception of nationwide camaraderie, support, and participation: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the month of October 2003, as "Family History Month"; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe the month with appropriate ceremonies and activities.

#### THE CALENDAR

Mr. FRIST. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of the following measures en bloc: Calendar No. 173, S. Res. 62; Calendar No. 174, S. Res. 149; Calendar No. 187, S. Res. 90.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRIST. Madam President, I ask unanimous consent that the resolutions be agreed to, the amendments to the preambles, where applicable, be agreed to, and the preambles, as amended, if amended, be agreed to, and the motions to reconsider be laid upon the table en bloc, with no intervening action or debate, and that any statements regarding these matters be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### REGARDING THE HUMAN RIGHTS SITUATION IN CUBA

The resolution (S. Res. 62) calling upon the Organization of American States (OAS) Inter-American Commission on Human Rights, the United Nations High Commissioner for Human Rights, the European Union, and human rights activists throughout the world to take certain actions in regard to the human rights situation in Cuba, was considered and agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

##### S. RES. 62

Whereas the democracies of the Western Hemisphere have approved an Inter-American Democratic Charter that sets a regional standard regarding respect for human rights and fundamental freedoms;

Whereas the government of the Republic of Cuba approved and is bound to respect the Charter of the Organization of American States (OAS) and the American Declaration of the Rights and Duties of Man;

Whereas in 2001, 2000, 1999, 1998, and previous years, the government of the Republic of Cuba declined to reply to the OAS Inter-American Commission on Human Rights when it sought the government's views on human rights violations in the Republic of Cuba;

Whereas all countries have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations and the Universal Declaration of Human Rights;

Whereas the United Nations Commission on Human Rights considered and passed a resolution in 2002 regarding the situation of human rights in the Republic of Cuba and called for the United Nations High Commissioner for Human Rights to send a personal representative to the Republic of Cuba;

Whereas the United States and other countries remain concerned about violations of human rights and fundamental freedoms in the Republic of Cuba, including the freedoms of expression, association, and assembly, and the rights associated with the administration of justice;

Whereas, according to the Department of State, Cuban authorities use exile as a means of repression and continue to harass, threaten, arbitrarily arrest, detain, imprison, and defame human rights advocates and members of independent professional associations, including journalists, economists, doctors, and lawyers with the goal of coercing them into leaving the country;

Whereas Cuban citizens are routinely jailed solely because their views do not coincide with those of the government;

Whereas Amnesty International in its 2002 report noted an increase in human rights violations in the Republic of Cuba, including short-term arbitrary arrests, threats, summonses, evictions, interrogations, losses of employment, restrictions on travel, house arrests, and other forms of harassment directed by the government against political dissidents, independent journalists, and other activists in an effort to limit their ability to exercise fundamental freedoms;

Whereas Amnesty International also noted with concern the beginning of a trend toward the increased use of violence by Cuban authorities in order to repress dissent;

Whereas Cuban political prisoners are deliberately exposed to harm and poor conditions as a means of punishment, including beatings, denial of medical treatment, forced labor against medical advice, unsanitary eating conditions, and coexistence with inmates carrying highly infectious diseases;

Whereas peaceful dissidents in the Republic of Cuba, such as Oscar Elias Biscet, who upon finishing more than 3 years in jail for "instigation to commit a crime" is again in police custody and facing a possible year-long sentence, are subjected to ongoing harassment and imprisonment;

Whereas many Cubans, such as journalist Bernardo Arevalo Padron, who is currently in jail serving a 6 year sentence, are routinely jailed under the charge of "disrespect" for making negative statements

about the government of the Republic of Cuba;

Whereas many Cubans, such as Carlos Oquendo Rodriguez, who is serving 2 years in prison, are routinely jailed under the charge of "public disorder" for criticizing the Castro regime;

Whereas many Cubans, such as Francisco Chaviano Gonzalez, the longest serving current Amnesty International prisoner of conscience in the Republic of Cuba, are imprisoned on charges of "revealing state security secrets" and "falsifying public documents" for promoting democratic practices and human rights;

Whereas many Cubans, such as Juan Carlos Gonzalez Leiva, a blind lawyer and president of the Cuban Foundation for Human Rights, are imprisoned on charges of "disobedience" and tortured while incarcerated for peacefully protesting the Republic of Cuba's brutal treatment of dissidents;

Whereas many Cubans, such as Leonardo Miguel Bruzon Avila, president of the 24th of February Movement (named for both a turning point in the Spanish-American War and the day in 1996 when 2 civilian aircraft carrying 4 members of the Cuban American Brothers to the Rescue movement were shot down over international waters by Cuban fighter jets), are charged with "public disorder" and held without trial for planning peaceful public ceremonies;

Whereas many Cubans, such as Nestor Rodriguez Lobaina, who is president of the Cuban Youth for Democracy Movement and currently serving a 6 year prison sentence, are charged with "damages" for denouncing violations of human rights by the Cuban government and communicating the brutality of the Cuban regime to Cuban citizens and the world;

Whereas many Cubans, such as Jorge Luis Garcia Pérez, who is a founder of the Pedro Luis Boitel Political Prisoners Movement and serving a 15 year prison sentence, are charged with "enemy propaganda" and suffer systematic abuse and a lack of medical assistance while in prison, for criticizing communism;

Whereas Amnesty International reports that participants in Oswaldo Paya's Varela Project collecting the required 10,000 signatures on a petition for peaceful change to the legal system of the Republic of Cuba have been harassed, detained, subjected to confiscation of signed petitions, and "kicked, punched, and threatened" by Cuban state security officials; and

Whereas the European Parliament rightfully recognized Oswaldo Paya for his work on the Varela Project with the 2002 Sakharov Prize for his human rights work in the Republic of Cuba: Now, therefore, be it

*Resolved*, That the Senate calls upon—

(1) the Organization of American States Inter-American Commission on Human Rights to continue its reporting on the human rights situation in the Republic of Cuba and to request a visit to the Republic of Cuba for the purposes of reviewing and reporting to the international community on the human rights situation there;

(2) the United Nations High Commissioner for Human Rights and his newly appointed personal representative to vigorously pursue the implementation of the 2002 Resolution regarding the situation of human rights in the Republic of Cuba;

(3) the European Union, to build upon the European Parliament's recognition of Cuban dissidents and, through the appropriate bodies and mechanisms, request to visit the Republic of Cuba for the purpose of reviewing the human rights situation there and issue a report to the international community on its findings; and

(4) human rights organizations throughout the world to issue statements of solidarity with the Cuban human rights activists, political dissidents, prisoners of conscience, independent journalists, and other Cubans seeking to secure their internationally recognized human rights and fundamental freedoms.

**EXPRESSING THE SENSE OF THE SENATE THAT THE INTERNATIONAL RESPONSE TO THE CURRENT NEED FOR FOOD IN THE HORN OF AFRICA REMAINS INADEQUATE**

The Senate proceeded to consider the resolution (S. Res. 149) expressing the sense of the Senate that the international response to the current need for food in the Horn of Africa remains inadequate, which had been reported from the Committee on Foreign Relations with an amendment to the preamble.

(Strike the part in black brackets.)

S. RES. 149

Whereas, according to the United Nations World Food Program, there are nearly 40,000,000 people at risk of starvation in Africa this year due to drought and widespread crop failure;

Whereas more than 14,000,000 of those people live in Ethiopia and Eritrea;

【Whereas the World Food Program has raised only 25 percent of the \$100,000,000 it needs to assist 900,000 people in Eritrea;】

Whereas increased food and transportation costs have reduced the purchasing power of aid organizations;

Whereas the United States has contributed more than any other donor country in responding to the food crisis;

Whereas food aid is only part of the solution to the complex problems associated with famine, and non-food aid is also critical to lowering fatality rates;

Whereas the number of people at risk of food shortages in the Horn of Africa could exceed the levels of the famine of 1984;

Whereas urban areas in the region lack effective food security and vulnerability monitoring and sufficient assessment capacity;

Whereas countries in Africa have the highest HIV/AIDS infection rates in the world;

Whereas malnutrition lowers the ability of people to resist infection by the HIV/AIDS virus and hastens the onset of AIDS;

Whereas a person infected with HIV/AIDS needs to consume a higher number of calories per day than the average person does in order to survive; and

Whereas there is not enough food in the assistance pipeline to satisfy the dire food needs of the people in drought-affected countries of the Horn of Africa: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that the President should—

(1) review our food assistance programs to ensure that we are as committed to, and successful at, meeting food needs in Africa as we are to meeting food needs in other parts of the world;

(2) take all appropriate measures to shift available United States food assistance resources to meet food needs in the Horn of Africa, including drawdowns of the remainder of the reserve stocks in the Emerson Humanitarian Trust;

(3) encourage other donors to commit increased food assistance resources through bilateral and multilateral means; and

(4) direct the Secretary of State, the Secretary of Agriculture, and the Administrator

of USAID to work with international organizations, other donor countries, and governments in Africa to develop a long-term, comprehensive strategy for sustainable recovery in regions affected by food crisis that—

(A) integrates agricultural development, clean water access, inoculations, HIV/AIDS awareness and action, natural disaster management, urban vulnerability measures, and other appropriate interventions in a coordinated approach;

(B) estimates costs and resource requirements; and

(C) establishes a plan for mobilizing resources, a timetable for achieving results, and indicators for measuring performance.

The resolution (S. Res. 149) was agreed to.

The amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

The resolution, with its preamble, as amended, reads as follows:

(The resolution will be printed in a future edition of the RECORD.)

**EXPRESSING THE SENSE OF THE SENATE THAT THE SENATE STRONGLY SUPPORTS THE NON-PROLIFERATION PROGRAMS OF THE UNITED STATES**

The Senate proceeded to consider the resolution (S. Res. 90) expressing the sense of the Senate that the Senate strongly supports the nonproliferation programs of the United States, which had been reported from the Committee on Foreign Relations with an amendment to the preamble.

(Strike the part shown in black brackets and insert the part shown in italic.)

S. RES. 90

Whereas on March 6, 2003, the Senate gave its advice and consent to the Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions, done at Moscow on May 24, 2002 (the Moscow Treaty), which treaty will result in the [draw down] *withdrawal from operational deployment* of thousands of strategic nuclear weapons by December 31, 2012;

Whereas the lack of strict and effective control over and security of all weapons of mass destruction by the governments having jurisdiction over such weapons continues to be of grave concern to all nations that are threatened by terrorism, especially after the catastrophic terrorist attacks of September 11, 2001; and

Whereas despite some recent improvements in cooperation at the highest levels of the Russian Federation, various officials and agencies of the Russian Federation have been counter-productive in barring access and information to the United States with respect to nonproliferation programs and activities, thereby needlessly hindering the progress of such programs and activities: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) the Senate strongly supports the nonproliferation programs of the Department of Defense, the Department of Energy, and the Department of State, which programs are intended to reduce the worldwide threat posed by nuclear, chemical, and biological weapons that remain unsecured in the Russian Federation and elsewhere;

(2) the Russian Federation should continue to improve the access of the United States to

key facilities, and the sharing of information with the United States, so as to bring a successful and timely conclusion to various nonproliferation programs and activities; and

(3) the United States should redouble its efforts to achieve full implementation of the nonproliferation programs of the Department of Defense, the Department of Energy, and the Department of State under effective management, and make full use of all funds that Congress appropriates or otherwise makes available for such programs.

The resolution (S. Res. 90) was agreed to.

The amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

The resolution, with its preamble, as amended, reads as follows:

(The resolution will be printed in a future edition of the RECORD.)

Mr. BYRD. Madam President, on March 6, 2003, the Senate gave its advice and consent to ratification of the Moscow Treaty on strategic nuclear arms reductions. The 97 to 0 vote belied significant weaknesses in the treaty: it contains no verification procedures, it does not require the destruction of any warheads or missiles, and it expires on the same day that it goes into effect.

Those weaknesses should not be ignored. I joined with my colleagues in voting to approve a formal treaty on U.S. and Russian arms reductions in order to send a message that more work is needed to reduce, control, and secure the most dangerous weapons that mankind has created. The Moscow Treaty is a modest step away from the Cold War threat of nuclear holocaust, but more steps need to be taken.

The resolution that I offer represents the Senate's next step in pushing for more action in the control of nuclear, chemical, and biological weapons. I am grateful to the chairman of the Foreign Relations Committee, Senator LUGAR, for his support of the resolution as its principal cosponsor. The Byrd-Lugar resolution urges the administration and the Russian Federation to do more to implement nonproliferation programs.

The United States has a good record in working with the countries of the former Soviet Union on nonproliferation programs. The Cooperative Threat Reduction program, conceived by former Senator Sam Nunn and of Senator RICHARD LUGAR, has an astounding record of success. That program has destroyed more than 6,000 Soviet-era nuclear weapons and more than 800 ballistic missiles. The program helped to remove all nuclear warheads from Belarus, Ukraine, and Kazakhstan. It has made significant progress in securing nuclear materials, chemical weapons, and biological weapons.

The Byrd-Lugar resolution states the sense of the Senate on three important issues relating to U.S. non-proliferation programs.

First, the resolution states clearly the strong support of the Senate for non-proliferation programs that "are intended to reduce the threat posed by

nuclear, chemical, and biological weapons that remain unsecured in the Russian Federation and elsewhere.”

Second, the resolution urges the Russian Federation to increase access to key weapons facilities and to share more information about its weapons programs. According to General Accounting Office testimony delivered to the House Armed Services Committee on March 5:

Russia will not allow DOD [Department of Defense] and DOE [Department of Energy] the level of access they require to design security improvements [at weapons storage sites], verify their installation, and ensure their proper operation. As a result, agencies have been unable to help protect substantial portions of Russia’s nuclear weapons. . . . In addition, many Russian biological sites that store dangerous biological pathogens remain off-limits. (GAO testimony, 3/5/03, GAO-03-526T)

Third, the resolution urges our country to redouble efforts to achieve full implementation of nonproliferation programs, under effective management, and with full use of the funds that Congress may appropriate for nonproliferation activities.

Critics have been active in pointing out that poor management of some nonproliferation projects has resulted in wasted money and lost time. Most recently, some have leveled criticism at two projects that were intended to eliminate Russian rocket fuel. The United States spent \$200 million to build two facilities to eliminate fuel that was left over from destroyed Russian missiles, only to find that the fuel was diverted into the Russian civil space program. As a result, these facilities are left with no rocket fuel to destroy.

It is a very serious issue when such a great amount of money is devoted to an unsuccessful program. There is no excuse for poor planning and management. We should not lose sight of the importance of nonproliferation programs, and to ensure their success we must not ignore such examples of mismanagement. That is why the Byrd-Lugar resolution makes a point about the need for effective management in our nonproliferation programs.

But just as management improvements are needed, the Executive Branch has been slow to implement nonproliferation programs. There has been delay after delay in spending funds that Congress appropriates for these projects.

According to the administration’s fiscal year 2004 budget, \$543 million in DOD nonproliferation funds will remain unexpended this year. To put that figure in perspective, the White House has requested \$439 million for these programs in its fiscal year 2004 budget. I support that request, but that money—like the half a billion dollars that remains in our coffers—will do nothing to improve our security unless it is spent by the administration. Whatever funds that Congress appropriates to nonproliferation programs should be used in a timely manner that

recognizes the serious nature of the threat posed by loose nuclear weapons in Russia.

The Byrd-Lugar resolution underscores the important nonproliferation tasks ahead of us by spotlighting problems that need to be addressed by the United States and Russia. Just as this resolution follows up on the Moscow Treaty, there is much more work to do after this resolution. These are matters on which the Armed Services Committee, of which I am a member, and the Foreign Relations Committee, of which Senator LUGAR is chairman, should continue to work together.

One issue that is particularly deserving of increased attention is expansion of non-proliferation programs to countries outside of the former Soviet Union. The supplemental appropriations bill passed by the Senate on April 3, 2003, included temporary authority for the President to spend up to \$50 million in nonproliferation funds outside of the former Soviet Union during this fiscal year. Unfortunately, this provision was not included in the final version of that bill that was signed into law by the President on April 16, 2003.

The Director of the Central Intelligence Agency warned the Armed Services Committee on February 11 of a new nuclear arms race among smaller countries. Let us look beyond the borders of the former Soviet Union to address the heart of the growing menace of nuclear proliferation, and start thinking about how to leverage the success in Russia of the Nunn-Lugar programs into results in other countries.

The Nunn-Lugar programs have greatly reduced the chance that a poorly secured Russian military facility may serve as a one-stop shop for terrorists seeking a nuclear, chemical, or biological weapon. I count myself as a consistent and strong supporter of these programs.

But there is much more work to do. The Moscow Treaty, which requires that thousands of nuclear warheads be removed from deployment, but not necessarily destroyed, renews the need for a cooperative program to keep these weapons out of the hands of terrorists. The Byrd-Lugar resolution sends a message to the White House and to the Kremlin that we need to fix the problems that have surfaced in the nonproliferation programs between our countries and accelerate our work to secure and destroy unneeded and unwanted weapons of mass destruction.

#### MEASURE INDEFINITELY POSTPONED—S. CON. RES. 23

Mr. FRIST. Madam President, I ask unanimous consent that Calendar No. 34, S. Con. Res. 23, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AUTHORITY FOR COMMITTEES TO REPORT LEGISLATIVE AND EXECUTIVE MATTERS

Mr. FRIST. Madam President, I ask unanimous consent that notwithstanding the recess or adjournment of the Senate, committees be authorized to report legislative and executive matters on Wednesday, July 2, from 10 a.m. to 12 noon.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AUTHORIZING THE CHAIR TO MAKE APPOINTMENTS

Mr. FRIST. Madam President, notwithstanding the Senate’s adjournment or recess for the Fourth of July recess, I ask unanimous consent that the Chair be authorized to make chair appointments.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AUTHORIZATION TO SIGN DULY ENROLLED BILLS OR JOINT RESOLUTIONS

Mr. FRIST. Madam President, I ask unanimous consent that during this adjournment of the Senate, the majority leader or the assistant majority leader or Senator ALLEN be authorized to sign duly enrolled bills or joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

##### A SMALL TOWN WITH A BIG HEART

Mr. DASCHLE. Madam President, Independence Day marks a time for Americans to celebrate our country’s creation through an epic struggle for freedom and liberty. Families come together to commemorate the qualities displayed by the early patriots: a commitment to democratic expression, a yearning to be free from tyranny, and a sober willingness to sacrifice life itself on behalf of these aims.

This Fourth of July, thousands of men and women in our military will be in Iraq, dedicating themselves to the reconstruction of this country that has lived so long in the shackles of Saddam Hussein’s reign of terror. Our objective is much the same as in 1776: creating conditions in which the people are protected from oppression and in which free expression and democratic government can flourish. We know this is not an easy task—indeed, our forces continue to suffer casualties but its success or failure will be very important, not only to Iraq, but also to the future of this country and the entire Middle East.

I am so proud of the service members who have stepped forward, making tremendous sacrifices, to fight for the liberty of a foreign people in a foreign land. These men and women have been

unflinching in their resolve and have already accomplished much.

I am particularly proud of the roughly 2,000 South Dakotans who have been involved in the Iraq campaign. Many of them are South Dakota National Guard members, who participated in a mobilization with few precedents in our State's history. It was, by far, the largest mobilization since World War II. At the time the fighting began, units from more than 20 communities had been called up, from Elk Point in the south to Lemmon in the north, from Watertown in the east to Custer in the west. Indeed, our State's mobilization rate ranked among the highest of all the States on a per-capita basis. Also, hundreds of personnel from Ellsworth Air Force Base were deployed overseas at the height of the campaign.

But no community in South Dakota, or perhaps the even country, is more remarkable in its contribution to this effort than the small town of Frederick.

Frederick lies roughly 30 miles from my hometown of Aberdeen. It is a small, close-knit community with a population of fewer than 300 people. But twenty-six of Frederick's sons and daughters answered the call to duty—nearly ten percent of its population! Frederick's military personnel are serving in nearly every branch of the armed forces, including the Army, Navy, Air Force, Marines, Army National Guard, Air National Guard, and Army Reserve. To put this tremendous display of patriotism in perspective, the boroughs of New York City would need to send roughly 750,000 people to match Frederick's effort.

On July Fourth, Frederick is commemorating the patriotism of its service members with a community parade and celebration that will feature a fly-over by a B-1 bomber out of Ellsworth Air Force Base. They will honor their friends, neighbors and loved ones serving in the U.S. military, and I want to join them by recognizing them here today. They are:

Air Force: A1C Justin Wallace, SSgt. Jason Strand, Senior MSgt LeRoy Fiekens, SSgt. Tara Meyers,

A1C Paul Sumption, and TSgt. Reiff Mikkonen.

Air Force National Guard: SSgt. Brian Achen.

Army: LTC Ronald Claeys, PFC Gary Kurtzhals, and PFC Mikael Schmit.

Army National Guard: SPC Stephen Achen, Sgt. Ryan Henningsen, Sgt. Robert Heider, PFC Jeff Pierce, Cpl. Mike Bunke, Col. Gordon Niva, SSgt. Eric Kinslow, Sgt. Dave Gunther, SPC Ben Deuter and Sgt. Ryan Bakeburg.

Army Reserve: Maj. Susan Lahr and PFC Glenn Gunther.

Navy: PFC Josh Larsen and Petty Officer Randy Jensen.

Marine Corps: Sgt. Eric Thompson and MSgt. Scott McCullough.

Let me also take a moment to recognize another young patriot from Frederick, 10-year-old Peyton Healy. Though she does not know any of the 26

deployed soldiers personally, Peyton took the initiative to develop a way for the people of Frederick to support troops serving abroad, creating the "Project Patriotic Penny Fund." Working with the local American Legion post, she placed donation cans in area businesses to raise money for postage on care packages to the troops. She hoped to raise roughly \$100—enough to pay for one package to every Frederick service member. The people of Frederick placed \$195 in these cans—19,500 pennies. They also donated supplies for the packages, such as crossword puzzles, pens and paper, batteries, hygiene products, and candy.

Most importantly, Peyton helped us see the defining characteristic of the people of Frederick. She helped us see that the people of this tiny town have enormous hearts. I call upon my colleagues and the people of this Nation to join with me in commending the people of Frederick, and in celebrating alongside them on Independence Day the democracy and liberty they so proudly defend and promote.

#### BURMA

Mr. MCCONNELL. Madam President, on June 11, 1995 my colleagues joined Senator FEINSTEIN and myself in passing the Burma Freedom and Democracy Act. This legislation prohibits the importation of all products from Burma, freezes the assets of Burma's ruling thugs and their political arm, bans travel to the United States for the junta's political and military leadership, and provides assistance for democracy activists inside the country. At this time, our House colleagues are working to pass their version of this legislation and I urge them to do so quickly.

Today we have news reports from Tokyo that the Japanese Foreign Ministry will be suspending new development assistance pending the release of Daw Aung San Suu Kyi. This is a positive first step, but this is not enough.

I urge our Japanese allies to reflect upon the junta's continual efforts to smother democracy in Burma and review their overall engagement policy towards the junta. The junta put the final nail into the coffin of constructive engagement when it signaled its hostility to political dialogue and national reconciliation on May 30 by arresting Suu Kyi and murdering Burmese democrats. It is painfully clear now that the junta's support for engagement was nothing more than a farce used to bankroll its corrupt and vicious rule.

Constructive engagement for Japan and Association of Southeast Asian Nations, ASEAN, has done nothing to improve the political, economic, or social situation in Burma. The ASEAN policy of noninterference will not stand. Burma's military government is a festering sore infecting the region with narcotics, HIV/AIDS, and instability. In fact, without question, Burma is

worse off now than at any point in its history. The path now is clear: isolate the vile thugs who rule this country. We must encourage Burma's neighbors to use their considerable influence to make clear to the military regime that they, too, find the political situation intolerable; it must change.

When the Prime Minister of Thailand visits the United States and his meetings with American officials are dominated by the issue of Burmese atrocities, it displaces Thai national security and economic issues from the discussion. When the Association of South East Asian Nations convened in Phnom Penh, Cambodia, this month and the discussions centered not on fighting HIV/AIDS or improving regional economic development but on the arrest of Suu Kyi and the murder of National League for Democracy political activists, it distracts ASEAN from other important issues.

The regime in Burma is pulling down the region, and it is time that its neighbors owned up to their responsibility in fixing this problem once and for all. This is not a problem that can be pushed under the rug; ASEAN and Burma's neighbors must confront this problem. Until the region confronts the junta and demonstrates backbone in the face of corrupt despotism, they will find the United States a less willing negotiating partner.

Clearly, the transfer of power 1990 elected government will provide peace, stability, and the opportunity for enhanced regional economic growth. It is this goal, not merely the release and continued harassment of Suu Kyi, that should drive the foreign policies of Burma's regional neighbors.

I welcome the statements coming from Japan demanding Aung San Suu Kyi's release from the notorious Insein Prison—a jail Burmese political prisoners call "The Hell of Asia." However, her release from prison alone will solve none of Burma's problems. There is much more that needs to be done here in Congress, and at the White House, by Japan, ASEAN, the European Union, and by Secretary General Kofi Annan and the United Nations Security Council to ensure that the thugs now ruling Burma are one day soon consigned to the ash heap of history.

#### PRESCRIPTION DRUG AND MEDICARE IMPROVEMENT ACT

Mr. AKAKA. Madam President, I rise today to speak on S. 1, the Prescription Drug and Medicare Improvement Act of 2003.

For far too long Medicare has lacked a prescription drug benefit. The lack of this benefit has been the gaping hole in the Medicare safety net. Prescription drugs are the largest out-of-pocket health care cost for seniors. Many who cannot afford drug coverage often break the drugs in half, skip doses, or do not fill their prescriptions.

The legislation the Senate passed last night will finally establish a benefit. I supported this bill because it is

an important step forward in meeting the prescription drug needs of seniors. However, I am particularly concerned that the bill provides insufficient prescription drug coverage for seniors and depends excessively on private plans.

Medicare beneficiaries will experience a gap in their prescription drug coverage after their drug expenditures reach \$4,500. They will not receive any benefits until their total drug expenditures reach at least \$5,813 unless they qualify for the additional low-income support. This gap in coverage will occur while they are still paying premiums. It is unfortunate that amendments designed to fill in the gap were defeated. This issue must be revisited in the future. Also, the eligibility requirements for the additional low-income support are too restrictive and will deny many seniors in need the extra help that they need.

The dependence on private insurers to administer this benefit presents additional challenges to providing seniors with access to prescription drugs. Prescription drug-only insurance policies are currently not offered and they will need to be developed. The utilization of private plans creates a system in which insurers have incentives to limit access to needed drugs. In addition, the premiums that seniors pay for coverage are likely to vary depending on what region people live in. It is not equitable for a Federal benefit to have different prices across the country. Seniors should have the option of choosing a Medicare-administered plan instead of one that is run by a private insurer.

It is unfortunate that amendments to strengthen the prescription drug coverage and to provide seniors with an option to enroll in a Medicare administered plan were defeated. I look forward to continue working with my colleagues to address these important issues to improve the Medicare prescription drug benefit.

Again, I supported this bill because it is an important step towards providing much needed prescription drug coverage for seniors. Also, I am pleased that my amendment to restore a Medicaid disproportionate share hospital, DSH, allotment for Hawaii was adopted. This amendment is vital to Hawaii's hospitals which are struggling to meet the elevated demands placed upon them by the increasing number of uninsured patients. DSH payments will help Hawaii hospitals meet the rising health care needs of our communities. I hope that this provision is retained in conference.

#### S. 1, THE MEDICARE PRESCRIPTION DRUG BENEFIT ACT

Mr. ROCKEFELLER. Madam President, as the Medicare prescription drug debate draws to a close, I would like to take a few moments to give my colleagues my honest assessment of this legislation.

I join many of my colleagues in recognizing how difficult it has been for

the managers of this bill to hold to a proposal that fits within a \$400 billion budget constraint. In that respect, they are to be commended for their discipline. But for my part, I believe that constraint, combined with the fervent intent by some to move Medicare to a private insurance model, has produced a bill that is fatally flawed. Seniors will not get the affordable, meaningful prescription drug coverage they expect because the majority of Members seem to have concluded that we cannot break the \$400 billion barrier. I think it is a false choice.

The actual prescription drug benefit in this bill is inadequate to meet the needs of more than 40 million Medicare beneficiaries and eventually America's seniors are going to figure that out. The fact of the matter is that \$400 billion is simply not enough to buy an adequate benefit. But we already knew that—our debates last year made that abundantly clear.

I believe that insisting on the capped amount of \$400 billion for a Medicare drug benefit as a precondition of moving a new benefit through the legislative process serves as a convenient excuse. It means this drug benefit is sure to fail to meet seniors' real drug coverage needs. It also means that we will only cover 20-25 percent of seniors' drug costs.

What is worse, the complicated structure of this bill will cause seniors to be angry and confused by the benefit—and they will be entitled to be. This is not the straightforward guaranteed Medicare prescription drug benefit seniors have been repeatedly promised. There is no standard premium and there is no uniform benefit. For the first time under Medicare there is no universal coverage for all Medicare beneficiaries. This bill falls fall short of what seniors expect and need.

Let's take a few minutes to look at how the shortcomings of this bill will become apparent to a Medicare beneficiary—a senior or disabled person who enrolls in this benefit. For illustrative purposes, let's take an 80-year-old West Virginia widow living at 250 percent of the poverty level.

Assume this widow spent her entire career working for the same employer. Since her retirement, her employer has provided her with a fairly generous drug benefit—\$150 deductible, \$10 copays, and catastrophic coverage. However, once the Senate's proposed drug benefit is enacted, she becomes one of the 37 percent of Medicare beneficiaries who currently receive good employer-sponsored coverage who lose that coverage. That is because the way this bill works her former employers' contribution to her drug costs are meaningless because they do not count toward her catastrophic limit.

I want to note here that, during the health care reform debates of more than a decade ago, one of the few things that we seemed to agree on was that we should not disrupt the health care coverage that Americans already

rely on. My friends on the other side of the aisle, in particular, were quite adamant about that point. Well, this bill would not just disrupt the drug coverage for millions of seniors, it would completely strip the drug coverage from 4.5 million seniors who have employer-sponsored coverage today.

It will strip their employer-sponsored coverage and leave them with an inferior drug benefit which is either less generous or more expensive. I offered an amendment to correct this problem, but it failed just 2 days ago.

To return to my example, as a result of having lost her employer-sponsored coverage, this 80-year-old senior decides she has to enroll in the new drug benefit next year—in 2004—only to find out that it will not be implemented until 2006. There is a discount drug card, but it is not substantially better than the discounts she gets today—and it is far worse than the drug benefit she used to receive from her former employer.

This widow spends the next 2 years trying to figure out whether it is to her benefit to enroll in this new Medicare prescription drug benefit. But she can't really make an informed decision because she has no idea what the premium will be or what the benefit will actually look like. She decides to enroll in the voluntary benefit having been told that if she waits to enroll she will have to pay a very harsh late enrollment penalty.

This particular 80-year-old senior lives in West Virginia, so let's assume that no private insurers enter the area to provide a drug benefit. That has been my State's experience with the Medicare+Choice Program and I have no reason to believe that this proposal will produce a different outcome.

My illustrative senior citizen enrolls in the fallback. Her sister, however, lives in northwestern Ohio and has enrolled in a Medicare Advantage Plan. For the first time under Medicare, the West Virginia widow and her sister in Ohio have a different Medicare benefit and are paying a different premium for that benefit. In addition, her sister is being offered additional benefits like a catastrophic limit on her medical expenditures and disease management. These additional benefits are not even being offered to the West Virginia senior because she remains in traditional Medicare.

Now, fast forward 1 year and assume that private insurers decide to enter West Virginia. The fallback plan she received through traditional Medicare disappears and she is required to enroll in a private insurance plan. She cannot see the doctor she was seeing because he is not in the private insurer's network. She cannot go to the pharmacy she usually visits—the one that is right down the street—because it is also outside the network. She can't have the drug she was taking because it is not on the insurers' formulary.

Again, fast forward, this time it is 2 years later. Let's assume that the private insurers did not make enough

profit to continue to provide a drug benefit in West Virginia—then what happens? The now 83-year-old widow will have to start the process all over again.

What is worse is that each senior will face a different calculation in determining how this bill will or won't help them. Senior citizens with incomes of 135 percent of the poverty level should theoretically pay no deductible, 5 percent cost sharing up to \$4,500 in total spending, 10 percent cost sharing between \$4,500–\$5,800 and 2.5 percent cost sharing above \$5,800.

But this bill has an asset test that will prevent millions of seniors from getting the low-income subsidies in this bill. If a senior owns a burial plot worth \$1,000, a \$3,000 Treasury bill, and a vehicle worth \$6,000—indeed, if a senior owns anything that adds up to over \$10,000 in assets, not including his or her home, the cost sharing they have to pay will double.

Our Nation's neediest seniors, those with incomes 74 percent of Federal poverty, will not be permitted to enroll in the new Medicare prescription drug benefit at all. Even though these low-income seniors are Medicare beneficiaries, they will not be eligible for this particular Medicare benefit because they are now eligible for Medicaid. They will be discriminated against for the very first time under this new Medicare benefit.

Seniors who are forced to remain in Medicaid may well end up seeing their drug coverage dramatically cut back. With our Nation's economy still fairly stagnant, State budget situations remain dire. In some States, dual-eligible Medicare beneficiaries may only have coverage for three prescriptions per year, regardless of their medical needs.

Put simply, the Medicare drug benefit the Senate is about to vote on has fatal flaws. The following is a list of 10 fatal flaws that, combined, persuade me this bill should not get my vote.

1. The drug benefit has no national premium. CBO estimates that \$35 will be the national average premium. That number appears nowhere in the legislative language. It is a projection, a best guess—and it certainly could be higher.

2. Under this prescription drug plan, the premium will vary in every region of the country, perhaps State by State, and there is no limit on how high it can be. We defeated an amendment that would have limited the variation to no more than 10 percent above the national average, but it failed.

3. Private insurers will actually decide what the premium will be. And, this premium will grow each year by the rate of increase in drug costs—that is roughly 10–12 percent increases every year. That means seniors in 2008 could well be paying \$50 a month for their drug premium alone—and that is on top of the cost of their deductible and copayments.

4. There is no requirement for private plans to offer a standard benefit—private plans are only required to offer an

actuarially equivalent benefit. That means West Virginians and other rural beneficiaries may not have access to the same drug benefit that other seniors will have—again, for the very first time under Medicare seniors in some States won't get the same benefits as seniors in other States. I am not very confident that West Virginia seniors will end up with the better benefit—we never do.

5. The bill currently has a completely unstable fallback. Under this proposal, the only time a beneficiary will have the option of receiving coverage through Medicare is if there are not at least two bids from private insurers to serve a region. There is no guaranteed Medicare prescription drug benefit of the kind I believe seniors fully expect. Moreover, if private insurers do not enter an area, the fallback moves into place for 1 year. The next year, a new bidding process begins, and if two plans show up, the Medicare fallback disappears. Private insurers can then change or terminate coverage every 2 years. This means that seniors, especially seniors in rural areas where preferred provider organizations or PPOs and private plans are not likely to come to the table, may end up bouncing between a fallback, then a private plan, and then back to a fallback. Back and forth, back and forth. All the while, this senior will be forced to change doctors and pharmacists, their cost sharing will be changing, as may their premiums. The Senate prescription drug plan we are considering leaves the big HMOs and insurance companies in charge.

6. There is a significant gap in coverage. That gap is \$1,300—seniors pay their monthly premiums but get no drug benefit in that gap. Two amendments to address this problem did not achieve sufficient votes for passage. One was an amendment to eliminate this gap. Another one would have said that seniors would not have to pay premiums when they were not receiving any benefit. The failure of these two strengthening amendments means that under this legislation, if a Medicare beneficiary has \$5,900 in drug spending per year, by October 7 of that year, their benefit will run out. That beneficiary will continue to need the drugs each day for the rest of the year but her benefit will run out on October 7. Fifteen million Medicare beneficiaries will fall into the gap.

7. Low-income seniors who are eligible to receive a drug benefit under Medicaid will not be eligible for the Medicare prescription drug benefit, as I illustrated in my earlier example. This means that 43,000 West Virginians will not be eligible for this Medicare prescription drug benefit. Millions more across America won't be eligible for this Medicare benefit even though they paid their whole lives into the Medicare program rightfully expecting that it would cover their health care costs.

8. Again, under this legislation, CBO estimates that 37 percent of Medicare

beneficiaries who currently receive a drug benefit from their employer will lose that coverage because of the way this legislation defines out-of-pocket costs.

9. This proposal requires private insurers to provide beneficiaries with a catastrophic limit on expenditures for medical benefits, disease management, chronic care services and preventive benefit. But, such benefits are not made available to beneficiaries remaining in traditional Medicare. Everyone keeps arguing that these private plans will provide better, more comprehensive, preventive care. But, the fact is that this bill precludes the traditional Medicare from providing better, more coordinated care. There is no reason that traditional Medicare cannot provide the same level of care as a private plan—at a significantly lower administrative cost, I might add—but not if we preclude it from doing so.

10. And if those reasons weren't enough, consider what is headed our way in conference: today, the House will include in its prescription drug bill new tax shelters for health care, that disproportionately help the rich and undermine employer-based health insurance coverage . . . the very system that the vast majority of Americans depend on for their health care and a voucher system for Medicare beneficiaries beginning in the year 2010.

Under this system, seniors would receive a defined contribution payment rather than a defined benefit. In other words, rather than defined benefits beginning in 2010, seniors would receive a set premium payment—like a voucher—from the Government.

We need to think about what we are doing here. In my judgment, every Member of Congress should think about this benefit from the perspective of their beneficiaries. This proposal is a great opportunity for seniors to shop for new coverage every few years. If you have the utmost faith in private insurers to provide good health coverage to elderly Americans and the disabled, then this is the plan for you. This plan puts private insurers in the driver's seat by giving them flexibility to vary premiums and change or terminate coverage every 2 years. But, as far as providing long-term security, this proposal fails.

Finally, several Members have come to the floor and claimed that this proposal is just a downpayment—that we will be able to revisit the benefit over the years and make it more generous. That is simply untrue. We have an administration that is intent on large tax cuts, that is focused on the minimization of Government and that is committed to the privatization of the Medicare Program. Most every amendment offered during this debate to improve this benefit has lost. I don't know why any senior would believe that we will be able to revisit this program and make it better. We should take the time to get it right.

Mr. LIEBERMAN. Madam President, I want to state my support for the

Medicare Prescription Drug Bill, S. 1, and my reasons for doing so.

I believe that by passing this legislation, we begin to answer the prayers of many seniors who are struggling to cover the rising costs of the prescription drugs they need to live longer and healthier lives. I commend the bipartisan Congressional effort to beat back the worst pieces of the President's initial proposal—which would have forced seniors out of Medicare en masse and paved the road to privatizing the system—and forged this more sensible compromise.

But my support is not an enthusiastic endorsement. We cannot ignore the substantial weaknesses in this proposal. For one, the bill does not take effect until 2006—seniors have waited long enough. More specifically, this bill has an enormous gap in coverage—the so-called “doughnut hole”—that leaves millions of seniors without the assistance they need. Premiums may vary from plan to plan. Some seniors may be forced to go round and round in a revolving door, changing plans as private plans come and go. And seniors covered under employer-based retiree plans would not get the catastrophic benefit they need. Unfortunately, Republicans defeated Democratic amendments to remedy these shortcomings.

Nevertheless, the bill represents a dramatic improvement in prescription drug coverage for our nation's seniors. It would provide comprehensive prescription drug coverage for our lowest income elderly with no or minimal premiums. It also guarantees that a drug benefit is available to all Medicare beneficiaries by giving them a “fallback” traditional government plan when there is a lack of private plans in their area. Even with the existing gap, 80 percent of Medicare beneficiaries will get back more in benefits than they pay in premiums.

Both problems and advantages to the bill are summarized in more detail below.

All in all, this is a foundation upon which to build in the months and years ahead. Senator KENNEDY is right. Seniors deserve the basic coverage this plan will provide—and an end to the political stalemate that has blocked action for the last several years. Thanks to the persistent, principled, and passionate advocacy of him and other Democrats—and the strength of Republicans who resisted President Bush's divisive prescription—that's precisely what they're getting.

But I do think we can and should do more to improve this plan, and there are several specific areas we should focus on as we go forward. First, we must fill the doughnut hole I described above. This gap in coverage will hurt our seniors at their time of greatest need—financially and physically. The gap occurs because after a senior's drug spending reaches a certain amount, the benefit ends. The benefit doesn't start again until there is a significant out of pocket payment, at which time cata-

strophic coverage kicks in. Many of the beneficiaries who fall into that gap are likely to be seriously ill and financially strapped, and therefore faced with the same awful choice between medicines and necessities that too many seniors face today.

That's not the only problem with this bill. Another is that the drug benefits paid by employer-based retiree plans would not count toward the catastrophic benefit promised to seniors. Therefore, seniors covered under these plans would not gain from this new benefit. In fact, these seniors may get less Medicare coverage than other beneficiaries. Also, CBO estimates that as many as 37 percent of employers may drop their retiree drug coverage, which is the last thing we want to happen as a result of this bill.

In addition, there is no set premium for seniors under this plan. Many seniors will enroll in private drug-only plans because that will be their only option. The premiums for these plans may vary significantly and may be quite high in certain parts of the country. This is clearly unfair and will hurt those seniors in locations where premiums are high.

Moreover, the drug coverage approach in the bill relies on uncertain and historically unstable private health insurance plans. In fact, there will not be a guaranteed “fallback” option for coverage in a traditional Medicare plan. This fallback will only occur when there are less than two private plans in any region. Seniors may be pushed from plan to plan as the private plans come and go.

But on balance, this bill has more strengths than weaknesses, starting with the fact that it commits \$400 billion to help reduce the costs of prescription drugs for America's senior citizens. This is a historic breakthrough, and we should not minimize that.

One of the most encouraging parts of this bill is that it provides comprehensive coverage for low income seniors up to 160 percent of poverty with no or minimal premiums and cost sharing—40 percent of all Medicare beneficiaries. There is no “doughnut hole” for this group. Although I wish that there were better coverage for the remaining 60 percent of beneficiaries, there is at least strong, reliable coverage for the lowest income group.

Another positive aspect of the current bill is that all Medicare beneficiaries are provided a “fallback” traditional government plan when there are not two private plans in their area. This means that all Medicare beneficiaries are guaranteed that a drug benefit is available. I co-sponsored Senator STABENOW's amendment to guarantee this fallback without regard to the presence or absence of private plans to increase the stability of coverage and decrease the risk of needing to move from plan to plan. That amendment failed.

There were other important amendments that I did not have the oppor-

tunity to vote on. I would like to note my position on them for the record.

Stabenow Amendment No. 931 to Bill S. 1: I was a co-sponsor of this amendment that would have ensured the availability of the traditional Medicare plan in all areas. Bill S. 1 guarantees a “fallback” plan only when there are not two private plans in any region. This amendment would have guaranteed the availability of a Medicare-administered drug benefit for all Medicare beneficiaries in all regions and this “fallback” would not be dependent on the presence or absence of private insurers. This would have avoided the revolving door of drug insurance we may face with the enactment of the underlying bill. As discussed, seniors could be forced to change insurers and drug formularies from year to year. This amendment would have provided stability, by allowing seniors access to the federal fallback plan at all times. It is important that seniors don't just have drug coverage, but have coverage they can trust. For this reason, I was a co-sponsor of this amendment and would have voted for it.

Daschle Amendment No. 939 to Bill S. 1: This amendment would have ensured that an affordable plan would have been available to all Medicare beneficiaries by limiting the variations in the amount beneficiaries have to pay in premiums to only 10 percent above the national average, no matter where they live. Currently, premiums for Medicare HMO plans with drug coverage vary from \$99/month in Connecticut to \$16/month in Florida. Similarly, the premiums in Medicare PPO plans vary from \$166/month in New York to \$39/month in Alabama. This amendment would have limited these types of inequities. For this reason, I would have voted for this amendment.

Gregg Amendment No. 945 to Bill S. 1: This bipartisan amendment attempts to help ensure that Americans have access to generic drugs in a timely fashion. This amendment speeds the market entry of generic drugs by eliminating some patent extension practices used by brand name manufacturers. I voted for similar generic drug legislation in the last Congress, which passed the Senate. I would have voted for this amendment.

Dayton Amendment No. 957 to Bill S. 1: This amendment would require that Members of Congress receive prescription reimbursements at the same level as Medicare beneficiaries. I believe that that this it is appropriate and fair for us to be subject to the same problems to which our constituents will be subject. For these reasons, I would have voted for this amendment.

Dodd Amendment No. 969 to Bill S. 1: This amendment would have allowed an ongoing open enrollment period for two years so that beneficiaries could enroll and disenroll in Medicare Prescription Drug Plans and Medicare Advantage plans during 2006 and 2007. Medicare beneficiaries would have been able to choose which plan they wanted

as they gathered more information about each plan during the first two years of this benefit. For this reason, I was a co-sponsor of this amendment and would have voted in favor.

Dodd Amendment No. 970 to Bill S. 1: This amendment would have provided 50 percent cost sharing through the "donut hole" for seniors between 160 percent and 250 percent of poverty. Beneficiaries who have an income of only \$15,000/year (or \$20,000/year for a couple) are just over the 160 percent cut-off. This amendment would have helped these beneficiaries who have reached the initial coverage gap and before these beneficiaries have reached the annual out-of-pocket limit. I am greatly concerned that the bill voted out of the Finance Committee will hurt these beneficiaries. For these reasons, I would have voted for this amendment.

Harkin Amendment No. 991 to Bill S. 1: I was a co-sponsor of this amendment to have a demonstration project through the Medicaid program to encourage community-based services for individuals with disabilities. I believe that it is important that we treat disabled and challenged individuals in their communities to try and decrease the institutionalization of this population. We need demonstration projects to establish cost effectiveness and quality. For these reasons, I co-sponsored this amendment and would have voted for it.

Dodd Amendment No. 998 to Bill S. 1: This amendment would have increased the amount of the direct subsidy to employers who provide retiree prescription coverage. It would have encouraged retiree benefit plans to continue to exist as an alternative to Medicare. I am deeply concerned that the bill voted out of the Finance Committee will hurt seniors who currently have employer prescription drug coverage. Seniors who have worked hard all of their lives and earned drug insurance from their former employers should not lose this coverage and this bill could, according to CBO estimates, eliminate over a third of these benefits. For these reasons, I would have voted for this amendment. This provision needs to be corrected.

Clinton Amendment No. 1000 to Bill S. 1: I was proud to cosponsor Senator CLINTON's amendment to ensure that seniors get the information that they need to make informed choices about which medication they should take for a given medical condition. Often, there is more than one medication that is available for treatment. This measure would have supported research to determine which of these drugs is most effective and would have ensured that this information would be made available to patients and their physicians. I believe that it is important to support these studies as a means of improving the quality of prescribing practices and make certain that patients get the best possible care. For these reasons, I co-sponsored this amendment and would have voted for it.

Boxer Amendment No. 1001 to Bill S. 1: This amendment would have filled the coverage gap or "doughnut" for beneficiaries who are ill and who have drug expenditures that exceed \$4500. Bill S. 1 contains a provision that after Medicare beneficiaries' drug expenditures reach \$4500, there is no more coverage until the total drug expenditures reach at least \$5813 (unless beneficiaries qualify for low-income protections). No other private or public health insurance policy has this kind of coverage gap. In addition, S. 1 requires that during this coverage gap, Medicare beneficiaries would be required to pay their monthly premium. This is unfair. This amendment would have ensured that Medicare beneficiaries continue to receive the same drug coverage even after drug costs reach \$4500 and before they reach \$5800. They are paying their premiums and should continue to receive benefits. For these reasons, I would have voted in favor of this amendment.

Sessions Amendment No. 1011 to Bill S. 1: I support the Senate's vote to defeat Senator SESSIONS' amendment. The Senate Finance committee included provisions in S. 1 to extend Medicaid and S-CHIP coverage to legal immigrants. These benefits would aid tax-paying residents who have come to this country for a better future. It is only right that hard working newcomers who play by the rules receive our help when needed. Senator SESSIONS' amendment would have eliminated these provisions. For these reasons, I would have voted to oppose the Sessions amendment.

I attempted to cast as many votes as possible during the Senate Medicare debate. I did not miss any votes for which my vote would have changed the outcome, including the vote for Senator HARKIN's amendment. Although I missed this vote and the count was 50-48 in favor of a motion to table the amendment, even if both I and another Senate absentee had cast our votes, Vice President CHENEY would have cast the deciding vote. Most of the amendments passed or failed by wide margins, as did the final bill.

In conclusion, Mr. President, I want to reiterate that on balance I view this bill as real progress, despite its flaws. But I also want to make clear that I will oppose any effort to tip that balance against senior citizens in conference. I am troubled by provisions in the House bill that would undermine traditional Medicare and force seniors into private plans. And I will not support any effort to include these provisions or ones like them into the conference report and make the bill weaker instead of stronger.

Mr. CORZINE. Madam President, I rise today to discuss the Grassley-Baucus Medicare prescription drug legislation approved by the Senate late last night.

I supported this legislation, though I did so reluctantly. On balance, I believe the proposal represents a modest

step forward toward the goal of a guaranteed prescription drug benefit under Medicare. It is a first step.

From a New Jersey perspective, I am particularly pleased that the managers agreed to my request to include a provision that will protect the ability of nearly 250,000 New Jersey seniors to continue to receive benefits through our State's 27-year-old pharmaceutical benefit program, known as the PAAD program. This program, which enjoys bipartisan support, is uniformly believed to have served our State exceedingly well. Similar long standing programs exist in other States, as well.

Unfortunately, the bill adopted by the Senate also has many shortcomings. I am hopeful that many of those problems will be addressed before the final version of the legislation is sent to the President. The Senate bill is the minimum first step I can support, however. And I will oppose the final conference report if it drops my provision protecting the ability of States to administer long standing prescription drug programs.

As I have traveled New Jersey I've heard from my constituents about their struggle to deal with rising drug prices. Many New Jerseyans fear that the cost of prescription drugs will bankrupt them in their last years. They worry about the burden those costs can impose on their families. And around our country, too many seniors are forced to choose between paying rent and buying their prescription drugs. That's a choice that no American should have to face.

I believe strongly that seniors who have worked hard all their lives, paid taxes and contributed to Medicare should have access to the medicines they need to maintain independent, productive lives. Modern medicine largely is based on pharmaceutical treatment. Providing a prescription drug benefit is the right thing to do for our seniors and their families. But it also serves broader public goals.

After all, we all pay the price if we fail to provide a guaranteed prescription drug benefit. That failure increases the number of hospital admissions and surgical procedures. It also increases costly institutionalization in nursing homes, and deprives seniors of the ability to live independently in their communities.

My own State of New Jersey recognized the value of a prescription drug benefit in 1975 when it created the PAAD program, which serves low- and middle-income seniors. New Jersey's PAAD program is considered the Nation's most generous State administered prescription drug program for the elderly. Together, PAAD and Senior Gold, a more recent program with broader eligibility added under a Republican governor, provide comprehensive prescription drug coverage to nearly 250,000 low-income seniors and disabled people in New Jersey, without deductibles or premiums.

It is absolutely essential that seniors who currently receive higher quality

benefits under state drug programs than they would under the Medicare drug benefit continue to receive the state benefits. Their position should not be diminished by Federal edict. For example, seniors in the New Jersey PAAD program pay only \$5 for their prescriptions. They do not pay premiums or deductibles. By contrast, seniors who enroll in this Medicare benefit would pay a substantial premium averaging \$35 per month, along with a \$275 deductible, and a 50 percent copay. It is unthinkable that we would force these seniors to disenroll in their more generous state program to receive less coverage under Medicare—particularly those seniors with low and moderate incomes.

I have been making this point to my colleagues on the Finance Committee for a long time, and I am very pleased that a provision to protect my State's seniors has now been included in the bill. I want to thank Senators GRASSLEY and BAUCUS for their tremendous assistance in addressing this issue. The bill before us not only allows New Jersey to continue to administer the PAAD program, but it contains language I sought to ensure that state payments on behalf of a beneficiary count toward the beneficiary's out of pocket costs, helping that beneficiary reach catastrophic coverage sooner. This will save the state of New Jersey an estimated \$105 million annually.

I particularly want to thank Liz Fowler and Andrea Cohen of Senator BAUCUS' staff for all of their efforts on these issues. They have devoted many hours to these issues and done great work, and I want them to know that I appreciate their assistance.

I would note that giving states the money we would otherwise give private plans to administer benefits would allow states to expand their programs. Rough estimates indicate that the Medicare subsidy for those seniors currently enrolled in New Jersey's PAAD program is at least \$300 million. With this new Federal money, the State of New Jersey could expand this successful program to higher income seniors, eliminating gaps and strengthening the program in many ways. This is a win-win for everybody. And, I want to note that the provision is budget neutral: it won't cost the taxpayers one penny. I will work hard with my colleagues in the New Jersey delegation to ensure that this provision will be retained in conference.

In addition to preserving state pharmaceutical assistance programs, we must also work to make this drug benefit better for all Americans. While I plan to support the underlying bill in order to push the legislative process forward, let me be clear: this is not the Medicare prescription drug proposal I would have preferred and it is not the proposal I have advocated with my constituents for the last few years.

The bill before us would require seniors to pay hefty premiums—premiums that will vary by region, and are likely

to be especially burdensome in my State of New Jersey. The bill also won't pay a penny in benefits until seniors pay \$275, on top of those premiums. And, even after paying that \$275 deductible, the program still will pay only 50 percent of the cost of drugs.

I'm also concerned that the proposal contains what is called a "doughnut hole"—a gap in coverage that will leave seniors with high drug costs paying premiums but not getting coverage for some time. While the Federal Government would pay 50 percent of a beneficiary's drug costs up to \$4,500, a beneficiary with drug costs that exceed that level would have to pay all of their drug costs between \$4,500 and \$5,800. Those Medicare beneficiaries who require drugs that exceed \$4,500 are usually the sickest and most vulnerable seniors. And it is wrong to force them to bear these costs on their own, especially considering that they will be paying premiums at the same time. Some have called this the sickness tax.

In addition, the bill fails to provide equal benefits for low-income Medicare beneficiaries who also qualify for Medicaid, the so-called "dual eligibles." These seniors will not be guaranteed the same benefit, and the burden on states will be increased.

When you add up all the limitations and all the costs that will be imposed on seniors, you end up with a benefit that's a far cry from the comprehensive coverage provided under the traditional Medicare program. In fact, most seniors actually will pay into this program more than they receive. That's not what most seniors were expecting. It's not what many of us have been promising. And, as more older Americans appreciate what this bill is really about, more are getting angry about it, and understandably so.

Compounding matters, even the limited benefit provided in this bill will not go into effect until 2006. There is no good excuse for that. I was pleased to cosponsor an amendment offered by my distinguished colleague from New Jersey, Senator LAUTENBERG, to make the benefit effective in July of next year. That would have given the Administration as long as it took to get the entire Medicare program underway back in the 1960's. Unfortunately, the amendment was defeated.

Another concern of mine is that the bill before us could serve to weaken private insurance coverage, and actually might encourage employers to eliminate prescription drug coverage to their retirees. The Congressional Budget Office has estimated that the Grassley-Baucus bill could lead to a 37 percent reduction in employer-sponsored retiree drug benefits. This is largely because under the Grassley-Baucus plan, retirees with employer sponsored prescription drug coverage would not qualify for catastrophic coverage if their employer plan paid for their drug costs.

This is a major disincentive for employers to offer their retirees prescription drug benefits. Today, approximately 12 million seniors have some form of prescription drug coverage through their former employers. By and large, these employer-based drug benefits are more generous than those provided for in this bill. And it is imperative that the final version of this legislation ensure that all prescription drug costs paid by an employer help the beneficiary achieve catastrophic coverage. Without this critical provision, seniors enrolled in retiree health plans may never trigger their Medicare catastrophic drug coverage.

Today I have noted several problems with the substance of this bill, and many of them are quite serious. There are many others. At the same time, it is important to remember that, for all its problems, the bill provides \$400 billion to create a critical new public program for our Nation's seniors. It's a start. And for many seniors, especially those with very low incomes, it will be of tremendous help.

Given that, I hope my colleagues will join me in approving the legislation before us and sending it to conference. And then I hope the conferees will listen more closely to the concerns of America's seniors and improve it. If those concerns are heard, and the conferees respond, we could soon witness an historic achievement that makes a huge difference in the lives of millions of America's seniors.

Mrs. CLINTON. Madam President, I have long championed a prescription drug benefit that would provide real prescription drug coverage for seniors and individuals with disabilities. Last year and again during this debate, I voted for proposals that provided a comprehensive, reliable benefit without gaps in coverage that force seniors to pay premiums even while they get no benefits in return.

S. 1, the Grassley-Baucus bill that passed, however, contains serious shortcomings, including these large benefit gaps. So I must reluctantly oppose this legislation unless it is improved.

I am particularly concerned that it poses a strong danger to significant numbers of New Yorkers. It leaves 37 percent of seniors who rely on their retiree drug coverage at risk of losing their employer coverage because of incentives in the bill for employers to drop coverage. It also leaves out 300,000 of New York's nursing home residents who rely on Medicaid and another 230,000 low-income New Yorkers who also rely on Medicaid because Medicare beneficiaries who are also eligible for Medicaid are excluded from receiving the prescription drug benefit that passed last night. These New Yorkers could actually find themselves worse off than they are today if their employers or Medicaid programs drop or reduce coverage.

The provisions excluding those beneficiaries who are dually eligible for

Medicare and Medicaid also harms New York State's finances. New York State has effectively been subsidizing the Federal Government for years in the absence of a Federal provision for prescription drug benefits, by paying for the drug costs of these Medicare beneficiaries. But by failing to include dually eligible Medicare beneficiaries in the Medicare prescription drug benefit, this bill continues to leave New York, which is in a precarious State budget situation, to subsidize the Federal Government's lack of adequate investment.

Finally, the bill includes a Grassley-Baucus amendment that starting in 2009 will allow for government subsidization of private plans at levels much higher than the government funding for beneficiaries in traditional Medicare, and would then allow the private plans to offer benefits not available to the 90 percent of seniors in traditional Medicare, which I believe begins to subordinate the goal of health care for seniors to the goal of privatizing Medicare.

While I am pleased that New York's State drug program, EPIC, will still be available under a provision that Senators CORZINE, LAUTENBERG, SCHUMER and I worked hard to include, the other measures I supported to make sure seniors with other sources of coverage were not harmed by this proposal were unfortunately left out of the bill.

For their sake, for the sake of New York's fiscal situation, as well as for the sake of other New York seniors who will be confronted with an unnecessarily complex maze of bureaucracy to navigate in order to access benefits, I felt obliged to oppose the bill. There were some important provisions in the bill, including Senator SCHUMER's amendment that provides greater market competition for generic drugs so that seniors will have a cheaper alternative and don't have to rely on higher priced name-brand drugs.

These positive provisions were not enough, however, for me to vote for the bill unless it is substantially improved. While I believe New York deserves a better bipartisan alternative than the one that passed the Senate yesterday, I hope that those in conference will fight against changes that make the bill even worse for New York, and I will continue fighting this year, as well as in years to come, to correct these deficiencies and actually to deliver on the long-awaited promise of a simple, affordable, comprehensive prescription drug benefit for all seniors.

I request that this statement and a separate document, Governor Pataki's letter dated June 12, 2003, be submitted for the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATE OF NEW YORK,

June 12, 2003.

DEAR NEW YORK CONGRESSIONAL DELEGATION MEMBERS: Prescription drug costs continue to strain the budgets of the nation's senior citizens. I applaud your efforts this year to address this important issue. As you

begin consideration of legislation to provide prescription drug coverage to all senior citizens, please consider two issues vitally important to New York State.

First, New York taxpayers continue to support a significant cost for prescription drug coverage for its dual eligible population. The dual eligibles are elderly and disabled individuals who qualify for both the Medicare and Medicaid programs. Medicaid is required to provide medical services not covered by Medicare—including prescription drugs.

More than 600,000 New Yorkers are considered dual eligibles and each year New York's Medicaid program spends nearly \$1.5 billion on prescription drugs for the dual eligible population alone. We have always believed that these costs should be borne by the federal government and strongly support efforts to federalize prescription drug costs for the dual eligible population.

In addition, New York administers the nation's largest prescription program for seniors, EPIC. Today, more than 300,000 seniors are enjoying the significant benefits EPIC offers and savings thousands of dollars each on vitally important medicines. Costs for this program exceed \$600 million annually in State only dollars. Currently eighteen states have programs similar to New York's to provide prescription drug benefits to senior citizens.

Any federal program created this year to provide prescription drug coverage should recognize state efforts and allow seniors to choose their benefit plan (in New York, that choice would be between EPIC and the federal plan) while providing a direct Medicare subsidy to the state program for individuals that choose that option.

The Federal government has accepted responsibility of providing health care to senior citizens and I strongly urge an expansion to include prescription drug coverage. I applaud President Bush for his leadership on this issue and our Congressional delegation for its commitment to our seniors.

Your efforts on this important legislation could dramatically improve the health of a segment of our population that has given so much to New York's and America's safety and prosperity. We urge you to work with us to ensure that our seniors get the prescription drug coverage they deserve, and that the federal government assumes its rightful role in supporting services for our dual-eligible population.

Very truly yours,

GEORGE E. PATAKI,  
Governor.

#### MEDICARE REIMBURSEMENT OF MAMMOGRAPHY

Ms. MIKULSKI. Madam President, I rise to state for the record my strong support of Senator HARKIN's amendment to the Medicare prescription drug bill (S. 1) to increase Medicare reimbursement for mammograms. I am a proud cosponsor of this amendment. I am pleased that Senator GRASSLEY and Senator BAUCUS agreed to include it in the Medicare prescription drug legislation that passed the Senate earlier today. Americans must have access to mammography because it is an important tool to screen and detect breast cancer.

It is vital for Medicare beneficiaries to have access to mammography. A woman's risk of having breast cancer increases with age. A woman's chance of getting breast cancer is 1 out of 2,212

by age 30. This increases to 1 out of 23 by age 60 and 1 out of 10 by age 80. More than 85 percent of breast cancers occur in women over the age of 50. There will be 70 million Americans aged 65 and over in 2030. At the same time about 700 mammography facilities have closed nationwide over the last 2 years. Adequate reimbursement is essential to help ensure that women have access to this important screening tool. This amendment will increase Medicare reimbursement for mammograms. This amendment is also an important step to help radiologists enter and remain in the field of mammography by providing more adequate reimbursement. Mammography is not perfect, but it is the best tool we have now.

I have long fought to ensure that Medicare beneficiaries have access to mammography. I cosponsored the Assure Access to Mammography Act, S. 869, that would increase Medicare reimbursement for mammograms. It would also increase the number of radiologists by increasing Medicare graduate medical education, GME, to provide three additional radiologists in each teaching hospital. In 1990, I introduced the Medicare Screening Mammography Amendments of 1990 to provide Medicare coverage of annual screening mammography. My legislation was included in the Omnibus Budget Reconciliation Act of 1990. Before that, Medicare did not cover routine annual screening mammograms. Additional legislation since then has expanded access to mammography for Medicare beneficiaries. I will continue to fight to ensure that women have access to quality mammography, and I urge that the final version of the Medicare prescription drug bill include provisions to increase Medicare reimbursement for mammograms.

#### EDUCATION FUNDING

Mr. KENNEDY. Madam President, there is troubling news on the education front. Yesterday, the Republican majorities on the House and Senate Appropriations Committees approved education budgets filled with harsh cuts that will hurt families, students, schools, and teachers throughout the country.

Unfortunately, the pattern is all too clear. Our Republican colleagues promise strong support for education and quietly break the promise. The bills unveiled yesterday contain a litany of broken promises on education.

Obviously, money is not the answer to all the problems of our schools. But the way we allocate resources in the Federal budget is a clear expression of our Nation's priorities. And the priorities on education reflected in this Republican Appropriations bill are profoundly wrong.

In January 2002, President Bush promised that "America's schools will be on a new path of reform . . . our schools will have greater resources to meet those goals." But yesterday, on a

strict party-line vote, our Republican colleagues voted to cut funding for the No Child Left Behind Act by \$200 million. We have raised standards and raised expectations on schoolchildren. We intend to hold schools accountable for better performance. Yet now the Republican majority wants to cut funding for school reform.

President Bush promised that we would "leave no child behind," and that became the title of the landmark school reform bill he signed into law a year and a half ago. But yesterday, behind closed doors, our Republican colleagues approved a budget that leaves 6 million children behind. It underfunds the title I program for needy children by over \$6 billion. Under the Republican education budget, needy children will not get smaller classes, will not get supplemental services, and will not get special attention in reading and mathematics.

In March last year, President Bush promised to support teachers, making sure they "get the training they need to raise educational standards." But yesterday, Republicans on the Appropriations Committees proposed to cut 20,000 teachers from professional development programs. They proposed to eliminate training for teachers in technology.

We need to upgrade teacher quality, not downgrade teacher training. The No Child Left Behind Act requires schools to give every classroom a high quality teacher. They need more resources, not fewer resources, to reach that goal.

President Bush promised that his administration "will promote policies that expand educational opportunities for Americans from all racial, ethnic, and economic backgrounds." But yesterday, our Republican colleagues approved a budget that cuts 32,000 children from education programs in English as a Second Language. They want to eliminate the Thurgood Marshall Scholarship program. They want a zero increase in Pell grants, a zero increase in campus-based financial aid, and a zero increase in College Work Study.

President Bush promised to increase AmeriCorps by 25,000 volunteers. Two weeks ago, the Administration told us that AmeriCorps programs would be cut by 25,000 volunteers.

Clearly, Federal resources are being limited unfairly because of the massive tax breaks already enacted that benefit the wealthy. If we freeze future tax breaks for the wealthy, we can obtain the resources we need for education.

In the Senate and the House, Senator BYRD and Congressman OBEY have shown impressive leadership on this issue. Instead of providing millionaires with an average tax cut of \$88,000 each as the President proposes, they would use the savings to fund the No Child Left Behind Act, invest in teachers, and help students pay for college.

But the Republican majority rejected those amendments. The Republican

majority voted to give \$88,000 to each millionaire and to cut funds for education. These are the wrong priorities for America, and we are going to oppose them on the Senate floor.

Next week on the Fourth of July, we will all celebrate our Nation's founding values, values whose preservation depends heavily on the quality of education of each generation. As Senators go home to their States for the recess, they should ask constituents whether they give higher priority to tax breaks for millionaires or to education. They should ask their constituents if they value investing in school reform and improvement. They should ask teachers what they think of a cut in the No Child Left Behind budget.

If we intend to hold schools and students accountable, Congress has to be accountable, too.

On this Fourth of July, let's reflect on our history, on the need to keep our promises, and on the importance of building a better future.

#### LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Madam President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred in New York, NY. On September 12, 2001, a 66-year-old Sikh was savagely attacked by three white teenagers. The man was shot with a pellet gun and chased down by the teens who battered him with a baseball bat. The victim was hospitalized with head, back and wrist injuries.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

#### HILARY B. ROSEN, PRESIDENT AND CEO OF THE RECORDING INDUSTRY ASSOCIATION OF AMERICA

Mr. LEAHY. Madam President, I come to the floor today to offer congratulations and heartfelt appreciation for the exceptional work of Hilary Rosen, Chair and CEO of the Recording Industry Association of America. Hilary will step down at the end of this year, after 17 years with the RIAA. She leaves a legacy of remarkable efforts to ensure that innovations are protected while finding legitimate new venues in the Digital Age. She has accomplished a great deal while at the same time ushering the organization, and the music industry, through extremely trying years.

After matriculating at George Washington University and earning a Bachelor of Arts in International Business, Hilary devoted her energies to working for a former Governor of New Jersey in addition to two senatorial transition teams, those of my distinguished colleague and former colleague, DIANNE FEINSTEIN and Bill Bradley. She was an accomplished advocate and began her own consulting firm in 1987. Hilary's hard work and talent were rewarded in 1998 when she assumed the position of Chair and CEO at the RIAA.

She has represented the music industry with both tenacity and good humor. While the Internet has ushered in a new era of information and communication capabilities, we are now well aware of the dangers posed by this innovation. These dangers take many forms: the security issues that result when we have achieved so much interconnectedness, the proliferation of child pornography that seeks to exploit society's most vulnerable, and of course the threat posed to copyright holders by those who distribute, for free, the work products of artists. Hilary has made genuine headway, sometimes single-handedly, in harnessing the power of the Internet to further the goals of the music industry while helping in the fight against the worst abuses of technology.

But her political activities extend well beyond the boundaries of the organization she leads. She was a founding member of Rock the Vote, a group which has successfully sought to reach out to younger Americans, imbuing those coming of age with the belief that they can have a positive impact on our political processes. And she sits on numerous not-for-profit boards including the Human Rights Campaign Foundation, Y.E.S. to Jobs, and the National Cancer Foundation. Looking at the list of groups she is involved with, the variety of causes she champions rivals the diversity of artists and labels she represents.

We know that her partner, Elizabeth Birch, and their twins, Jacob and Anna, will enjoy having more time with Hilary. If past experience is a predictor of future performance, she will shine in whatever endeavor she next chooses.

#### SUPREME COURT NOMINATIONS

Mr. KENNEDY. Madam President, in considering potential nominees for a possible vacancy on the Supreme Court, I hope President Bush will consider the example of earlier Presidents who followed both the letter and the spirit of the Constitution, and fully respected the role the Framers gave the Senate to share with the President.

The Framers originally rejected a proposal that the President alone appoint judges, and they seriously considered allowing the Senate to exercise that responsibility alone. In the end,

they decided to make that responsibility a shared function of the President and the Senate, through the "advice and consent" mechanism.

There is nothing "novel" or extra-constitutional about Presidents consulting in advance with the Senate before nominating a person to a lifetime position on the Supreme Court. George Washington wanted the Senate to be his own "privy council" and refused to do so, but for the past century many Presidents have taken the opposite course. They have decided not only that such consultation was fully consistent with the Framers' system of checks and balances, but also that their concern for achieving a consensus in the selection of strong and independent Justices could be best achieved by consulting in advance with the Senate.

Presidents who did so often achieved broad Senate and national support for their nominees, avoided divisive and unnecessary battles, and prevented embarrassing rejections of their selections.

President Theodore Roosevelt frequently consulted with Senators before making Supreme Court nominations, including the 1902 nomination of Oliver Wendell Holmes, Jr., who was confirmed the day he was nominated.

In 1932, President Herbert Hoover presented his list of possible nominees to Senator William Borah, a fellow Republican. Benjamin Cardozo, a Democrat, was at the bottom of the President's list, but Senator Borah persuaded the President to nominate Cardozo, who was confirmed nine days after his nomination was sent to the Senate.

President Franklin Roosevelt also shied his list of potential nominees with Senator Borah in advance. Senator Borah expressed his enthusiastic support for William O. Douglas, who was quickly confirmed by a vote of 62-4.

In 1975 President Gerald Ford shared his list of 11 prospective nominees with both the Senate and the American Bar Association. Although there was support for others on the list, his choice, John Paul Stevens, was confirmed in three weeks by a vote of 98-0.

President Bill Clinton consulted with Senators from both parties on each of his two Supreme Court nominees. Senator Dole, Senator HATCH, and others advised him that his favored candidate would be controversial, and supported the nomination of Ruth Bader Ginsburg. Later, Senators from both parties, including Senator HATCH, recommended Stephen Breyer. Both Ginsburg and Breyer were quickly and overwhelmingly confirmed.

Nominations which generated the most controversy were those which had little or no consultation with the Senate, or where the President ignored advice of the Senate.

President Richard Nixon sought little or no direct advice from Senators who were not friends and supporters of

his prospective nominees. He suffered two consecutive defeats, and the opponents included members and party leaders of the President's own party.

President Ronald Reagan's Chief of Staff, former Senator Howard Baker, consulted with leading Senate Democrats, and received strong advice that Robert Bork would have substantial opposition. Bork was nominated nevertheless, and was defeated by a vote of 58-42.

There is no down-side to serious consultation with the Senate. If a well-known prospective nominee has significant bipartisan support, the President will know in advance that he is likely to achieve prompt confirmation of the nominee, without a divisive debate in the Senate that would also be divisive for the country. The selection of a Supreme Court Justice with broad national support would help bring the country together at a time when we are facing many difficult challenges, and I hope very much that the Members of the Senate can work closely with the President and with one another to achieve that goal.

#### IN REMEMBRANCE OF STROM THURMOND

Mr. HOLLINGS. Madam President, last night with the passing of our revered colleague, Senator Strom Thurmond, I indicated I would have a longer recount of his work. The Nation has lost one of its most distinguished and longest-serving public servants, my State has lost its greatest living legend, and I would like to add to my comments.

By any measure, Senator Thurmond ranks as a giant of modern American politics. Few people in recent memory have had greater influence on the shape and substance of American politics, and few elected officials have shown themselves more devoted to serving the people of their State and nation. There was no more hard-working politician in America than Senator Thurmond. Right up to the day he retired from the Senate, he remained devoted to his constituents.

Of course, any discussion of Senator Thurmond's political and legislative legacy ultimately turns to a discussion of Senator Thurmond the man. He was one of the most amazing men anyone in this Chamber ever has met. He was what we attorneys call "sui generis." When God made Strom, He broke the mold for sure. Merely listing all of Senator Thurmond's "firsts" conveys the prodigious energies and talents of the man.

In 1929, he began his political career by becoming the youngest person ever elected Superintendent of Education in Edgefield County, South Carolina. He entered state-wide politics in 1933, when he was elected to the State Senate. As a South Carolina Senator, he was known for his devotion to improving public education and promoting opportunities for the people of my State.

His concern for the common man motivated many of his legislative efforts, such as writing the act that raised workers' compensation benefits and sponsoring South Carolina's first Rural Electrification Act. Although these efforts may seem far removed from our concerns today, they were crucial to my State at the time.

He left the Senate in 1938 to become Judge Thurmond. Continuing his lifelong love affair with politics and public service, he served as a South Carolina Circuit Judge until the United States entered the Second World War in 1941. Then Judge Thurmond took off his robe and volunteered for active duty. He enlisted despite the fact that, as a 39-year-old Circuit Judge, he was exempt from military service.

He fought in five battles in 4 years, and on D-Day, he rode a glider into Normandy with the 82nd Airborne. For his wartime service, Senator Thurmond was awarded 18 decorations, including the Purple Heart, Bronze Star for Valor, and Legion of Merit with Oak Leaf Cluster. He remained in the Army Reserves after the War and was made Major General in 1959.

After the war, he came home and ran for Governor. He was elected in 1947, and his administration was known for its progressive policies on education and infrastructure. During his tenure, 60,000 new jobs were created in the private sector, teacher pay was boosted to unprecedented levels, and the State Farmers' Market was begun. These initiatives helped start South Carolina on the road to a dynamic, modern economy.

In 1948, Governor Thurmond ran for President on the States' Rights ticket. In 1954, he became the first person ever elected to the Senate as a write-in candidate. That election established him as a force in national politics and a giant in South Carolina.

He was reelected to the Senate eight times, more than any Senator. When he left in January, he was the oldest and longest-serving Senator in U.S. history. He served as chairman of two powerful committees: Judiciary and Armed Services. In those capacities, he played an important role in keeping our national defense strong and ensuring the quality of our Federal judiciary.

He took controversial stands on civil rights and other divisive issues, but over time he changed and ended up garnering the support of many of those whom he opposed. He will go down in history for his devotion to his constituents.

Senator Thurmond also changed the course of politics in the South. His conversion to the Republican party in 1964 heralded a new age in party affiliation in the South and led the way for the region's transformation from a one-party, Democratic stronghold.

Senator Thurmond is gone, but his legacy will live on for many lifetimes. The people of South Carolina loved him as they have loved no other politician.

Today his loss is mourned across my state, by Democrats and Republicans alike. Those of us who have the privilege of serving in the Senate lament the loss of an admired colleague whose influence on this institution will stand for generations.

Mr. HATCH. Madam President, I want to take a minute to say a few words in honor of Strom Thurmond, our friend and former colleague, who has passed away.

From the moment Strom Thurmond set foot in this Chamber in 1954, he has been setting records. He was the only person ever elected to the U.S. Senate on a write-in vote. He set the record for the longest speech on the Senate floor, clocked at an astounding 24 hours and 18 minutes. He was the longest-serving Senator in the history of the U.S. Senate. He was also the oldest serving Senator. Many of my colleagues will recall the momentous occasion in September of 1998 when he cast his 15,000th vote in the Senate. With these and so many other accomplishments over the years, he has appropriately been referred to as "an institution within an institution."

In 1902, the year Strom Thurmond was born, life expectancy was 51 years—and today it is 77 years. Strom continued to prove that, by any measure, he was anything but average.

He was so much in his life. To provide some context, let me point out that during his lifetime, Oklahoma, New Mexico, Arizona, Alaska and Hawaii gained Statehood, and 11 amendments were added to the Constitution. The technological advancements he witnessed, from the automobile to the airplane to the Internet, literally spanned a century of progress. Conveniences we have come to take for granted today were not always part of Strom Thurmond's world. Perhaps this explains why, during Judiciary Committee hearings, he was often heard asking witnesses who were too far away from the microphone to "please speak into the machine."

The story of his remarkable political career truly could fill several volumes. It began with a win in 1928 for the Edgefield County Superintendent of Schools. Eighteen years later, he was Governor of South Carolina. Strom was even a Presidential candidate in 1948, running on the "Dixiecrat" ticket against Democrat Harry Truman.

I must admit that he came a long way in his political career, given that he originally came to the Senate as a Democrat. I was happy to say that wisdom came within a few short years when Strom saw the light and joined the Republican Party.

When I first arrived in the Senate in January of 1977, he was my mentor. As my senior on the Judiciary Committee, it was Strom Thurmond who helped me find my way and learn how the committee functioned. He was not only a respected colleague, but a personal friend.

During his tenure as chairman of the Judiciary Committee, Strom Thur-

mond left an indelible mark on the committee and the laws that came through it. He became known and respected for many fine qualities and positions—his devotion to the Constitution, his toughness on crime, his sense of fairness.

He was famous for his incredible grip. Many of us in this Chamber had the experience of Strom Thurmond holding our arm tightly as he explained a viewpoint and asked for our support. I might add that this proved to be a very effective approach.

Strom was also known to have a kind word or greeting for everyone who came his way, and for being extremely good to his staff. Despite his power and influence, he never forgot the importance of small acts of kindness. For example, whenever he ate in the Senate Dining Room, he grabbed two fistfuls of candy. When he returned to the floor of the Senate, he handed the candy out to the Senate Pages. Unfortunately, it was usually melted into a kaleidoscope of sugar by then! I have a feeling that the Pages preferred it when Strom took them out for ice cream.

Strom Thurmond was truly a legend—someone to whom the people of South Carolina owe an enormous debt of gratitude for all his years of service. Clearly, the people of South Carolina recognize the sacrifices he made and are grateful for all he did for them. In fact, you cannot mention the name Strom Thurmond in South Carolina without the audience bursting into spontaneous applause. He truly was an American political icon.

Abraham Lincoln once said that "The better part of one's life consists of friendships." With a friend like Strom Thurmond, this sentiment couldn't be more true. I am a great admirer of Strom Thurmond, and I am proud to have called him my friend.

One final note about Strom Thurmond: He was a great patriot. A decorated veteran of World War II who fought at Normandy on D-Day, Strom Thurmond loved this country. Let me close by saying that this country loved him, too.

Mr. LEVIN. Madam President, this is a sad day for the family of our late and beloved colleague, Strom Thurmond. I want to begin my remarks by extending my and Barbara's heartfelt condolences to all of them for their great loss. It is also, though, a day for all Americans, and most especially those of us in the Senate community, to remember a man who spent a lifetime—in fact more than the average lifetime—in dedicated public service to this nation.

When I joined the Armed Services Committee in 1979, Senator Thurmond had already served on the committee for 20 years. I knew of him as a passionate and effective advocate for a strong national defense even before I joined the committee. In the 24 years that we served on the committee together, I came to appreciate even more his commitment to the welfare of the

men and women who serve and who have served in our nation's military, as well as their families.

One of the reasons Senator Thurmond was such an effective leader on national security issues is that he spoke from his heart and from personal experience. He served his country in uniform for 36 years. He was commissioned in the Army Reserve even before he began his remarkable career in politics. He retired as a Major General in the Army Reserves.

In June 1944, Lt. Col. Strom Thurmond landed behind German lines in a glider with the rest of the 82d Airborne Division as part of the D-Day invasion. He truly was a member of what Tom Brokaw called "the greatest generation."

During Senator Thurmond's long tenure on the Armed Services Committee, our Armed Forces faced challenge after challenge in Western Europe, Vietnam, the Middle East, the Persian Gulf, the Balkans, and Afghanistan. Through it all, Senator Thurmond was unwavering in his support for our men and women in uniform. His steadfast commitment to our national defense was a rock upon which they and we could all depend. He never stopped working to ensure that our military is always ready to answer the call whenever and wherever needed.

Senator Thurmond served as chairman of the Senate Armed Services Committee in the 104th and 105th Congresses. I had the honor and pleasure to serve as his ranking member in 1997 and 1998. I know from personal experience how seriously Senator Thurmond treated his duties as chairman and how hard he worked to be fair and evenhanded with every member of the committee. Our former colleague and chairman, Senator Sam Nunn, was right when he said that there was not a single national security issue facing this country that has been or could be solved by one political party. That legacy of bipartisanship on the Armed Services Committee was continued under the chairmanship of Strom Thurmond. I am sure that I speak for all of our colleagues in saying just how much we appreciate not only the commitment that Senator Thurmond brought to his duties as chairman, but also his lifelong dedication to the defense of our Nation and to the welfare of those who defend us.

In my 24 years of service with Strom Thurmond, I never knew him to be anything other than unfailingly optimistic, always courteous, and ever-thoughtful of his Senate colleagues and their families. I cannot say how many times he gave me and all my colleagues advice on exercise, on diet, and on taking care of ourselves and our families in general. I wish I had followed his advice more often because it was always given out of his true concern as a friend. Strom himself was a marvelous specimen of physical fitness. One need only receive a handshake or a shoulder slap from Strom Thurmond to fully appreciate his strength and stamina.

Sadly Strom Thurmond has left this Earth and we will always miss him. I hope his family takes comfort in knowing, though, that he leaves an example of dedicated public service that will stand as an inspiration for generations to come.

Mr. COCHRAN. Madam President, we are deeply saddened by the death of our former colleague, Strom Thurmond. He was a beloved friend, always gracious, and affectionate.

His service in the Senate was distinctive not only because he served so many years but because of his love for his job and his dedication to serving the interests of the people of South Carolina.

He was determined to make his influence felt in the committees and on the floor. He took an active part in the debates even on the most controversial issues.

His 24 hour speech on the Civil Rights Act was a record-setting event. He also was a fervent and effective supporter of our military forces and the veterans who had risked their lives in military service to our Nation.

I will always count it as one of my richest blessings that I got to know Strom Thurmond and the members of his family. My hope is that Nancy and their children will be comforted by the warmth and sincerity of the esteem and affection in which the Thurmond family will always be held by their many close friends in the Senate family.

Mr. DODD. Mr. President, I rise to pay tribute to my colleague and dear friend, Senator Strom Thurmond, who passed away last night at the age of 100.

A few months ago, as he was about to retire from the United States Senate, I said on this floor that I could not even begin to imagine the Senate without Senator Thurmond. And since he left this Chamber, I can't tell you how many times, during a vote, when the clerk would reach the lower half of the alphabet, I've looked up from wherever I was on the floor—expecting to see the man who was, for so long, South Carolina's senior Senator.

He was truly an institution within this Chamber—a ranking Member, a committee chairman, a President pro tempore, and the first ever President pro tempore emeritus. He cast over 15,000 votes. His service spanned the terms of 10 U.S. Presidents. And he was directly involved in the confirmation hearings of all nine current Supreme Court Justices.

Strom Thurmond's life was one devoted to public service. He was a teacher, a school superintendent, a State Senator, a judge, a war hero, Governor, and, of course, a Senator for nearly 50 years.

At each step in his life, Strom Thurmond was searching for ways to serve his country. As a circuit judge in South Carolina, he took a leave of absence to volunteer to parachute behind enemy lines during the D-Day invasion

at Normandy. For his valor in World War II, he received the Purple Heart, five Battle Stars for Bravery and numerous other decorations. And shortly after the war ended, he was elected Governor of South Carolina, an office he held for 4 years.

But there is no doubt that when his constituents remember Strom Thurmond, their thoughts will immediately turn to his years as their Senator. He served them in this body for over one-fifth of our Nation's history. For many South Carolinians, when he retired earlier this year, he was the only senior Senator they had ever known.

Strom Thurmond did not merely serve in the Senate; he did so, even during his final years, with unparalleled vigor. His commitment to the people of South Carolina was legendary—whether it was helping an elderly constituent get a Social Security check, or ensuring that the widow of a law enforcement officer could keep her husband's badge. Strom Thurmond never forgot the people who sent him to Washington.

And the dozens of schools, buildings, parks, and streets in South Carolina that bear his name today show that they never forgot him either.

I served with Strom Thurmond for 22 years in the Senate, and my father served with him for 12—that's 34 years in which a Dodd served in this body with Senator Thurmond. Both of us certainly had our share of disagreements with him. But those disagreements always came in the spirit of respect, thoughtfulness, and collegiality that are hallmarks of the Senate. And Strom Thurmond truly embodied those qualities.

To the Dodd family, though, Strom Thurmond was more than just a colleague—he was a true and loyal friend. We will never forget the loyalty and friendship he showed us even during some trying and difficult times.

It is impossible to look back at the years of Strom Thurmond's life without being amazed. He lived through the invention of the Model T Ford and the creation of the Internet. As a child, he read newspaper accounts of battles that were fought with bayonets in the trenches of Europe. And in his later years, he watched satellite television reports of conflicts won with smart bombs and laser technology. He experienced the Great Depression of the 1930s and the technology bubble of the 1990s.

And as America matured and changed during his lifetime, Strom Thurmond grew, as well.

Senator Thurmond didn't just live through a century of history. He was intimately involved in it. In each step that America took, Strom Thurmond was there. In that respect, and in so many others, Strom Thurmond was a truly unique and rare individual.

I offer my condolences to the entire family of Strom Thurmond. We will miss him very much.

Mr. CRAIG. Madam President, a constant of the universe has changed.

Strom Thurmond is no longer with us. We mourn because this world is poorer for his passing, but we also know he smiles down upon us from a better, happier place.

True to the creed taught him by his father, Strom always gave of himself, to his family, his beloved state of South Carolina, and to his country. He understood that the essence of leading is serving.

Strom changed his times and changed with his times. Born during the administration of Theodore Roosevelt, he retired a thoroughly modern Senator.

He wanted to be history's first 100-year-old Senator. Through faith and force of will, he made it. Even more happily, he wanted to see the birth of his first grandchild, and he did, just recently.

Like many great persons, Strom combined changeless values with an amazing ability to adapt in a changing world. In turns, he was a liberal and a conservative; a Democrat, Independent, and Republican; a famous bachelor, widower, husband, father, and now grandfather. He came to the Senate from what they call the "Old South," but when I came to Congress, I saw in Strom a Senator committed to equal opportunity and inclusiveness. He was young at heart, had a sense of fun and adventure, and was always open to new ideas. This is the way Strom should be remembered, as an example of how the human spirit can grow and mature gracefully.

Yet, for all the changes, Strom's constituents were reassured by a sense of his being changeless. What never changed was a foundation of timeless values. He was devoted to faith, family, patriotism, integrity, public service, hard work, and compassion for every-day people.

Only in recent years, did Strom and I discover from a genealogy website that we were distant cousins. After that, we enjoyed greeting each other with, "Hi, Cousin!"

Today, I say, "Farewell for now, Cousin. Your life has honored and inspired your family, friends, and Nation."

#### ADDITIONAL STATEMENTS

##### ON THE 100TH ANNIVERSARY OF SAN PEDRO HIGH SCHOOL

• Mrs. BOXER. Mr. President, I rise to reflect on the proud history of San Pedro High School, which is celebrating its centennial this year. The school has grown considerably since 1904, when the San Pedro community honored its first graduating class at a ceremony at the town hall building. Maude Wayne was the only member of that class, and also served as student body president for the school's other 22 students.

When San Pedro High School first opened, students were taught in a single room on the second floor of 16th

Street Elementary School. Today's campus has existed since 1937, educating athletes Garry Maddox and Alan Ashby, and astronaut Anna Fisher.

San Pedro High School is a fixture in the community, filled with many fond memories. Many alumni have lived in the San Pedro community all their lives, and take pride in the school that educated them, their children and their children's children. San Pedro Pirates young and old have attended many anniversary celebrations and have enjoyed exchanging stories about their high school years. San Pedro High truly plays a significant role in the community.

I would like to extend my congratulations to principal Stephen Walters and all the past principals, as well as current and past teachers, administrators, and students. They have all been a part of the school's success over the years. This is a proud moment for them and for the entire community, and I thank them all for making San Pedro High the best it could be.●

#### TRIBUTE TO DOCTOR A. MICHAEL ANDREWS II

● Mr. INHOFE. Mr. President, I rise to pay tribute today to an outstanding American for his significant, lasting contributions to the soldiers of the United States Army.

On June 23, 2003, Dr. A. Michael Andrews II, the Deputy Assistant Secretary of the Army for Research and Technology/Chief Scientist, returned to the private sector after over six and a half years of selfless service to the Army and the Nation. Mike hails from the great state of Oklahoma, and received his B.S. and M.S. in Electrical Engineering from the University of Oklahoma. In 1971, he received his Ph.D. in Electrical Engineering from the University of Illinois.

Following a stellar 25-year career as a senior engineer and senior executive at Rockwell International Corporation, Mike came to the Pentagon in January 1997 as the Director for Technology in the Office of the Assistant Secretary of the Army for Research, Development and Acquisition.

His exemplary performance as Director of Technology led to Mike's appointment as the Deputy Assistant Secretary of the Army for Research and Technology/Chief Scientist, DAS, R&T, in November 1998. As DAS, R&T, Mike was responsible for the Army's entire Research and Technology program, spanning 21 Laboratories and Research, Development and Engineering Centers, with approximately 10,000 scientists and engineers and a budget that, under his leadership, grew over 30 percent to reach \$1.8 billion in Fiscal Year 2004.

In October 1999, the Army Secretary and the Chief of Staff of the Army announced their Vision for transforming the Army to an Objective Force—a force that is rapidly deployable and can operate in both large-scale wars and

urban peacekeeping operations. It was clear that the Army's Science and Technology, S&T, program was the cornerstone to achieving their vision of a full spectrum force within this decade. Mike took bold steps to shift the focus of the Army's technology by judiciously refocusing and redirecting the Army's \$10 billion plus S&T investments over 2000–2007 towards developing and demonstrating Objective Force technologies.

Understanding the importance of Congressional support for the Army S&T program, Mike consistently worked to develop better communications with Members of Congress and Congressional Staff. These efforts resulted in Congress providing over 98 percent of the requested Army S&T program funding over the last five Fiscal Years and 100 percent, thus far, for Fiscal Year 2004.

In addition to his pursuit of achieving a lighter, more lethal Army, Mike also initiated a unique partnership with the private sector to link the Army and the entertainment industry to establish unique training environments for our soldiers. By leveraging significant entertainment industry investments and capabilities in modeling and simulations, e.g., electronic games, theme parks and digital movies, and existing Army efforts, Mike established a university-based center called the Institute for Creative Technologies. The Institute provides an environment for shared investment and joint projects to enhance Army training. The Institute has expanded beyond Hollywood to the Army's Field Artillery Center and School at Fort Sill, OK, where its significant simulation and modeling capabilities can be brought directly to soldiers undergoing basic and advanced Field Artillery training.

Finally, Mike was also the driving force in launching the Cybermission program, a personal initiative of Chief of Staff of the Army CSA, General Eric K. Shinseki. This program raised the visibility of the Army's commitment in the education of America's youth in science, math and technology among 7th–8th grade students across America. ECybermission introduces young Americans and potentially future soldiers to the Army and the theme of Service to Our Nation while supporting the President's commitment to education.

Mike was honored with the Presidential Rank Award in 2001, elected as a Fellow of the Institute of Electrical and Electronic Engineering in 2001, and presented the National Defense Industry Association Firepower Award in 2000.

In this short space, it is difficult to fully document the many significant, positive ways that Mike has shaped the future of the Army. Through his tireless attention to detail and personal involvement, Mike has shepherded the FCS program through the past five years and has brought attention and

credit to the Army's S&T community for the outstanding achievements that they have made. Mike Andrews' effective work with senior Army and DoD staff principals, scientists and engineers, and industry significantly enhanced the Army's efforts toward the development of the Future Combat Systems, Objective Force, and Transformation. He demonstrated visionary leadership, planning and organizational skills throughout his tenure. As we honor him, we note that this institution and our country is better off for the major contributions he has made. We wish him all the best in his future endeavors.●

#### MESSAGE FROM THE HOUSE

At 10:18 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2417. An act to authorize appropriations for fiscal year 2004 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 231. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

#### ENROLLED BILLS SIGNED

The message further announced that the Speaker has signed the following enrolled bills:

H.R. 1596. An act to designate the facility of the United States Postal Service located at 2318 Woodson Road in St. Louis, Missouri, as the "Timothy Michael Gaffney Post Office Building".

S. 858. An act to extend the Abraham Lincoln Bicentennial Commission, and for other purposes.

H.R. 2030. An act to designate the facility of the United States Postal Service located at 120 Baldwin Avenue in Paia, Maui, Hawaii, as the "Patsy Takemoto Mink Post Office Building".

H.R. 1740. An act to designate the facility of the United States Postal Service located at 1502 East Kiest Boulevard in Dallas, Texas, as the "Dr. Caesar A.W. Clark, Sr. Post Office Building".

H.R. 925. An act to redesignate the facility of the United States Postal Service located at 1859 South Ashland Avenue in Chicago, Illinois, as the "Caesar Chavez Post Office".

H.R. 917. An act to designate the facility of the United States Postal Service located at 1830 South Lake Drive in Lexington, South Carolina, as the "Floyd Spence Post Office Building".

H.R. 825. An act to redesignate the facility of the United States Postal Service located at 7401 West 100th Place in Bridgeview, Illinois, as the "Michael J. Healy Post Office Building".

H.R. 1609. An act to redesignate the facility of the United States Postal Service located at 201 West Boston Street in Brookfield, Missouri, as the "Admiral Donald Davis Post Office Building".

H.R. 981. An act to designate the facility of the United States Postal Service located at 141 Erie Street in Linesville, Pennsylvania, as the "James R. Merry Post Office".

H.R. 985. An act to designate the facility of the United States Postal Service located at 111 West Washington Street in Bowling Green, Ohio, as the "Delbert L. Latta Post Office Building".

H.R. 1055. An act to designate the facility of the United States Postal Service located at 1901 West Evans Street in Florence, South Carolina, as the "Dr. Roswell N. Beck Post Office Building".

H.R. 1368. An act to designate the facility of the United States Postal Service located at 7554 Pacific Avenue in Stockton, California, as the "Normal D. Shumway Post Office Building".

H.R. 1465. An act to designate the facility of the United States Postal Service located at 4832 East Highway 27 in Iron Station, North Carolina, as the "General Charles Gabriel Post Office".

The enrolled bills were subsequently signed by the President pro tempore (Mr. STEVENS).

### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 11. A bill to protect patients' access to quality and affordable health care by reducing the effects of excessive liability costs.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2417. An act to authorize appropriations for fiscal year 2004 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CAMPBELL, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 344. A bill expressing the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity, and for other purposes (Rept. No. 108-85).

By Mr. LUGAR, from the Committee on Foreign Relations, without amendment and with an amended preamble:

S. Res. 90. A resolution expressing the sense of the Senate that the Senate strongly supports the nonproliferation programs of the United States.

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LEVIN (for himself, Mr. WARNER, Mr. BIDEN, Mr. HOLLINGS, Mr. BINGAMAN, Ms. STABENOW, Mr. KENNEDY, Mr. LAUTENBERG, Mr. PRYOR, Ms. LANDRIEU, Mrs. CLINTON, Ms. MIKULSKI, Mr. DURBIN, Mr. DODD, Mr.

LIEBERMAN, Mr. CORZINE, Mr. MILLER, Mr. KERRY, and Mr. JEFFORDS):

S. 1368. A bill to authorize the President to award a gold medal on behalf of the Congress to Reverend Doctor Martin Luther King, Jr. (posthumously) and his widow Coretta Scott King in recognition of their contributions to the Nation on behalf of the civil rights movement; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. AKAKA (for himself, Mr. WARNER, Mr. ALLEN, Mr. SARBANES, and Ms. MIKULSKI):

S. 1369. A bill to ensure that prescription drug benefits offered to medicare eligible enrollees in the Federal Employees Health Benefits Program are at least equal to the actuarial value of the prescription drug benefits offered to enrollees under the plan generally; to the Committee on Governmental Affairs.

By Mr. BROWNBACK (for himself and Mr. KYL):

S.J. Res. 14. A joint resolution expressing support for freedom in Hong Kong; to the Committee on Foreign Relations.

### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. FRIST (for himself, Mr. DASCHLE, Mr. GRAHAM of South Carolina, Mr. HOLLINGS, Mr. STEVENS, Mr. BYRD, Mr. MCCONNELL, Mr. REID, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. ALLEN, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Mr. BUNNING, Mr. BURNS, Mr. CAMPBELL, Ms. CANTWELL, Mr. CARPER, Mr. CHAFEE, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORNYN, Mr. CORZINE, Mr. CRAIG, Mr. CRAPO, Mr. DAYTON, Mr. DEWINE, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. EDWARDS, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FITZGERALD, Mr. GRAHAM of Florida, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LOTT, Mr. LUGAR, Mr. MCCAIN, Ms. MIKULSKI, Mr. MILLER, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. NICKLES, Mr. PRYOR, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. SUNUNU, Mr. TALENT, Mr. THOMAS, Mr. VOINOVICH, Mr. WARNER, and Mr. WYDEN):

S. Res. 191. A resolution relative to the death of the Honorable J. Strom Thurmond, former United States Senator and President Pro Tempore Emeritus from the State of South Carolina; considered and agreed to.

### ADDITIONAL COSPONSORS

S. 271

At the request of Mr. SMITH, the name of the Senator from Massachu-

setts (Mr. KERRY) was added as a cosponsor of S. 271, a bill to amend the Internal Revenue Code of 1986 to allow an additional advance refunding of bonds originally issued to finance governmental facilities used for essential governmental functions.

S. 377

At the request of Ms. LANDRIEU, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 377, a bill to require the Secretary of the Treasury to mint coins in commemoration of the contributions of Dr. Martin Luther King, Jr., to the United States.

S. 464

At the request of Mr. REID, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 464, a bill to amend the Internal Revenue Code of 1986 to modify and expand the credit for electricity produced from renewable resources and waste products, and for other purposes.

S. 595

At the request of Mr. HATCH, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 595, a bill to amend the Internal Revenue Code of 1986 to repeal the required use of certain principal repayments on mortgage subsidy bond financings to redeem bonds, to modify the purchase price limitation under mortgage subsidy bond rules based on median family income, and for other purposes.

S. 623

At the request of Mr. WARNER, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 623, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 678

At the request of Mr. AKAKA, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 678, a bill to amend chapter 10 of title 39, United States Code, to include postmasters and postmasters organizations in the process for the development and planning of certain policies, schedules, and programs, and for other purposes.

S. 724

At the request of Mr. ENZI, the name of the Senator from Missouri (Mr. TALENT) was added as a cosponsor of S. 724, a bill to amend title 18, United States Code, to exempt certain rocket propellants from prohibitions under that title on explosive materials.

S. 894

At the request of Mr. WARNER, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 894, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 230th Anniversary of the United States Marine Corps, and to support construction of the Marine Corps Heritage Center.

S. 976

At the request of Mr. WARNER, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 976, a bill to provide for the issuance of a coin to commemorate the 400th anniversary of the Jamestown settlement.

S. 982

At the request of Mr. SANTORUM, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 982, a bill to halt Syrian support for terrorism, end its occupation of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil, and hold Syria accountable for its role in the Middle East, and for other purposes.

S. 1011

At the request of Mr. KERRY, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 1011, a bill to amend title II of the Social Security Act to restrict the application of the windfall elimination provision to individuals whose combined monthly income from benefits under such title and other monthly periodic payments exceeds \$2,000 and to provide for a graduated implementation of such provision on amounts above such \$2,000 amount.

S. 1015

At the request of Mr. GREGG, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1015, a bill to authorize grants through the Centers for Disease Control and Prevention for mosquito control programs to prevent mosquito-borne diseases, and for other purposes.

S. 1046

At the request of Mr. DASCHLE, his name was added as a cosponsor of S. 1046, a bill to amend the Communications Act of 1934 to preserve localism, to foster and promote the diversity of television programming, to foster and promote competition, and to prevent excessive concentration of ownership of the nation's television broadcast stations.

S. 1064

At the request of Mr. BREAUX, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1064, a bill to establish a commission to commemorate the sesquicentennial of the American Civil War, and for other purposes.

S. 1082

At the request of Mr. BROWNBAC, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 1082, a bill to provide support for democracy in Iran.

S. 1172

At the request of Mr. FRIST, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1172, a bill to establish grants to provide health services for improved nutrition, increased physical activity, obesity prevention, and for other purposes.

S. 1316

At the request of Mr. BROWNBAC, the names of the Senator from Indiana (Mr. LUGAR) and the Senator from Missouri (Mr. TALENT) were added as cosponsors of S. 1316, a bill to treat payments under the Conservation Reserve Program as rentals from real estate.

S. RES. 169

At the request of Mrs. CLINTON, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. Res. 169, a resolution expressing the sense of the Senate that the United States Postal Service should issue a postage stamp commemorating Anne Frank.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEVIN (for himself, Mr. WARNER, Mr. BIDEN, Mr. HOLLINGS, Mr. BINGAMAN, Ms. STABENOW, Mr. KENNEDY, Mr. LAUTENBERG, Mr. PRYOR, Ms. LANDRIEU, Mr. CLINTON, Ms. MILKULSKI, Mr. DURBIN, Mr. DODD, Mr. LIEBERMAN, Mr. CORZINE, Mr. MILLER, Mr. KERRY, and Mr. JEFFORDS):

S. 1368. A bill to authorize the President to award a gold medal on behalf of the Congress to Reverend Doctor Martin Luther King, Jr. (posthumously) and his widow Coretta Scott King in recognition of their contributions to the Nation on behalf of the civil rights movement; to the Committee on Banking, Housing, and Urban Affairs.

Mr. LEVIN. Madam President, joined by a number of my colleagues in the Senate, I am today introducing legislation, S. 1368, that will authorize the President to award a Congressional Gold Medal to Reverend Doctor Martin Luther King, Jr., posthumously, and his widow, Coretta Scott King, in recognition of their countless contributions to the Nation as leaders of the civil rights movement. A companion bill is being introduced in the House by Congressman JOHN LEWIS of Georgia. This medal is one small way for Congress to recognize and honor this couple's distinguished record of public service, sacrifice, and commitment to protect the dignity of a people and awaken the conscience of a country.

Dr. King embraced all Americans in his quest to make a living reality of equality of opportunity and economic and social justice for all humankind, those fundamental principles in our Constitution. The vision of equality which guided his life and contributed to his death is indelibly woven into the fabric and history of our Nation. This medal will pay tribute to Dr. King's many great accomplishments: from his courageous application of the doctrine of nonviolent civil disobedience to combat segregation to his leadership in the Montgomery bus boycott, from his efforts on behalf of 1964 Civil Rights Act and 1965 Voting Rights Act to his soaring speeches that inspired a nation to action. For these and for all his

other contributions, Dr. King deserves our highest honor.

Mrs. Coretta Scott King joined her husband in his lifework and has continued his legacy to this day. Like Dr. King, Mrs. King was a leader in our country's civil rights movement, striving through nonviolent means to promote social change and attain full civil rights for African-Americans and other discriminated people. Mrs. King worked to preserve Dr. King's memory and ideals by, among other things, developing and building the Martin Luther King, Jr. Center for Nonviolent Social Change in Atlanta, establishing the "Freedom Concerts" organization to increase awareness of the Southern Christian Leadership Conference, and leading a campaign to recognize Dr. King's birthday as a national holiday. Mrs. King's continuing contributions to our nation also merit her receipt of this award.

Here in America we have come a long way towards achieving Dr. King's dream of liberty, justice and equality for all. But we still have work to do. Let us rededicate ourselves to continuing the struggle that he died for and that Mrs. King continues to work for. The Congressional Gold Medal is a fitting tribute to these two heroes who tirelessly fought to create a united America.

I hope that my colleagues will join Senators WARNER, BIDEN, HOLLINGS, BINGAMAN, STABENOW, KENNEDY, LAUTENBERG, PRYOR, LANDRIEU, CLINTON, MILKULSKI, DURBIN, DODD, LIEBERMAN, CORZINE and me in commemorating the efforts of the late Reverend Doctor Martin Luther King, Jr. and his widow, Coretta Scott King, by supporting this legislation.

By Mr. BROWNBAC (for himself and Mr. KYL):

S.J. Res. 14. A joint resolution expressing support for freedom in Hong Kong; to the Committee on Foreign Relations.

Mr. BROWNBAC. Mr. President, I rise to introduce a joint resolution for myself and Senator KYL regarding the United States' commitment to preserving freedom in Hong Kong. It is not simply the responsibility of the United States, but also of the Administration of Tung Chee Hwa, Hong Kong's chief executive and the People's Republic of China.

This resolution emphasizes an isolated event taking place on July 9 of this year—the passage of draconian laws on sedition, subversion, and theft of state secrets. This law evokes something out of one of the novels of George Orwell. Just as the resolution states, the law, as now drafted, is vague and overly broad in its definitions of subversion, sedition, and official secrets.

The Secretary of Security, an appointee of the Government of the People's Republic of China, would have very broad authority to ban organizations not approved by his Beijing masters. Nothing less than the survival of

the Catholic Church in China and the Falun Gong, a quasi-religious practice that emphasizes breathing and meditation, are at stake with this law. Beijing has clearly targeted these and many other groups promoting democracy and human rights.

In addition, the Secretary of Security would have the authority to waive the right to notice and the right to be heard—something that person could execute on a whim. This horrendous bill would allow the Hong Kong Government to prosecute members of the news media for publishing information that would arbitrarily be deemed a "state secret."

These "state secrets" might include Hong Kong-Mainland cooperation on the Severe Acute Respiratory Syndrome or SARS. If China handled a new outbreak of some contagion the same way it handled SARS, I would think the people of Hong Kong should know that their lives might be in danger because of the Government's negligence.

This is the extreme case, however, it must be made clear to my colleagues, and to the world, that the legislation to be voted on July 9, in Hong Kong would create a severe chilling effect on the press to freely report information. The Hong Kong Journalists Association, the Overseas Press Club, and the Committee to Protect Journalists all oppose this bill.

In addition, the legislation would strip other provisions contained in a current Hong Kong law, the Societies Ordinance, of due process protections. On top of that, the Hong Kong police would have new powers to search without having a warrant. Those two provisions are the bedrock of a free society. How does the Hong Kong government think it can get away with this?

It assumes that it can ride out the cries of outrage from inside Hong Kong and throughout the world. I hope that Chief Executive Tung's administration understands that this resolution only represents the beginning. Sir, if you read these comments, please understand you are on the losing side of history.

Hong Kong has been remarkably free in the last six years. That is a true statement. The fact that Mr. Tung and his colleagues fail to understand is that without these freedoms, Hong Kong will surely fail.

Unfortunately, the People's Republic of China has increasingly interfered in Hong Kong's independent judiciary, intimidated the media to induce self-censorship, and excluded visitors who disagree with the Chinese Communist Party's policies.

The Hong Kong SAR Government, encouraged by the Government of the People's Republic of China, has eroded Hong Kong's political independence, international prestige, and its appeal as a business and financial hub of Asia. Recently, the American Chamber of Commerce in Hong Kong reversed its position regarding the bill saying that it would be a disaster for business in Hong Kong.

The South China Morning Post reported: "In a letter to all legislators, chamber chairman James Thompson said the bill contained worrying provisions, such as that seeking to ban organisations. These would jeopardise Hong Kong's distinctive features, in particular its transparent legal system and free flow of information."

Similarly, the International Chamber of Commerce in Hong Kong in its submission to the Hong Kong Government opposing the bill stated "We regret that the Administration has chosen to ignore our request, and that of many others in Hong Kong for a second round of public consultation before bringing the matter to the Legislative Council, and rigidly following its own timetable."

They continued saying, "The Consultation Document is complicated enough, and has taken us much time to prepare a response. The Bill is even more difficult to study as it relates to a number of existing ordinances, if nothing else. Yet we have to rush to forward our comments to meet a deadline. This timetable also puts undue pressure on the Legislative Council to finish scrutiny in a hurry. For a matter of such great significance, it is to be regretted that it should have to be rushed through at the risk of sacrificing quality."

The lifeblood of Hong Kong's existence, its business community, opposes the bill and the Hong Kong Government pressured by Beijing fails to understand why there is all this outrage. The business community in this fascinating center for finance, shipping and media is well known for its cozy relationship with Mr. Tung, his cabinet and other officials, and even for being close with Beijing to get the favorable treatment it receives in China.

Yet, this community, arguably the most influential in Hong Kong's affairs, is out right opposed to the effort to suppress freedom in Hong Kong. It is not such a large leap to understand that Hong Kong's vibrancy results from its freedom.

I underline these concerns for my colleagues today in the hope that it will give pause to legislators in Hong Kong, and deter this and any future assaults on freedom in this important territory.

I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 14

Whereas Hong Kong has long been the freest economy in the world, renowned for its rule of law and its zealous protection of civil rights and civil liberties;

Whereas the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong, done at Beijing December 19, 1984 (the Sino-British Joint Declaration of 1984) explicitly guarantees that all of Hong Kong's freedoms, including

freedom of the press, religious freedom, and freedom of association, will continue for at least 50 years after the transfer of Hong Kong's sovereignty from the United Kingdom to the People's Republic of China on July 1, 1997;

Whereas in the 6 years since the transfer of the territory, the citizens of Hong Kong have enjoyed a certain degree of individual liberty, religious freedom, freedom of the press and freedom of speech, which keep it both politically vibrant and stable;

Whereas the People's Republic of China has increasingly interfered in Hong Kong's independent judiciary, intimidated the media to induce self-censorship, and excluded visitors who disagree with the policies of the Chinese Communist Party;

Whereas the Government of the Hong Kong Special Administrative Region (SAR), encouraged by the Government of the People's Republic of China, has eroded Hong Kong's political independence, international prestige, and appeal as a business and financial hub of Asia;

Whereas the freedoms cherished by the people of Hong Kong serve as a constant reminder to the world and to the Government of the People's Republic of China that such freedoms could, but do not, prevail on mainland China;

Whereas the traditional liberties of Hong Kong's 7,000,000 people are now immediately threatened by a new national security bill proposed by the SAR Government that would revise Hong Kong's laws regarding sedition, treason, subversion, and theft of state secrets;

Whereas the national security bill, as now drafted, is vague and overly broad in its definitions of subversion, sedition, and official secrets, weakens existing due process protections in the Societies Ordinance, and gives dangerous new powers to the police to make searches without warrant;

Whereas the proposed legislation would give the Hong Kong SAR Secretary for Security, an appointee of the Government of the People's Republic of China, broad authority to ban organizations not approved by Beijing, thereby threatening religious organizations such as the Falun Gong and the Roman Catholic Church;

Whereas, under the proposed legislation, such basic and fundamental procedural rights as notice and opportunity to be heard could be waived by the Secretary for Security if honoring these rights "would not be practicable";

Whereas the proposed legislation provides for the imprisonment of individuals accused of "unauthorized disclosure of protected information," making it possible for the Hong Kong SAR Government to prosecute members of the news media for publishing any information relevant to relations between the People's Republic of China and Hong Kong;

Whereas similar subversion laws in the People's Republic of China are regularly used to convict and imprison journalists, labor activists, Internet entrepreneurs, and academics;

Whereas the members of Hong Kong's Legislative Council who have been elected by universal suffrage oppose the proposed legislation, but are powerless as a minority to block the votes controlled directly and indirectly by the Government of the People's Republic of China;

Whereas the clear majority of people in Hong Kong have expressed strong concerns about, and opposition to, the proposed legislation;

Whereas the scheduled consideration of these proposals to restrict Hong Kong's freedoms in the Legislative Council on July 9, 2003, makes the threat to the people of Hong Kong clear and imminent; and

Whereas the United States has consistently supported the desire of the people of Hong Kong to be free, and, as Congress declared in the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5701 et seq.): "The human rights of the people of Hong Kong are of great importance to the United States and are directly relevant to United States interests in Hong Kong. Human rights also serve as a basis for Hong Kong's continued economic prosperity": Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress—*

(1) declares that restrictions on freedom of thought, expression, and association in Hong Kong are limits on the fundamental rights of the people of Hong Kong;

(2) declares that the national security bill would undermine freedom of the press and access to information, both of which are fundamentally important to the economic and commercial success of Hong Kong;

(3) calls upon the SAR Government to—

(A) avoid implementing any law that restricts the basic human freedoms of thought and expression, including the proposed implementation of Article 23 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China (the Basic Law); and

(B) immediately schedule and conduct elections for the Legislative Council of the Hong Kong SAR according to rules approved by the people of Hong Kong through an election law convention, by referendum, or both; and

(4) calls upon the President of the United States to—

(A) urge the Government of Hong Kong, including Hong Kong Chief Executive Tung Chee Hwa and the Legislative Council, not to implement any law, including any law established pursuant to the proposed implementation of Article 23 of the Basic Law, that restricts the basic human right to freedom of thought and expression;

(B) call upon the People's Republic of China, the National People's Congress, and any groups appointed by the Government of the People's Republic of China to leave all revisions of Hong Kong law to a democratically-elected legislature;

(C) call upon the Government of the People's Republic of China to fully respect the autonomy and independence of the Independent Commission Against Corruption and the chief executive, civil service, judiciary, and police of Hong Kong;

(D) declare that the continued lack of an elected legislature in Hong Kong constitutes a violation of the Sino-British Joint Declaration of 1984; and

(E) call upon the Government of the People's Republic of China to honor its treaty obligations under the Sino-British Joint Declaration of 1984.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 191—RELATIVE TO THE DEATH OF THE HONORABLE J. STROM THURMOND, FORMER UNITED STATES SENATOR AND PRESIDENT PRO TEMPORE EMERITUS FROM THE STATE OF SOUTH CAROLINA

Mr. FRIST (for himself, Mr. DASCHLE, Mr. GRAHAM of South Carolina, Mr. HOLLINGS, Mr. STEVENS, Mr. BYRD, Mr. MCCONNELL, Mr. REID, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. ALLEN, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT,

Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Mr. BUNNING, Mr. BURNS, Mr. CAMPBELL, Ms. CANTWELL, Mr. CARPER, Mr. CHAFEE, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORNYN, Mr. CORZINE, Mr. CRAIG, Mr. CRAPO, Mr. DAYTON, Mr. DEWINE, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. EDWARDS, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FITZGERALD, Mr. GRAHAM, of Florida, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LOTT, Mr. LUGAR, Mr. MCCAIN, Ms. MIKULSKI, Mr. MILLER, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. NICKLES, Mr. PRYOR, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. SUNUNU, Mr. TALENT, Mr. THOMAS, Mr. VOINOVICH, Mr. WARNER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 191

Whereas the Honorable J. Strom Thurmond conducted his life in an exemplary manner, an example to all of his fellow citizens;

Whereas the Honorable J. Strom Thurmond was a devoted husband, father, and most recently, grandfather;

Whereas the Honorable J. Strom Thurmond gave a great measure of his life to public service;

Whereas, having abandoned the safety of high position, the Honorable J. Strom Thurmond served his country during World War II, fighting the greatest threat the world had thus far seen;

Whereas the Honorable J. Strom Thurmond served South Carolina in the United States Senate with devotion and distinction;

Whereas his service on behalf of South Carolina and all Americans earned him the esteem and high regard of his colleagues; and

Whereas his death has deprived his State and Nation of a most outstanding Senator: Now, therefore, be it

*Resolved*, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable J. Strom Thurmond, former Senator and President Pro Tempore Emeritus from the State of South Carolina.

*Resolved*, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

*Resolved*, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable J. Strom Thurmond.

## NOTICES OF HEARINGS/MEETINGS

### SUBCOMMITTEE ON NATIONAL PARKS

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that the following hearing has been scheduled before the Subcommittee on National

Parks of the Committee on Energy and Natural Resources:

The hearing will be held on Tuesday, July 8, 2003, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to conduct oversight of the maintenance backlog, land acquisition backlog, and deficit in personnel within the National Park System, including the impact of new park unit designations on resolving each of these concerns.

Because of the limited time available for the hearings, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD-364 Dirksen Senate Office Building, Washington, DC 20510-6150.

For further information, please contact Tom Lillie at (202) 224-5161 or Pete Lucero at (202) 224-6293.

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, July 10 at 10 a.m., in Room SH-216 of the Hart Senate Office Building.

The purpose of the hearing is to discuss the reasons behind the high price of natural gas, its affect on the economy and to consider potential solutions.

Because of the limited time available for the hearings, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC, 20510-6150.

For further information, please contact Scott O'Malia at 202-224-2039.

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that the Committee on Energy and Natural Resources will hold a hearing on July 22, 2003, at 10 a.m., on issues related to forest health problems in our Nation's forests.

The Committee will examine impacts of insects, disease, weather-related damage, and fires on public and private forest lands. Processes for implementing forest health and hazardous fuels reduction projects on public and private lands will also be examined. Witnesses will be requested to suggest changes needed to improve the timeliness and effectiveness of projects to reduce hazardous fuels and to combat the spread of insects and disease infestations. The Committee will also consider S. 1314, the Collaborative Forest Health Act; H.R. 1904—the Healthy

Forest Restoration Act, as well as other related legislation that addresses these issues.

Because of the limited time available for the hearings, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD-364, Washington, DC 20510-6150 prior to the hearing date.

For further information, please contact Frank Gladics (202-224-2878) or Meghan Beal (202-224-7556).

#### ORDERS FOR MONDAY, JULY 7, 2003

Mr. FRIST. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 2 p.m., Monday, July 7. I further ask consent that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period of morning business, with Members permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRIST. I would further ask that on Tuesday, July 8, the Senate vote on the confirmation of the nomination of Executive Calendar No. 227, at 11:45 a.m.

#### SCHEDULE

Mr. FRIST. On Monday, July 7, the Senate will be in a period of morning business. This will provide an opportunity for Members, who have not yet had the opportunity, to deliver statements honoring our friend and colleague, Strom Thurmond. As I mentioned last night, we will have the tributes to Senator Thurmond printed as a Senate document for distribution.

Also, on Monday, it was my hope that the Senate would be able to begin consideration of S. 11, the medical malpractice legislation. We will continue to work towards a consent for consideration of this important measure, and it may be necessary to proceed to that bill on Monday if an agreement is not reached.

As I announced, there will be no roll-call votes during Monday's session. The next scheduled votes will occur on Tuesday, July 8, at 11:45 a.m. The first vote will be on Executive Calendar No. 227, the nomination of David Campbell, to be a U.S. District Judge for the District of Arizona, to be followed by a vote on invoking cloture on the nomination of Victor Wolski, to be a Judge of the U.S. Court of Federal Claims.

Again, I thank my colleagues for their hard work over the past few weeks, and I wish everyone a safe and restful recess.

#### ADJOURNMENT UNTIL MONDAY, JULY 7, 2003, AT 2 P.M.

Mr. FRIST. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the provisions of H. Con. Res. 231; further, that the Senate adjourn as an additional mark of respect for Senator Strom Thurmond.

There being no objection, the Senate, at 4:14 p.m., adjourned until Monday, July 7, 2003, at 2 p.m.

#### CONFIRMATIONS

##### Executive Nominations Confirmed by the Senate June 27, 2003:

##### LEGAL SERVICES CORPORATION

DAVID HALL, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2005.

LILLIAN R. BEVIER, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2004.

##### DEPARTMENT OF STATE

MARSHA E. BARNES, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SURINAME.

ROBERT W. FITTS, OF NEW HAMPSHIRE, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO PAPUA NEW GUINEA, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SOLOMON ISLANDS AND AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF VANUATU.

JOHN E. HERBST, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO UKRAINE.

WILLIAM B. WOOD, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF COLOMBIA.

TRACEY ANN JACOBSON, OF THE DISTRICT OF COLUMBIA, A FOREIGN SERVICE OFFICER OF CLASS ONE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO TURKMENISTAN.

GEORGE A. KROL, OF NEW JERSEY, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF BELARUS.

GRETA N. MORRIS, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE MARSHALL ISLANDS.

JOHN F. MAISTO, OF PENNSYLVANIA, TO BE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE ORGANIZATION OF AMERICAN STATES, WITH THE RANK OF AMBASSADOR.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

##### DEPARTMENT OF JUSTICE

ROBERT D. MCCALLUM, JR., OF GEORGIA, TO BE ASSOCIATE ATTORNEY GENERAL.

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be General

LT. GEN. JOHN P. ABIZAID

##### THE JUDICIARY

FERN FLANAGAN SADDLER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

JUDITH N. AN MACALUSO, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

##### IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be major general

BRIGADIER GENERAL GEORGE A. ALEXANDER  
BRIGADIER GENERAL EDMUND T. BECKETTE  
BRIGADIER GENERAL WESLEY E. CRAIG, JR.  
BRIGADIER GENERAL JAMES R. MASON  
BRIGADIER GENERAL GERALD P. MINETTI  
BRIGADIER GENERAL RICHARD C. NASH  
BRIGADIER GENERAL GARY A. PAPPAS  
BRIGADIER GENERAL CLYDE A. VAUGHN  
BRIGADIER GENERAL DEAN A. YOUNGMAN

##### To be Brigadier General

COLONEL WILLIAM E. ALDRIDGE  
COLONEL LOUIS J. ANTONETTI  
COLONEL MICHAEL W. BEAMAN  
COLONEL ROBERT T. BRAY  
COLONEL NELSON P. CANNON  
COLONEL ROBERT F. DANIELS  
COLONEL DAVID M. DAVISON  
COLONEL DAVID M. DEARMOND  
COLONEL MYLES M. DEERING  
COLONEL JAMES B. GASTON, JR.  
COLONEL ALAN C. GAYHART, SR.  
COLONEL DAVID K. GERMAIN  
COLONEL FRANK J. GRASS  
COLONEL GARY L. JONES  
COLONEL JAMES E. KELLY  
COLONEL KEVIN R. MCBRIDE  
COLONEL JAMES I. PYLANT  
COLONEL STEVEN R. SEITER  
COLONEL THOMAS L. SINCLAIR  
COLONEL FRANK T. SUELD, JR.  
COLONEL DEBORAH C. WHEELING  
COLONEL MATTHEW J. WHITTINGTON

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

##### To be brigadier general

COL. WILLIAM J. GERMANN

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

##### To be brigadier general

COL. WILLIAM M. JACOBS

##### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be major general

BRIG. GEN. JOHN W. BERGMAN  
BRIG. GEN. JOHN J. MCCARTHY, JR.

##### IN THE AIR FORCE

THE FOLLOWING OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

##### To be brigadier general

COL. THOMAS F. DEPPE

##### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be admiral

ADM. WILLIAM J. FALLON

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be lieutenant general

MAJ. GEN. MICHAEL M. DUNN

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be lieutenant general

MAJ. GEN. KEITH B. ALEXANDER

##### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be lieutenant general

LT. GEN. WALLACE C. GREGSON, JR.

##### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. TERRY L. MCCREARY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*CAPT. MARTIN J. BROWN  
CAPT. WILLIAM A. KOWBA  
CAPT. MICHAEL J. LYDEN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*CAPTAIN JOHN M. BIRD  
CAPTAIN JOHN T. BLAKE  
CAPTAIN FRED BYUS  
CAPTAIN FRANK M. DRENNAN  
CAPTAIN MARK E. FERGUSON III  
CAPTAIN JOHN W. GOODWIN  
CAPTAIN RICHARD W. HUNT  
CAPTAIN ARTHUR J. JOHNSON, JR.  
CAPTAIN MARK W. KENNY  
CAPTAIN JOSEPH F. KILKENNY  
CAPTAIN WILLIAM E. LANDAY  
CAPTAIN MICHAEL A. LEFEBVER  
CAPTAIN GERARD M. MAUER, JR.  
CAPTAIN DOUGLAS L. MCCLAIN  
CAPTAIN WILLIAM H. MCRAVEN  
CAPTAIN RICHARD O'HANLON  
CAPTAIN KEVIN M. QUINN  
CAPTAIN RAYMOND A. SPICER  
CAPTAIN PETER J. WILLIAMS

## IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be general*

GEN. ROBERT H. FOGLESONG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. DANIEL P. LEAF

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be major general*

BRIG. GEN. JOSEPH E. KELLEY

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be major general*

BRIG. GEN. DOUGLAS BURNETT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. CRAIG S. FERGUSON

## IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE CHIEF OF NAVAL OPERATIONS, UNITED STATES NAVY AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5035:

*To be admiral*

VICE ADM. MICHAEL G. MULLEN

## IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. WILLIAM T. HOBBS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. RANDALL M. SCHMIDT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. WALTER E. L. BUCHANAN III

## IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. DAN K. MCNEILL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. WILLIAM G. BOYKIN

## IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. ROBERT R. BLACKMAN, JR.

AIR FORCE NOMINATIONS BEGINNING REBECCA G. ABRAHAM AND ENDING JEFFREY YUEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 26, 2003.

AIR FORCE NOMINATIONS BEGINNING BRIAN J. ACKER AND ENDING ANGELA D. WASHINGTON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 26, 2003.

AIR FORCE NOMINATIONS BEGINNING PAUL M. BARZLER AND ENDING CHARLES W. WILLIAMSON III, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 26, 2003.

AIR FORCE NOMINATION OF JAMES R. BURKHART. AIR FORCE NOMINATIONS BEGINNING CHARLES M. BELLISLE AND ENDING BRETT A. WYRICK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 5, 2003.

AIR FORCE NOMINATIONS BEGINNING GLENN D. ADDISON AND ENDING DANIEL J. ZACHMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 5, 2003.

AIR FORCE NOMINATION OF THOMAS K. HUNTER, JR. AIR FORCE NOMINATION OF JEFFREY J. KING.

AIR FORCE NOMINATIONS BEGINNING JEAN B. DORVAL AND ENDING GARY M. WALKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 12, 2003.

AIR FORCE NOMINATION OF RICHARD J. DELORENZO, JR.

AIR FORCE NOMINATION OF GERALD M. SCHNEIDER. AIR FORCE NOMINATION OF JANE B. TAYLOR.

AIR FORCE NOMINATIONS BEGINNING DARRELL A. JESSE AND ENDING NORBERT S. WALKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 12, 2003.

AIR FORCE NOMINATIONS BEGINNING THOMAS C. BARNETT AND ENDING JEAN A. VARGO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 12, 2003.

AIR FORCE NOMINATION OF EDWARD C. CALLAWAY. AIR FORCE NOMINATION OF H. MICHAEL TENNERMAN. AIR FORCE NOMINATION OF STEVEN E. RITTER.

AIR FORCE NOMINATION OF BRYAN A. KEELING. AIR FORCE NOMINATION OF ROBERT L. ZABEL, JR.

AIR FORCE NOMINATIONS BEGINNING DARRYL G. ELROD, JR. AND ENDING KEVIN R. VANVALKENBURG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 12, 2003.

AIR FORCE NOMINATION OF DREW Y. JOHNSTON, JR. AIR FORCE NOMINATION OF RACHEL L. BECK.

AIR FORCE NOMINATION OF LARRY J. MASTIN. AIR FORCE NOMINATIONS BEGINNING ROBERT L. DAUGHERTY, JR. AND ENDING CHARLES V. RATH, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2003.

ARMY NOMINATIONS BEGINNING CRAIG M. ANDERSON AND ENDING DIANE M. ZIERHOFFER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 20, 2003.

ARMY NOMINATIONS BEGINNING ANULI L. ANYACHEBELU AND ENDING DONALD G. ZUGNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 20, 2003.

ARMY NOMINATIONS BEGINNING DOREEN M. AGIN AND ENDING BONNITA D. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 1, 2003.

ARMY NOMINATIONS BEGINNING KEVIN R. ARMSTRONG AND ENDING NANCY A. VINCENT-JOHNSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 20, 2003.

ARMY NOMINATION OF JAMES A. DECAMP. AIR FORCE NOMINATION OF TIMOTHY H. SUGHRUE.

ARMY NOMINATIONS BEGINNING LESLIE J. MITKOS, JR. AND ENDING BERRIS D. SAMPLES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 5, 2003.

ARMY NOMINATIONS BEGINNING PATRICIA J. MCDANIEL AND ENDING NICHOLAS K. STRAVELAKIS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 5, 2003.

ARMY NOMINATION OF SCOTT D. KOTHENBEUTEL.

ARMY NOMINATION OF GLENN T. BESSINGER.

ARMY NOMINATIONS BEGINNING JANE M. ANDERHOLT AND ENDING JAY A. WHITAKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 12, 2003.

ARMY NOMINATIONS BEGINNING RODNEY A. ARMON AND ENDING MARK W. THACKSTON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 12, 2003.

ARMY NOMINATION OF ANTHONY SULLIVAN.

ARMY NOMINATION OF BRYAN C. SLEIGH.

ARMY NOMINATION OF KENNETH S. AZAROW.

ARMY NOMINATION OF MICHAEL F. MCDONOUGH.

FOREIGN SERVICE NOMINATIONS BEGINNING ALI ABDI AND ENDING LAWRENCE C. MANDEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 22, 2003.

FOREIGN SERVICE NOMINATIONS BEGINNING BETH A. SALAMANCA AND ENDING PETER H. CHASE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 3, 2003.

NAVY NOMINATION OF MICHAEL U. RUMP.

NAVY NOMINATIONS BEGINNING WILLIAM A. DAVIES AND ENDING GARY S. TOLLERENE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 30, 2003.

NAVY NOMINATIONS BEGINNING DOUGLAS W. FENSKE AND ENDING MICHAEL J. KAUTZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 30, 2003.

NAVY NOMINATIONS BEGINNING BRIAN H. MILLER AND ENDING PERRY T. TUEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 30, 2003.

NAVY NOMINATIONS BEGINNING GERALD W. CLUSEN AND ENDING MARK A. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 30, 2003.

NAVY NOMINATIONS BEGINNING KENNETH J. BRAITHWAITE AND ENDING ANDREW H. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 30, 2003.

NAVY NOMINATIONS BEGINNING CHRISTOPHER M. BALLISTER AND ENDING CARL M. M. LEE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 30, 2003.

NAVY NOMINATIONS BEGINNING JEFFREY D. ADAMSON AND ENDING MARCUS K. NEESON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 30, 2003.

NAVY NOMINATIONS BEGINNING DANFORD S. K. AFONG AND ENDING THEODORE A. WYKA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 1, 2003.

NAVY NOMINATIONS BEGINNING SCOTT F. BOHNENKAMP AND ENDING CHRISTOPHER L. WALL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 1, 2003.

NAVY NOMINATIONS BEGINNING CHARLES L. COLLINS AND ENDING CYNTHIA R. SUGIMOTO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 1, 2003.

NAVY NOMINATIONS BEGINNING GREGORY S. ADAMS AND ENDING PETER A. WITHERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 1, 2003.

NAVY NOMINATIONS BEGINNING BRADFORD E. ABLESON AND ENDING OLRIC R. WILKINS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 8, 2003.

NAVY NOMINATIONS BEGINNING CHRISTOPHER A. BARNES AND ENDING SCOTT M. STANLEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 8, 2003.

NAVY NOMINATIONS BEGINNING THOMAS M. BALESTRIERI AND ENDING ROBERT S. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 8, 2003.

NAVY NOMINATIONS BEGINNING LISA L. ARNOLD AND ENDING PEGGY W. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 8, 2003.

NAVY NOMINATIONS BEGINNING SCOTT W. BAILEY AND ENDING KEVIN R. WHEELLOCK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 8, 2003.

NAVY NOMINATIONS BEGINNING MATTHEW R. BEEBE AND ENDING STEVEN M. WIRSCHING, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 8, 2003.

NAVY NOMINATIONS BEGINNING EVAN A. APPLEQUIST AND ENDING RICHARD D. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 8, 2003.

NAVY NOMINATIONS BEGINNING WILLIAM B. ADAMS AND ENDING DANIEL J. ZINDER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 8, 2003.

NAVY NOMINATIONS BEGINNING REBECCA E. BRENTON AND ENDING WARREN C. GRAHAM III, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING KATHY A. BARAN AND ENDING MARGARET A. TAYLOR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING MICHAEL D. DISANO AND ENDING VINCENT M. SCOTT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING NANCY R. DILLARD AND ENDING CHRISTOPHER L. VANCE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING JEAN E. BENFER AND ENDING CYNTHIA L. WIDICK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING DAVID L. BAILEY AND ENDING RUSSELL L. SHAFFER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING ROBERT W. ARCHER AND ENDING JIM O. ROMANO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING CHRISTOPHER L. AB-BOTT AND ENDING WILLIAM A., WRIGHT III, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING CHARLES S. ANDER-SON AND ENDING PHILIP A. YATES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING BRIAN K. ANTONIO AND ENDING THOMAS L. VANPETTEN, WHICH NOMINA-TIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING EUGENE M. ABLER AND ENDING MICHAEL E. ZAMESNIK, WHICH NOMINA-TIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATION OF JUDY L. MILLER.

NAVY NOMINATIONS BEGINNING THOMAS W. HAR-RINGTON AND ENDING ROBERT L. YOUNG, WHICH NOMI-NATIONS WERE RECEIVED BY THE SENATE AND AP-PEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING MATTHEW O. FOLEY III AND ENDING FRANK G. USSEGLIO II, WHICH NOMINA-TIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING CRAIG E. BUNDY AND ENDING CLIFF P. WATKINS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CON- GRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING WILLIAM M. ARBAUGH AND ENDING RICHARD E. WOLFE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING DANIEL M. BLESKEY AND ENDING WILLIAM E. VAUGHAN, WHICH NOMINA-TIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING BARTLEY G. CILENTO, JR. AND ENDING JAMES L. WHITE, WHICH NOMINATIONS

WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING NANCY J. BATES AND ENDING LLOYD G. WINGFIELD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING ANNEMARIE ADAMOWICZ AND ENDING MARY A. WHITE, WHICH NOMI-NATIONS WERE RECEIVED BY THE SENATE AND AP-PEARED IN THE CONGRESSIONAL RECORD ON MAY 14, 2003.

NAVY NOMINATIONS BEGINNING SHERRY L. BRELAND AND ENDING JULIA D. WORCESTER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 12, 2003.

NAVY NOMINATIONS BEGINNING RAUL D. BANTOG AND ENDING DONNA M. WILLOUGHBY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2003.

NAVY NOMINATIONS BEGINNING LINSLEY G. M. BROWN AND ENDING DENISE M. SHOREY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 18, 2003.

PUBLIC HEALTH SERVICE NOMINATIONS BEGINNING THOMAS D. MATTE AND ENDING RONALD R. PINHEIRO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 3, 2003.

## EXTENSIONS OF REMARKS

THE INTRODUCTION OF THE  
"EQUAL TREATMENT OF PEN-  
SIONS AND BANKRUPTCY ACT OF  
2003"

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. CONYERS. Mr. Speaker, today, I am introducing the "Equal Treatment of Pensions and Bankruptcy Act of 2003" to eliminate an unfair and abusive practice that has allowed corporate insiders to protect their exorbitant pensions even as their employees jobs and retirement savings are obliterated in bankruptcy.

Recently, some in top corporate management have attempted to insulate their pension benefits by placing them in a trust that would be beyond the reach of the bankruptcy court. As a result, while employees lose their jobs, pensions, and other benefits, these insiders are able to walk away from the bankrupt company with a substantial windfall. This immoral tactic does not benefit the rehabilitation of the business. To the contrary, it loots the company of assets that could be used to pay creditors, employees, and help the company successfully emerge from bankruptcy. It is bad for business, it is bad for unpaid creditors, it is bad for the families who are shattered by the failure of a company.

This is an ongoing problem. In April, American Airlines enraged employees by threatening to shut down the company if they didn't accept billions in steep pay and benefit cuts, while secretly setting aside millions in pension guarantees for top executives. Although CEO Donald Carty resigned in April, American has kept its executive pension plan.

The legislation provides that if the company places any supplemental retirement benefits or deferred compensation in a trust for the benefit of management or another insider, the court will have the authority to reclaim those funds for the benefit of the creditors, including the employees. It also clarifies that a party with an interest in the case or a committee of creditors may bring a motion to reclaim these funds if the trustee or the debtor in possession consents for fails to bring such a motion. While these parties are now permitted to bring such motions, as recently reaffirmed by the U.S. Court of Appeals for the Third Circuit in the Cybergenics case, this bill reaffirms that right under the Code.

This is pattern of abuse is becoming ever more widespread. We must protect the livelihood of the average American worker and their families and ensure that top executives are not allowed to pillage a firm and enjoy protection in bankruptcy that would be denied to the people who are least to blame for the bankruptcy.

A TRIBUTE TO TSCL'S  
LEADERSHIP

**HON. WALTER B. JONES**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. JONES of North Carolina. Mr. Speaker, it is a pleasure for me to introduce to you the TREA Senior Citizens League and its new leadership.

The TREA Senior Citizens League (TSCL) is a national group of politically active seniors concerned about the protection of their earned Social Security, Medicare, military, and other retirement benefits. TSCL originated as a group of retired enlisted servicemen and women. TSCL is among the largest seniors groups with over 1.2 million active members. It is a non-partisan, non-profit educational and advocacy organization.

Key issues for TSCL include Social Security COLA fairness; using a separate CPI-E consumer price index for the elderly to calculate COLA for seniors; Notch reform; and a fair medicare and prescription drug coverage. One of the main issues continues to center on Notch reform and providing either a lump sum benefit over four years or an improved benefit calculation for those individuals born in the years 1917–1926. It is also important to ensure that future generations do not receive lower benefits because of the year in which they were born or because of government miscalculations in the Social Security system.

Since 2001 TSCL has been under the leadership of Board of Trustees Chairman George Smith with board members Ms. Dottie Holmes, Mr. Fred Athans, Mr. Richard Brogan, and more recently Mr. Ralph McCutchen. The elected TSCL Board of Trustees is a volunteer board governing the organization. Retirees and near-retirees make up the board and volunteer their services with the goal of improving the lives of fellow seniors. It was a pleasure for me to meet with their fine Board of Trustees Members List October at their offices in Alexandria, Virginia.

Under the forward-looking leadership of George Smith, the organization is determined to gain greater credibility and respectability both in Congress and in the country as a whole. In this regard Chairman Smith is to be commended for enlisting my good friend and former colleague in Congress Former Ambassador David Funderburk as TSCL's Legislative Consultant.

The legislative program for the organization for the 108th Congress includes plans for personal meetings with over half of the Members of Congress to try to gain support for issues of interest to seniors and TSCL members. TSCL efforts in these tasks have been boosted by the recent scholarly study of noted economist Dr. John Haldi that verifies the viability of the Notch. The organization has an active website, newsletter and direct mail communication with its members.

Just in the first half of 2003, TSCL has hosted a press conference in the Capitol, and

worked with Members of Congress and the White House on the prescription drug issue. A Dear Colleague letter from six Members of Congress has introduced the organization and its issues to the whole Congress. Several Members of the House and Senate have recently contributed articles on seniors issues to the TSCL newsletter: The Social Security & Medicare Advisor. And I am pleased to say that TSCL strongly supports my bill: The Social Security Guarantee Act.

Since Mr. Smith took over leadership of the TSCL Board of Trustees he has brought a seriousness of purpose and a determination to build credibility and respect for the organization. He insisted that the group's educational efforts through direct mail be well researched and documented. As Chairman Smith says, TSCL does not sell anything. Rather it strives to educate the public about issues important to senior citizens. Since so many of them have served their country in the military and in so many other ways, they are especially deserving of fair treatment.

When Mr. Smith one day completes his voluntary stint as Chairman of the TSCL Board of Trustees he should be able to say that he has left the organization much better off than he found it. He is to be commended for his vision and his desire to help some of the most worthy and needy of all of our citizens: our senior citizens including many who served the military and fought for their country. I am happy to pay tribute to the organization and its leadership.

**SHED LIGHT ON HIDDEN FEES**

**HON. LUIS V. GUTIERREZ**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. GUTIERREZ. Mr. Speaker, today I am introducing the "Wire Transfer Fairness and Disclosure Act of 2003," a bill to require additional disclosures relating to exchange rates in transfers involving international transactions.

Immigrants throughout the United States work hard, save money and send billions of dollars to relatives living in foreign countries. The money sent home helps finance basic needs ranging from food and medicine to education to new homes. Unfortunately, customers wiring money to Mexico are often losing millions of dollars to undisclosed "currency conversion fees" charged by giant firms such as Western Union and MoneyGram.

Wire Transfer companies aggressively target audiences in immigrant communities with ads promising low rates for international transfers. However, such promises are grossly misleading particularly for those with ties to Mexico or other Latin American countries, since companies do not always clearly disclose extra fees charges for converting dollars into Mexican pesos. While large wire service companies typically obtain pesos at bulk bargain rates, they charge a significant currency conversion fee to their U.S. customers. The exchange rate charged to customers sending

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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

U.S. dollars to Mexico routinely varies from the benchmark rates by as much as 15 percent. The profits from these hidden currency conversion fees are staggering, allowing companies to reap millions of dollars more than they make from service fees.

To address these problems, this Act requires full disclosure of all fees involved in all money-wiring transactions. More specifically, the bill requires that any financial institution or money transmitting business which initiates an international money transfer on behalf of a consumer (whether or not the consumer maintains an account at such institution or business) shall provide the following disclosures:

The exchange rate used by the financial institution or money transmitting business in connection with such transaction.

The exchange rate prevailing at a major financial center of the foreign country whose currency is involved in the transaction, as of the close of business on the business day immediately preceding the date of the transaction (or the official exchange rate, if any, of the government or central bank of such foreign country).

All commissions and fees charged by the financial institution or money transmitting business in connection with such transaction.

The exact amount of foreign currency to be received by the recipient in the foreign country, which shall be disclosed to the consumer before the transaction is consummated and printed on the receipt given to the consumer.

Mr. Speaker, I urge my colleagues to support this pro-consumer legislation.

#### HONORING AMERICAN ASSOCIATES, INC.

#### HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. KILDEE. Mr. Speaker, I am happy to rise before you today on behalf of a group of men and women who constantly help others live the American dream. On July 2, civic and community leaders will gather with the friends and families of American Associates, Inc. Real Estate Company, to celebrate the company's 20th anniversary.

For two decades, American Associates, located at 1453 N. Elms Road in my hometown of Flint, Michigan, has helped thousands of families achieve the dream of home ownership. Founded by Randy and Carol Haney, they, along with a staff of 40 agents, have specialized in finding new, used, and luxury homes for their customers. With the help of a computerized nationwide relocation service, the company has also been able to identify multi-family, industrial, and commercial properties, and even vacant lands.

Randy and Carol have also sought to place a strong influence on America as well. For the last 16 years, they, along with 250 volunteers from area youth, civic, school, and church groups, have distributed American flags throughout neighborhoods in Genesee County during the July 4th weekend. This year, American Associates plan to pass out 40,000 flags, and to date have distributed approximately 350,000. This selfless and patriotic gesture of goodwill serves to remind us all to celebrate the freedom we have as Americans, and to

strengthen our pride in the ideals on which our flag stands for.

Also this year, in memory of local resident Private First Class Jason Meyer, who heroically gave his life in service to his country in Iraq, American Associates has supplied a tree to be planted in a local park as a special tribute to the fallen soldier.

Mr. Speaker, as a Member of Congress, I consider it my duty and my privilege to protect and defend human dignity and the quality of life for our citizens. I am extremely grateful that people like Randy and Carol Haney, and the staff of American Associates, make my task easier. I ask my colleagues in the 108th Congress to please join me in commending them for going above and beyond to promote our great Nation.

#### CORPUS CHRISTI, AN ALL AMERICAN CITY

#### HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. ORTIZ. Mr. Speaker, I rise today to commend the City of Corpus Christi for the recent accomplishment of being recognized by the National Civic League as an All-America City. As a resident of Corpus Christi, I can wholeheartedly endorse the concept that Corpus Christi represents all the best in an American city.

Corpus Christi is a place where the pace is easy and the people are the best there is. It is peaceful and beautiful with beaches, military bases, high rises and a vibrant business community.

Corpus Christi's presentation included our Juvenile Assessment Center (an organization that helps decrease juvenile crime), Forward Corpus Christi (an economic development organization), the Air Quality Group (Corpus Christi is the only major city in Texas to meet state and federal air quality standards), and a local Junior ROTC team.

One of the central components of our community is our military complex. We often say South Texas is "Navy Country." Four separate bases are incorporated in the Corpus Christi area: an army base and three naval bases. The military presence in the area contributes 20% to our local economy.

Corpus Christi conveyed this pride in our military, and demonstrated the importance of our military community, by incorporating the nationally recognized efforts of the Flour Bluff Navy Jr. ROTC into the presentation.

It was the solemn and excellent presentation of the Jr. ROTC, which has won seven national titles for excellence, and which led the way for the city to win the recognition by the National Civic League as an All-America City.

Corpus Christi is the only city in Texas to receive this distinct honor this year.

I thank my friend, Robin Hayes of North Carolina, for introducing the resolution to officially commend the winners of this competition in the House of Representatives.

Mr. Speaker, I ask my colleagues to join me and the other co-sponsors of this resolution, all of whom are proud to live in an All-America City, in commending Corpus Christi and the other nine cities honored by the National Civic League.

#### THE PARK PROFESSIONALS PROTECTION ACT

#### HON. NICK J. RAHALL, II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. RAHALL. Mr. Speaker today I am introducing legislation to protect the park professionals who "dedicate their careers to preserving our system of National Parks from the Bush Administration's privatization plan.

According to the Bush Administration, the rush to replace National Park Service employees with private-sector subcontractors is a harmless experiment to see if the services provided by thousands of dedicated public servants could be had more cheaply. The Administration claims it is considering only a small number of positions and asserts that taxpayers will see cost savings from this plan.

Unfortunately, this is just not the case. The Administration's privatization scheme is so vast, so unwarranted and so clumsy that it threatens to undermine both the National Park Service and the resources it was created to protect. To avoid this, I am introducing legislation to stop the Bush plan.

The Administration proposes to privatize approximately 1,700 full-time National Park Service employees by the end of next year. While this number alone is troubling, it is only the beginning. According to The Washington Post, the Administration has identified approximately 70% of the current NPS workforce it feels should be eligible for replacement by private workers.

And who are the people the Administration is seeking to replace? According to the Director of the National Park Service, nearly 90% of the men and women potentially eligible for privatization in the Washington, D.C. area are minorities and the numbers in areas such as Santa Fe and San Francisco are similarly lopsided.

Making matters worse, the alleged cost savings created by replacing these workers is unproven and unlikely. Despite paying private consultants more than \$5 million, or about three thousand dollars per position being considered, not a single study has been produced demonstrating even a nickel in savings. Meanwhile, that \$5 million came from funds intended to pay for the operation and maintenance of our National Parks.

Of course, the reason no savings can be demonstrated is that there are no savings to be had. This entire scheme is based on the premise that you can build a workforce of dedicated professionals, with the experience, institutional memory and expertise of the National Park Service, for less money. You can't.

The description on paper of an NPS employee's job doesn't begin to include all of the services that employee performs on the ground. Visitors don't direct their questions about plants and animals only to NPS biologists nor do they wait to ask questions regarding historic preservation until an NPS historian is available. Wildfires and heart attacks don't happen only when full-time fire fighters or EMTs are on duty.

The National Park Service challenges all of its employees, regardless of their actual job titles, to respond to all kinds of visitor needs, and the employees work hard to meet this challenge. This kind of all-out commitment and

willingness to pitch in comes from a passionate commitment to your job, a commitment which cannot be bought from the lowest bidder or adequately described in a want ad.

What's more, each unit of our National Park System is unique, both in the resources it offers and the challenges it faces. Such richness and diversity defy a "one-cheapest-size-fits-all" approach. The best scientific mind to further stabilize the Anasazi ruins at Mesa Verde is not the best person to protect endangered species in the Dry Tortugas. A private corporation, offering the lowest possible salaries, probably can't provide either of these people, much less both of them.

The fact is, NPS employees' salaries are scandalously low, their housing is dilapidated and they are frequently asked to pack up their families and move to a park thousands of miles away. These men and women work in the National Park Service because they love National Parks, and the people who visit them, and there is no excess to be wrung from their paychecks. While it is appropriate to seek the lowest bidder for the uniforms they wear or the equipment they use, allowing the lowest bidder to replace their expertise and experience will only cheapen our National Parks.

The mission of the National Park Service is resource protection and visitor enjoyment, not profit. To accomplish that mission, the National Park Service needs employees motivated by a love of people and of parks, not of money. The natural, cultural and historic resources contained within our National Parks are too valuable to allow the job of protecting them to be traded on the open market.

My legislation will stop this privatization scheme in its tracks and I urge my colleagues to support it.

IN HONOR OF THE TVB BENEFIT  
VARIETY SHOW 2003

**HON. JERROLD NADLER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. NADLER. Mr. Speaker, I rise today to praise the extraordinary efforts of NYU Downtown Hospital and its Chinese Community Partnership for Health program, for all of their work in health education, outreach and case management throughout lower Manhattan. I salute them on the occasion of the fourth annual Hong Kong Television Broadcast Limited Benefit Variety Show, which raises funds for this worthy cause.

Lower Manhattan is a diverse community that welcomes thousands of new immigrants every year, especially to the dynamic neighborhood of Chinatown. NYU Downtown Hospital is the only health care facility in the area and works to guarantee that these immigrants have access to quality health care.

The hospital has numerous successful outreach programs including the Chinese Community Partnership for Health (CCPH) program. The CCPH works to promote health care to all the residents of New York's Chinese community, including the tens of thousands of new residents each year. For ten years, the CCPH has served more than 80,000 garment and restaurant workers, elderly Chinese residents and school children in the Hospital's service area.

The centerpiece of the Partnership program is its health screening activities conducted by specially trained outreach teams that include bilingual nurses with both Eastern and Western healthcare concepts and practices. CCPH helps these immigrants overcome language and cultural barriers which prevent them from receiving the medical assistance they need and deserve.

To help raise funds for this worthy cause, CCPH and NYU Downtown Hospital will host a three-day extravaganza featuring a celebrity gala dinner and culminating in the Benefit Variety Show. Produced by the Hong Kong Television Broadcasts Limited (TVB), the Benefit Variety Show is an annual event in its fourth year that will be held in New York on July 10th. The festivities are broadcast worldwide, which helps to display New York's tremendous diversity.

Mr. Speaker, in closing, I ask my colleagues to join me in recognizing the many individuals who work tirelessly to make this event an annual success, including Sir Run Run Shaw, Executive Chairman of TVB; George C.K. Liu, Chairman of the Physician Committee; Mr. Tim Cheng of the East Buffet and Restaurant; Pulchee Ngan, General Manager, Raymond Miu Productions, Inc.; and Hong Kong Superstars Jerry Lamb, Yumiko Cheng, Maggie Cheung, Denise Ho, Aaron Kwok, Alan Lam, Samantha Lam, Edmond Leung, Gigi Leung, Edwin Siu, Tommy Yuen, and Tim Yuk. I would also like to recognize the Chinese Consolidated Benevolent Association, who are the grand benefactors of this event and do so much throughout Chinatown to serve and protect the interests of the Chinese community in New York City.

I appreciate all the good work that CCPH does to promote quality health care and I wish them great success with this year's variety show.

COMMEMORATING THE 10TH ANNI-  
VERSARY OF THE UCSD CANCER  
CENTER LUAU & LONG BOARD  
INVITATIONAL

**HON. SUSAN A. DAVIS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mrs. DAVIS of California. Mr. Speaker, I rise today to honor the University of California—San Diego (UCSD) Cancer Center Luau and Long Board Invitational annual event for their continuous exemplary work in furthering the efforts of cancer treatment and research at the Rebecca and John Moores UCSD Cancer Center.

This year marks the 10th Anniversary of the Luau and Long Board Invitational, which each year brings together varying groups, from world-renowned surfing legends to corporate executives, to unify around the same cause. The many activities of the day include a ceremony honoring the recipient of the Queen of Makaha Award, recognizing an individual for his or her efforts to fight cancer and dedication to helping others in ways that embody the true "aloha" spirit.

This year's 10th Anniversary event serves as a milestone of success and a measure of the many contributions of supporters both in and out of the San Diego community toward

the struggle against cancer. Through a good deal of time and effort, the Luau has earned a worldwide reputation as one of the finest and most soulful surfing-themed philanthropic events to be found anywhere. The challenge of organizing the Luau year after year is successfully accomplished by a passionate grassroots network of local volunteers, many of whom are cancer survivors. Additionally, the Luau is generously supported by a diverse collection of prominent, community-minded companies, organizations and individuals.

Since its founding in 1994, the Luau has raised more than \$1 million to finance promising cancer research projects at the Rebecca and John Moores UCSD Cancer Center. In 2002 alone, over \$170,000 was raised. Today, scientists and doctors are making great strides in the battle to fight cancer, but the disease continues to be one of the most widespread diseases in the United States. We must do our part to keep up the fight, and this Luau serves as a perfect means for all San Diegans to get involved.

I applaud the UCSD Cancer Center Luau and Long Board Invitational for their continuous efforts in the fight against Cancer. To all those who have spent countless hours on this important event year after year: Mahalo!

I yield back the balance of my time.

IN RECOGNITION OF MR. SHARAD  
SHAH AND SHARE AND CARE  
FOUNDATION

**HON. FRANK PALLONE, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. PALLONE. Mr. Speaker, I rise today to laud the accomplishments of Mr. Sharad Shah, and the organization he helped create, The Share and Care Foundation. Share and Care is a unique organization that provides medical equipment, food, basic health care, crisis and disaster relief, youth vocational training, internship programs, scholarships and more to those desperately in need. This forum has been the starting ground for many people, and has provided a much-needed service to lift up underprivileged children and women faced with seemingly insurmountable obstacles, and set them on the road to a productive life.

Share and Care, the brainchild of a small group of Indian-Americans, was born in 1982 in New Jersey. More than 50 active volunteers are involved in multifaceted projects and services. The volunteers see themselves as catalysts, promoting low cost, high return programs at grass root levels. Their 100% volunteer organization maximizes the utilization of funds for a deserving cause. In the last twenty years this organization has grown over a hundred fold.

Share and Care has offered its services since the Bhopal tragedy in 1984 to the recent Gujarat earthquake in 2001. Share and Care aided in building schools, hospitals, training centers, health camps and blood banks, and sponsored thousands of students seeking an education. This Foundation has directed more than \$5 million in cash and kind donations to the victims of the January 2001 earthquake. About 2,500 individuals throughout the United States donated more than \$1 million for the effort. Additionally, about 50 corporations and

groups collected donations and chose Share and Care to distribute the money in order to deliver relief to the people of Gujarat.

This Foundation is a recognized name that people trust with their donations and can rely on for help in the most tragic times. Their numerous community and rehabilitation initiatives have totaled more than \$30 million. Mr. Speaker, on this day I rise up to acknowledge a truly remarkable individual and I ask that my colleagues join me in honoring Mr. Shah and his organization for the fine and important work they have done over the past twenty years.

HONORING MAYNARD HOLBROOK  
JACKSON, JR.

**HON. MAX BURNS**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. BURNS. Mr. Speaker, I rise today to honor the life of Maynard Holbrook Jackson, Jr., and to extend condolences to the family, friends, and business associates of the untimely death of an extraordinary man who changed the way the world sees the City of Atlanta.

Mr. Jackson loved Atlanta, the state of Georgia, and its people. He worked endlessly to create a city that many refer to as the "Mecca of the South." Because of his tireless devotion, Atlanta's growth and development has gained national prominence.

A savvy politician and businessman, Mr. Jackson was the first African-American to be elected mayor of a major southern city. A great champion for diversity, inclusion, and fairness, he built bridges between racial, economic, and social lines that brought a sense of togetherness to the City of Atlanta and its citizens.

Mr. Jackson's dynamic leadership was the driving force in the design, development and expansion of one of the nation's busiest airports, Atlanta's Hartsfield International. In addition, his legacy includes programs that empowered neighborhoods and a department that oversees cultural affairs. He worked tirelessly as an advocate of affirmative action and laid the foundation that brought the 1996 Summer Olympics to Atlanta.

Mr. Jackson was a successful politician and businessman who had a passion for public service. The death of this remarkable man creates a great void for the City of Atlanta, the state of Georgia, and the entire nation.

#### PERSONAL EXPLANATION

**HON. JOHN SULLIVAN**

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. SULLIVAN. Mr. Speaker, due to events beyond my control I was unable to be present for the following rollcall votes. Had I been able to submit my votes, they would have been as follows:

Rollcall vote No. 297 on agreeing to the passage of H. Res. 264—"yes".

Rollcall vote No. 298 on agreeing to the passage of H. Res. 177—"yes".

Rollcall vote No. 299 on agreeing to the passage of H. Con. Res. 209—"yes".

Rollcall vote No. 300 on agreeing to the passage of H.R. 2465—"yes".

#### MAKE RESEARCH FUNDED BY THE PUBLIC AVAILABLE TO THE PUBLIC

**HON. MARTIN OLAV SABO**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. SABO. Mr. Speaker, today I will introduce the Public Access to Science Act, PASA, of 2003, legislation to make federally funded research available to the public.

It is wrong when a breast cancer patient cannot access federally funded research paid for by her hard-earned taxes. It is wrong when a family whose child has a rare disease must pay again for access to research their tax dollars already paid for. Common sense dictates we provide the most cutting-edge research to all who may benefit from it, especially when they have already paid for it with their tax dollars.

The United States Government funds basic research with the intention and the belief that the new ideas and discoveries that result will improve the lives and welfare of the people of the United States and around the world. Our government spends \$45 billion a year to support scientific and medical research whose product is new knowledge for the public benefit. We must remember that government funded research belongs to, and should be readily available to, every person in the United States. Lifting restrictions that prevent the widespread sharing of federally funded research can only speed scientific advancement.

I urge you to join me by cosponsoring this legislation to require research substantially funded by the Federal Government to be ineligible for copyright protection, and thus available in the public domain.

#### PERSONAL EXPLANATION

**HON. SUE WILKINS MYRICK**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mrs. MYRICK. Mr. Speaker, I was unable to participate in the following votes. If I had been present, I would have voted as follows:

June 24, 2003, Rollcall vote 307, on agreeing to the Filner amendment, I would have voted "no".

#### PERSONAL EXPLANATION

**HON. JIM KOLBE**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. KOLBE. Mr. Speaker, yesterday, I attended the funeral of the Honorable Bob Stump in Phoenix, Arizona and missed votes on the following measures:

1. S. 858—To extend the Abraham Lincoln Bicentennial Commission, and for other pur-

poses (#312). Had I been present, I would have voted "aye."

2. H.R. 2474—To require that funds made available for fiscal years 2003 and 2004 for the Bill Emerson and Mickey Leland Hunger Fellowships be administered through the Congressional Hunger Center (#313). Had I been present, I would have voted "aye."

3. H.J. Res. 49—recognizing the important service to the Nation provided by the Foreign Agricultural Service of the Department of Agriculture on the occasion of its 50th anniversary (#314). Had I been present, I would have voted "aye."

4. H. Con. Res. 49—expressing the sense of the Congress that the sharp escalation of anti-Semitic violence within many participating States of the Organization for Security and Cooperation in Europe (OSCE) is of profound concern and efforts should be undertaken to prevent future occurrences (#315). Had I been present, I would have voted "aye."

5. H. Res. 199—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 (#316). Had I been present, I would have voted "aye."

6. H. Res. 294—condemning the terrorism inflicted on Israel since the Aqaba Summit and expressing solidarity with the Israeli people in their fight against terrorism (#317). Had I been present, I would have voted "aye."

#### RECOGNIZING UCSD CANCER CENTER

**HON. RANDY "DUKE" CUNNINGHAM**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. CUNNINGHAM. Mr. Speaker, I rise today to honor The UCSD Cancer Center Luau and Longboard Invitational. This event brings together surfing legends from around the world, celebrities, and corporate executives to benefit cancer treatment and research at the Rebecca and John Moores UCSD Cancer Center. It features a friendly surfing competition between sponsored teams, a Polynesian-themed party featuring food, entertainment, live and silent auctions of surf memorabilia, and a brief ceremony to honor the winner of the Rell Sunn—Queen of Makaha Award. This award recognizes an individual for his or her efforts to fight cancer and dedication to helping others in ways that embody the true "aloha" spirit.

Since its founding in 1994, the Luau has raised more than \$1 million for the center. Much of these funds have been used as "seed money" that finances the initial stages of promising cancer research projects and helps them qualify for additional funding from federal or other sources.

The Luau also has earned a worldwide reputation as one of the finest and most soulful surfing-themed philanthropic events anywhere. It is organized by a passionate grassroots network of local volunteers (many of whom are cancer survivors), and is generously supported by a diverse collection of prominent, community-minded companies, organizations and individuals. This year's event promises to be extra special, as it is the 10th anniversary of the UCSD Cancer Center Luau.

This event is especially meaningful to me because in the summer of 1998, I am one of thousands of men who was diagnosed with prostate cancer following a simple prostate-specific antigen (PSA) test. During my annual examination in the summer of 1998, my doctor noted a slight elevation in my PSA test. He followed up with a sonogram and an MRI, neither of which revealed the disease. It was only after a prostate biopsy that it was determined that I had cancer. Following the diagnosis, in consultation with my family, I decided to pursue surgery as my treatment option. I am fortunate—early detection saved my life. My doctor was familiar with PSA results, and I had healthcare coverage for my treatments. As a cancer survivor, I personally understand the hope that the groundbreaking research provides to individuals who are suffering, or who have a loved one who is battling a disease. I understand the importance of finding better ways to diagnose and treat this disease which affects so many people in our nation.

I am proud to support the UCSD Cancer Center, and I urge my colleagues to join me in recognizing the Luau and Longboard Invitational. This event will help to ensure that the Cancer Center is able to continue to provide quality services to those facing cancer, and to develop new lifesaving treatments.

TRIBUTE TO THE VILLAGE OF  
SOUTH RANGE, MICHIGAN ON  
THE CENTENNIAL OF ITS FOUNDING

**HON. BART STUPAK**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. STUPAK. Mr. Speaker, I rise today to congratulate the Village of South Range, Michigan on 100 years of vibrant community life as the Village celebrates the centennial of its founding.

In 1903, Theodore Roosevelt was President, the Wright brothers made their historic first flight on the hills outside Kitty Hawk, and Henry Ford started the Ford Motor Company with the introduction of the Model A Ford roadster.

Another memorable event of 1903 was the founding of the Town of South Range by the Whealkate Mining Company, at the south end of the copper range on the Keweenaw Peninsula in Michigan's Upper Peninsula.

At the time the Town of South Range was founded, most of the land within its boundaries was owned by various copper mining companies who had flocked to the area with the discovery of rich copper deposits in the 19th century. This period in the Keweenaw's history, and the economic and cultural fabric created by the mines, the miners, their families and the communities that grew up around them is the story commemorated by the Keweenaw National Historical Park.

Once the Town of South Range was platted, it became possible for hardworking miners and local people to buy the lots and begin to build a community separate from the mining companies that most of them worked for. As the town grew, businesses, churches and social clubs were created to serve its inhabitants.

In 1906 the residents petitioned the Houghton County Commissioners to incorporate the

Village of South Range, which it remains today. The Village may have fewer than one thousand residents and winter weather that averages fifteen feet of snow, but its people also have warm hearts and a true civic spirit.

Led by Village President Michael Rompf, they have planned a two week centennial celebration during which South Range will choose a centennial queen and highlight its history with photo exhibits, mine tours, visits to historic sites and a living history re-enactment.

South Range residents have not forgotten music and dancing, just like the socials that provided respite from the backbreaking work in the mines for their forebears. They plan dancing to swing and polka music, and teen dances for the younger crowd. A pasty supper, community flag raising on the Fourth of July, a parade, craft and dog shows, slow pitch softball and of course, fireworks will all bring community residents and visitors closer together.

On a serious note, a ceremony will re-dedicate South Range's memorial to war veterans, the "Honor Roll," at the Community Center on July 5th. This will mark completion of the restoration of the memorial and honor those who served in action from South Range. An observance of the 50th anniversary of the Korean War will follow this ceremony, hosted by South Range's VFW Post.

Mr. Speaker, I ask that you and my fellow Members of Congress join me in extending warm congratulations to the Village of South Range as we celebrate not only the birth of our great nation, but also the contributions and hard work that made possible South Range's 100 years of continued vitality as a community. South Range and thousands of communities like it are truly the bedrock of our national strength.

REGARDING THE CAMBODIAN  
NATIONAL ASSEMBLY ELECTIONS

**HON. JAMES A. LEACH**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. LEACH. Mr. Speaker, I rise to note that Cambodia is scheduled to hold its National Assembly elections on July 27, 2003, and to express our hopes and concerns that the electoral process be free and fair. The United States is strongly committed, not to a particular outcome in those elections, but to a credible process that is fair in its administration and execution, and free of the violence, intimidation, and alleged fraud that sadly have marred other elections since the 1997 coup in that country.

On June 10, 2003, the Subcommittee on Asia and the Pacific held a hearing on "Recent Developments in Southeast Asia" that focused in part on the upcoming Cambodian elections. While there have been improvements in recent years, such as an updated Electoral Law and a new National Election Committee, certain credible concerns persist. Experts at our hearing and other observers have questioned the independence of the Election Committee, complained of opposition politicians' lack of access to Cambodian mass media, and raised concerns about continuing political violence. In February, Om Radsady, an outspoken critic of Prime Minister Hun Sen,

was assassinated. That same month, at least two other dissidents were detained on frail allegations that they were responsible for inciting the January 29, 2003 anti-Thai riots in Phnom Penh, during which the Thai Embassy was attacked and damaged. These incidents underscore the need for further vigilance.

For these reasons, I join the U.S. Department of State in calling on the Government of Cambodia to prevent all forms of election coercion and to prosecute perpetrators of violence. I also share the Department's hope that the Cambodian National Election Committee will demonstrate its neutrality and independence, fulfill its promise of equal media access, and act rapidly to deal with allegations of irregularities during the 30-day election campaign period, on polling day, and during the ballot counting process.

The people of the United States share the aspirations of the people of Cambodia to free expression, self-determination, and the development of an election administration that commands confidence across Cambodian society. We sincerely hope that the July 27 elections will be an important step in that process.

IDENTITY THEFT PROTECTION  
AND INFORMATION BLACKOUT  
ACT OF 2003

**HON. RAHM EMANUEL**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. EMANUEL. Mr. Speaker, I rise today to introduce the "Identity Theft Protection and Information Blackout Act of 2003." I am proud to offer this legislation on behalf of eighteen of my Republican and Democratic colleagues in the House.

As Congress debates reauthorization of the Fair Credit Reporting Act's preemption provisions, ordinary Americans are more concerned than ever about the privacy of their financial and health information. Moreover, the identity theft epidemic continues to disrupt lives and cost families and businesses millions of dollars. Americans want, need, and expect the Federal government to take action to address these issues.

In response to this urgent problem, my legislation establishes methods for preventing identity theft and amends the FCRA to protect consumers' sensitive, private health-related information by safeguarding it from indiscriminate use by credit bureaus, financial institutions, and affiliates.

This legislation also protects Social Security numbers from identity thieves. An individual's Social Security number has been called the "the golden key" to financial identity theft. To protect this vital key to personal information, my legislation institutes national standards governing the collection, use, display, sale and security of social security numbers by government and by private sector entities.

Mr. Speaker, I encourage my colleagues to join me in cosponsoring the Identity Theft Protection and Information Blackout Act, and I strongly urge the House to consider this important measure as we move closer to reauthorizing the Fair Credit Reporting Act and similar legislation to keep personal financial and related information private and protected from fraud and abuse.

CONGRATULATIONS HONORARY  
DEGREE RECIPIENTS**HON. MARCY KAPTUR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mrs. KAPTUR. Mr. Speaker, it is with the greatest pleasure that I congratulate the 2003 Honorary Degree recipients from John Carroll University, Monsignor William Linder, who received a Doctor of Laws, and the recipients of a Doctorate in Humane Letters, Sonya Rendon Blacio and Mary Patricia McTeague. America is fortunate to be blessed with citizens of their high calibre and profound dedication.

Monsignor William Linder has spent his life saving cities and souls. During the Newark riots of 1967, the New Jersey native, a parish priest at the time, stepped forward to bring people together and build trust. He moved through the battle zone, delivering food and transporting the injured to hospitals. After the smoke cleared, the priest called together a group of residents to set about rebuilding the city they loved. In Newark's Central Ward, they formed the New Community Corporation (NCC) and charged it with the mission of creating housing and the products and services that would bring jobs. The NCC has become the largest and most successful community development organization in the United States. It has brought new life to the old city of Newark, providing housing and jobs for thousands, and creating a community development model that is now being studied and emulated throughout the world. Monsignor Linder has won the McArthur Foundation "Genius" fellowship, and he has received countless honors in the course of his remarkable ministry to the people of northern New Jersey. He has said, "I have never really thought of myself as a pastor to only Catholics. I am a pastor of people."

In honor of Monsignor Linder, Professor George Bilgere penned the following poem:

You walked into the battle zone  
Of Newark in the sixties  
A young, audacious, rabble-rousing priest,  
Hoping to rebuild the city from its core,  
To heal its broken heart, to do  
What no one believed you could do.  
The broken-hearted cities,  
The neighborhoods called Hough  
And Watts and Spanish Harlem,  
Are not the parts of America  
We think of saving  
When the bombs are falling,  
Or when the flag is waving  
Over baseball games in spring.  
Probably there aren't many flags  
Waving over East St. Louis or Cabrini Green  
Or Roxbury or Eight mile,  
But it's hard to know for sure  
Because no one travels there  
Who doesn't have to.  
Only those who have no choice  
Live in the broken heart  
Of America.  
But now, thirty-five years later,  
A gray-haired, audacious, rabble-rousing  
priest,  
You watch the Central Ward prosper  
While the country watches you,  
Taking hope from the strength and courage,  
The hard work of one stubborn man,  
One man of vision who understands  
That America will not be whole or free  
Until the cities,

The broken-hearted cities, are healed.

Sonya Rendon Blacio and Mary Patricia McTeague have had dramatic success in creating a new world in Guayaquil, Ecuador. Rendon, an Ecuadorian education, and McTeague, an American and a former nun, have built a school that is a model of both educational excellence and egalitarianism. At Escuela Nuevo Mondo, which the two women began in 1979, the school's 200 faculty members instruct 1400 tuition-paying students, the children of affluent Ecuador, in the morning. In the afternoon, 900 children of poverty receive the same education for free from the Fundacion Nuevo Mondo. Rendon and McTeague state that Nuevo Mondo is in truth "a social revolution aimed at changing attitudes between social classes and opening doors to offer options to some of the 80 percent of Ecuadorians who otherwise would not have the opportunity for quality education, medical and social assistance." Today, Nuevo Mondo operates elementary and high schools, a commercial bakery, two day care centers, two medical centers and vocational training projects. The people of Ecuador continue to struggle, but Nuevo Mondo has been a beacon pointing the way to a new world.

In honor of Sonya Rendon Blacio and Mary Patricia McTeague, Professor George Bilgere penned the following poem:

On the coast of Ecuador,  
Out of poverty and despair,  
A new world is rising,  
One classroom at a time  
A Nuevo Mundo, where once  
Was only a jungle and a dream.  
At first your idea was simple;  
Build a school for their children  
So in the afternoon  
There would, at last, be a classroom  
For the children of the poor.  
But you learned over time  
That the rich, too, are poor,  
As long as they can't define  
The word hunger, or explain  
What it means to have no shoes,  
Or to be unable  
To read the Bible, or a novel,  
Or your name.  
Real change, you found,  
Comes only when the rich man suffers  
To learn from the beggar  
That they are brothers  
Who can help each other  
Ease the pain of the world;  
Only then will come the day  
When the old world passed  
Through hard work and love  
And the Gospel of Jesus Christ,  
Into the new world you dream of  
And are building from the jungle  
One classroom at a time,  
That Nuevo Mundo, where all  
Are brothers and sisters,  
Equal in every way.

SMALL BUSINESS HEALTH  
FAIRNESS ACT OF 2003

SPEECH OF

**HON. DENNIS MOORE**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 19, 2003*

Mr. MOORE. Mr. Speaker, I rise in opposition to H.R. 660. It is being promoted by some in Congress as the silver bullet that will help small businesses get health insurance, but I

believe that this legislation puts consumers at risk without helping small business owners get health insurance.

Many of my concerns about AHPs mirror those of Sandy Praeger, the Kansas Insurance Commissioner. I will quote extensively from her remarks about AHPs made before the Senate Small Business and Entrepreneurship Committee on February 5, 2003.

AHPs will not reduce the cost of health insurance for small businesses. In fact, the Congressional Budget Office (CBO) estimates that H.R. 660 would actually drive up the cost of coverage for 20 million individuals—80 percent of small employers and their families who are now covered under employer-based health insurance plans. The results of this legislation could actually make coverage less affordable for the vast majority of small business workers who now have coverage. A recent study released by National Small Business United (NSBU) found that AHPs would result in more than 1 million more uninsured and cause premiums to skyrocket for the sickest workers.

Additionally, H.R. 660 will hurt those who most need health coverage, and those who employ them. H.R. 660 could actually hurt those who most need health coverage by allowing AHPs to "cherry pick" only the healthiest, cheapest-to-insure individuals to participate in their plans. Most States prohibit this kind of health insurance discrimination, but H.R. 660 would preempt these anti-discrimination measures in most States, allowing AHPs to discriminate against those who most need coverage. Commissioner Praeger's remarks illustrate how H.R. 660 would undermine State reforms in this regard and leave sicker and higher risk employees out in the cold.

In order to keep costs low, AHPs would have an incentive to target the people who are the least costly to insure—healthy, young people who rarely access health services. By giving AHPs the power to charge higher premiums for less healthy groups and the discretion to offer narrower benefits, these bills will allow AHPs to deter less healthy groups from enrolling. Small businesses that employ older, disabled or chronically ill individuals would be forced to pay more out-of-pocket or left behind altogether. As noted above, 80 percent of small employers will be left out and will likely see their premiums increase as the State-regulated health insurance market loses its healthy individuals to AHPs, leaving sicker and older individuals in the State market.

State consumer protections, such as external appeals of disputed claims, would be ignored as well as other guaranteed benefits such as maternity care, mammograms, mental health treatment, or diabetes. For many years, I have supported efforts to enact a strong patients' bill of rights that would extend consumer protections to all Americans. This legislation, however, would expose millions of workers—in both small and large businesses—who now enjoy the advantages of State consumer protections into plans that are completely exempt from those protections.

Fundamentally, AHPs would completely destroy the State insurance market. As Commissioner Praeger stated:

The AHP legislation in Congress would undermine state reforms and once again fragment the market. Each association would create its own risk pool that, due to the benefits provided, types of business in the association, or area serviced, could have significantly lower risk than the general market.

While the bill does make some effort to reduce "cherry picking" the NAIC believes the provisions would be inadequate.

Commissioner Praeger goes on to say:

This self-selection is extremely disruptive to the marketplace and will create a very unstable situation in an already fragile small group market, likely reducing the number of insurers willing to offer coverage in the general market. Insurance is of little use unless the costs of caring for the relatively few can be distributed among the many who are healthy.

AHPs would exempt health insurers from State rules that are needed to effectively govern health insurance companies. AHPs would also be exempt from State solvency laws and oversight and subject to inadequate standards. The American Academy of Actuaries has said that the solvency standards for AHPs contained in H.R. 660 are inadequate, and Commissioner Praeger's testimony underscores these concerns. Her testimony states that the solvency standards under the bill are "woefully inadequate" and goes on to predict "If a nationwide AHP were offered to a large association, a capital surplus of only \$2 million would result in disaster." Supporters of H.R. 660 claim that the Department of Labor has sufficient resources to oversee the new plans and prevent insolvencies and fraud. Commissioner Praeger believes that this is not the case. She notes that "The Department of Labor has neither the resources nor the expertise to regulate insurance products."

More than 500 organizations—including many of the major consumer and health care provider organizations—have voiced their opposition to this legislation. The legislation is also strongly opposed by the Nation's Republican and Democratic governors, attorneys general and insurance commissioners. Additionally, many in the small business community oppose H.R. 660, including the National Small Business United (NSBU), which has voiced its opposition to this legislation because it would hurt, not help, many small employers. They cite a recent study by Mercer found that AHPs would result in more than 1 million more uninsured and cause premiums to skyrocket for the sickest workers.

I do understand that small employers are clamoring for relief from the high cost of health care, and I support efforts to improve individuals' and small businesses' ability to obtain quality health insurance. I have introduced H.R. 1937, the Small Business Health Insurance Availability Act. This bill would do several things to help uninsured Americans who work for small businesses get adequate health care. My legislation would establish a tax credit toward the purchase of health insurance for all small employers who choose to offer it. The credit will reimburse 20 percent of health insurance costs, up to \$400 per year for individuals and \$1000 for family coverage. Businesses can get an additional 10 percent tax credit (up to 30 percent total) if they join in a Health Benefit Purchasing Coalition, which provides small employers a way to pool resources, negotiate collectively with insurers, and administer health plans for small employer groups. In order to foster innovation on the State level, the bill creates State grant programs for initiatives that expand health insurance to the uninsured through market innovations.

I believe that we must help uninsured Americans to obtain health insurance while not put-

ting individual insurance markets or consumers at risk. My legislation, in contrast to the very controversial AHP proposals, could be enacted into law immediately without disrupting health insurance markets or regulatory structures. It would also preserve the rights and protections of consumers in States and ensure that the business of health insurance remain regulated on the State level. It would also give small business owners, like their big business competitors, the opportunity to band together and bargain for better insurance rates and terms.

#### INTRODUCTION OF H.R. 2620 TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2003

**HON. TOM LANTOS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 26, 2003

Mr. LANTOS. Mr. Speaker, today I proudly joined my good friend from New Jersey, the Chairman of the Veterans Committee and the Vice-Chairman of the Committee on International Relations, in introducing H.R. 2620, the Trafficking Victims Protection Reauthorization Act of 2003.

Mr. Speaker, in the 106th Congress, Mr. Smith and our former colleague, Sam Gejdenson of Connecticut, spent enormous energy to pass the Trafficking Victims Protection Act of 2000. I was proud to be an original co-sponsor of that landmark legislation. It is wise to recall where we were just a few short years ago with respect to trafficking of persons. The CIA estimated that 50,000 people were being trafficked into the United States each year and being held in conditions that amounted to modern day slavery. They were being forced to labor in our fields, to work endless hours in sweatshops, and to serve in sexual slavery in cities across our land. U.S. prosecution of traffickers faltered because attorneys in our Department of Justice did not have the right tools to pursue the new forms of trafficking, which often relied on threats, not chains, and on document fraud, not bills of sale. Overseas, millions of people were being used as chattel, and the brothels of Bombay and Bangkok were overflowing with prostitutes, many young girls, who were forced to provide sex. Governments were barely aware of what was happening to their own people, and where they were, they usually blamed the victims and forgot about them. And the international community was just starting to fashion an international agreement to address the horrors of trafficking.

Today the picture is visibly brighter. Because of the enactment of the Smith-Gejdenson Act, the Attorney General is prosecuting cases from American Samoa to New Jersey and has recently achieved the first conviction under the new tools provided by that Act right here in the DC metropolitan area. Victims are coming forward because of the federal benefits we are offering to them, treating them like the refugees that they are. The naming of countries that are not making significant efforts to combat trafficking and the threat of sanctions against them are forcing measurable changes in the way that governments around the world are facing this modern day form of slavery. A new international criminal protocol

is gaining wide acceptance, and is being studied by the Administration. Modern day slavery is under assault from all directions.

But Mr. Speaker, we need to do more. In the two-and-a-half years since the enactment of the Smith-Gejdenson Act, we have learned much more about the phenomena of trafficking and how to combat it. It is time to do a thorough review of our trafficking statutes and ensure that we are doing everything we can to prevent trafficking, protect victims and prosecute traffickers.

And that is exactly what the Trafficking Victims Reauthorization Act of 2003 accomplishes. Drawing from the conference earlier this year held by the Department of State, this bill authorizes new strategies for prevention, including using trafficking victims to identify traffickers at the borders and deterring sex tourism, which is part of the fuel of sex slavery around the world. It increases protection by making measured expansions of the visa category for trafficking victims and related provisions to better enable cooperation, particularly with respect to state and local trafficking prosecutions, which are increasingly the front line of law enforcement in this area. And it enhances prosecution of traffickers by, for example, ensuring that trafficking is treated like the organized crime that it is. Perhaps most critically, it demonstrates Congressional commitment to fighting this scourge by authorizing additional funds for U.S. agencies to combat this human rights crisis around the world.

Mr. Speaker, I salute Congressman SMITH, Congressman PITTS and Congresswoman SLAUGHTER for the vision they are showing today by joining me in this fight against trafficking in human beings. Just as we made a real difference two-and-a-half years ago, we can accelerate our fight against modern-day slavery. I urge all my colleagues to join in this fight.

#### BILL TO MAKE PERMANENT THE EXPANDED EXPENSING BENEFITS PROVIDED TO SMALL BUSINESSES UNDER THE JOBS AND GROWTH TAX RELIEF RECONCILIATION ACT OF 2003

**HON. WALLY HERGER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 26, 2003

Mr. HERGER. Mr. Speaker, last year Congress, working together with President Bush, enacted into law the Jobs and Growth Tax Relief Reconciliation Act of 2003. Among other provisions, this new law strengthens and expands the expensing provisions afforded to small businesses under section 179 of the Internal Revenue Code. As such, the law encourages small businesses to make new capital investments, thus spurring our economy and creating jobs. I believe Congress should make this provision permanent and today I am introducing the "Small Business Expensing Permanency Act of 2003" to do just that.

Specifically, the Jobs and Growth Act increases from \$25,000 to \$100,000 the amount of new investment a business can expense—or deduct from income—in a given year. The new law also increases—from \$200,000 to \$400,000—the amount of total investment a business can make in a year and still qualify

for expensing under section 179. Unfortunately, under the new law, these provisions are set to expire after 2005.

My legislation will repeal the 2005 sunset. If the higher expensing limits are good for our nation's small businesses over the next two years, they should be good for small businesses indefinitely.

Small businesses truly are the backbone of our economy, representing more than half of all jobs and economic output. We should not take small business vitality for granted, however. Rather, our tax laws should support small businesses in their role as the engines of innovation, growth, and job creation.

Mr. Speaker, in difficult economic times, we must do all we can to encourage new investment and job creation by creating certainty and predictability for America's small business owners. The "Small Business Expensing Permanency Act of 2003" will help accomplish this worthy goal. I applaud the administration for its consistent leadership on this issue, and I look forward to working with my colleagues to enact this much-needed legislation.

**H.R. 2620: TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT**

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. SMITH of New Jersey. Mr. Speaker, today I am introducing the Trafficking Victims Protection Reauthorization Act of 2003, which is intended to improve the United States efforts in combating the scourge of human trafficking. I am very pleased to have Congressman LANTOS, ranking member of the International Relations Committee, Congressman PITTS and Congresswoman SLAUGHTER, join me as original cosponsors.

According to a recently released U.S. Government estimate, 800,000 to 900,000 women, children, and men fall victim to international trafficking each year and end up prisoners of slavery like practices in the commercial sex industry, domestic servitude, sweatshops, and agricultural farms, among other destinations.

In October 2000, we adopted the Trafficking Victims Protection Act (TVPA), P.L. 106-386. As a result of that law, the U.S. Government allocated \$68.2 million last year to combat trafficking in human beings. In the past two years, federal prosecutors initiated prosecutions of 79 traffickers—three times as many as in the two previous years. Nearly 400 survivors of trafficking in the United States have received assistance, facilitated by the Department of Health and Human Services, to begin recovering from their trauma and to rebuild their shattered lives. Thanks to the efforts of the State Department, USAID, and the spotlight put on the issue through the annual Trafficking in Persons Report, governments worldwide have also begun taking significant actions against human trafficking.

Despite these substantive inroads, people continue to be bought and sold in modern day slavery. Victims continue to face obstacles in the process of securing needed assistance. We are not yet addressing trafficking in persons as an organized crime activity. We have not yet aggressively targeted sex tourism as a

factor contributing to the demand for trafficked persons in prostitution, and more specialized research is needed.

The Trafficking Victims Protection Reauthorization Act (TVPA) would address these and other areas of concern, would authorize funding to continue our government's efforts against trafficking, and would build upon the experience of implementing the TVPA to refine U.S. laws and practices to better fulfill the intent of that law. Specifically, the TVPA would enhance the prevention of human trafficking by:

Requiring that U.S. Government contracts relating to international affairs contain clauses authorizing termination by the United States if the contractor engages in human trafficking or procures commercial sexual services while the contract is in force;

Promoting innovative trafficking prevention initiatives, such as border interdiction programs; and

Requiring airlines to inform passengers about U.S. laws against sex tourism.

The TVPA would enhance protections for trafficking victims by:

Allowing Federal, State, or local law enforcement authorities to certify, for the purpose of receiving benefits, that a victim of trafficking has cooperated in the investigation or prosecution of trafficking crimes;

Allowing trafficking victims to sue their traffickers in U.S. courts;

Eliminating the requirement that a victim of trafficking between the ages of 15 and 18 must cooperate with the investigation and prosecution of his or her trafficker in order to be eligible for a T-visa;

Allowing benefits and services available to victims of trafficking to be available for their family members legally entitled to join them in United States; and

Providing for the confidentiality of T-visa applications.

The TVPA would enhance prosecution of trafficking-related crimes by:

Permitting federal anti-trafficking statutes to be used to prosecute acts of trafficking involving foreign commerce or occurring in the special maritime or territorial jurisdiction of the United States;

Making human trafficking crimes predicate offenses for RICO charges; and

Encouraging the use of International Law Enforcement Academies to train foreign law enforcement authorities, prosecutors and members of the judiciary regarding human trafficking.

The TVPA would improve the U.S. Government's response to trafficking by:

Encouraging critical research initiatives;

Mandating a report on Federal agencies' implementation of the TVPA;

Designating that the Director of the State Department Office to Monitor and Combat Trafficking shall have the rank of Ambassador-at-Large; and

Prohibiting the use of funds to promote, support, or advocate the legalization or practice of prostitution.

The TVPA would reauthorize appropriations for each of FY 2004 and 2005:

\$4 million to the Interagency Task Force to Monitor and Combat Trafficking;

\$15 million to the Department of Health and Human Services;

To the Secretary of State, \$15 million for assistance for victims in other countries; \$15 mil-

lion for programs to improve law enforcement and prosecution; and \$15 million for trafficking prevention initiatives;

\$300,000 to the Organization for Security and Cooperation in Europe for trafficking prevention and legal reform programs;

\$15 million to the Department of Justice for assistance to victims in the United States and \$250,000 for anti-trafficking training activities at the International Law Enforcement Academies (ILEAs);

\$15 million to the President for foreign victim assistance (prevention activities); \$15 million for assistance to foreign countries to meet the minimum standards to combat trafficking; \$300,000 for research; and \$250,000 for anti-trafficking training activities at the ILEAs; and \$10 million to the Department of Labor.

Mr. Speaker, the Trafficking Victims Protection Act of 2000 enjoyed broad, bipartisan support in both Houses of Congress. We are making progress in our battle against modern day slavery, but clearly there is still much work to be done by government authorities, by civil society, by our faith communities, and by all men and women of good will. As lawmakers, we have the opportunity to make our contribution to this endeavor. I strongly urge my colleagues to support this commonsense reauthorization bill to support and enhance the good work which has been undertaken.

**RECOGNIZING MARY ELLEN DESANTOS**

**HON. HILDA L. SOLIS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Ms. SOLIS. Mr. Speaker, I rise today to pay tribute to an individual who has dedicated over twenty-five years of her life to public education, Mary Ellen DeSantos, on the occasion of her retirement.

DeSantos' remarkable contributions as an educator with the Los Angeles County Office of Education are well known. Her leadership has proven invaluable in implementing innovative approaches to improve the quality of education for language minority students in the Los Angeles County area utilizing the Title I and Title VII program.

DeSantos has taken on many roles in the private and public education sector in Arizona and California. Over the course of twenty-five years she has been a primary and secondary education teacher, director of state categorical programs, bilingual coordinator, and a vocational teacher trainer.

Mary Ellen DeSantos' hard work has enriched the lives of over eight thousand students. Her numerous contributions will not be forgotten.

**TRIBUTE TO FABIUS-POMPEY BOYS BASEBALL TEAM**

**HON. JAMES T. WALSH**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. WALSH. Mr. Speaker, I rise today in recognition of the stellar Varsity Boys Baseball Team of Fabius-Pompey High School, winners of the Class C New York State Championship.

This year the Boys Baseball Team earned their 6th consecutive Section 3 title, as well as their second State Champion title. These awards are only fitting, since at the end of their Spring 2003 season they were on a 55-game winning streak in their own Patriot Division. Coach Shawn May certainly has much in which to be proud.

On behalf of the entire 25th District of New York State, I would like to congratulate the following champions: Christopher Blanck, Erik Dodge, John DeMetro, Mathew Morse, Mitchell Morse, Seth Woodford, Brett Farewell, Keith Fields, Andrew Ford, James Spicer, Joshua Truax, Joseph Wilcox, Brendan Blanck, Coach Shawn May, and Assistant Coaches Josh Virgil, Kevin Carroll, and Rich Kutry.

#### CERTIFICATION OF ASSISTANCE TO SERBIA

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. SMITH of New Jersey. Mr. Speaker, the U.S. Department of State last week made its determination to certify compliance by the Government of Serbia and Montenegro with the terms of section 578 of the Consolidated Appropriations Resolution (P.L. 108-7). This section conditions certain bilateral assistance to Serbia on progress in three areas, although by far the most critical being cooperation with the International Criminal Tribunal for the former Yugoslavia.

I agree with the Department's assessment that progress has been made, especially since March. In particular, I welcomed action earlier this month by the Serbian authorities to apprehend Veselin Svijslanin, indicted by the Tribunal for the 1991 massacre near Vukovar in Croatia. Although there was resistance, this action was a success and signaled what is perhaps a new determination by Belgrade to transfer all remaining indictees. Having been in Vukovar, along with my good friend and colleague Mr. WOLF, just before the city fell to Serb forces, I am glad to see all three indicted by the Tribunal for this crime will be tried in The Hague.

Nevertheless, Mr. Speaker, I am concerned that the Department's determination was the wrong one to make. While progress has been made, it remains insufficient. Still at large and believed to have been in Serbia are several other persons, including Ratko Mladic and others—Ljubisa Beara, Vujadin Popovic, Ljubomir Borovcanin, Vinko Pandurevic and Drago Nikolic—indicted by the Tribunal for their connection to the 1995 Srebrenica massacre in which thousands of innocent people were executed.

I am concerned, deeply concerned, that these individuals will continue to evade justice while officials in Belgrade may get the impression they have done enough. Clearly, they have not. Mr. Speaker, I would urge Serbian authorities to take the action necessary to remove "cooperation with the Tribunal" as an outstanding issue in our bilateral relationship. In doing so, they will also continue to help Serbia emerge from Slobodan Milosevic's legacy of nationalist hatred.

In the meantime, Mr. Speaker, I also urge the State Department to use remaining levers

to encourage not just better, but full, cooperation with the Tribunal, which Secretary Powell had assured Mr. CARDIN and myself in correspondence was a position we all shared. The crimes which occurred were too severe and too horrendous to allow those responsible to escape justice.

#### RECOGNIZING ANTONIO R. VILLARAIGOSA

**HON. HILDA L. SOLIS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Ms. SOLIS. Mr. Speaker, I rise today to recognize an outstanding individual who has made significant contributions to improve the quality of life of the constituents of California's 32nd Congressional District, Antonio Villaraigosa.

Antonio Villaraigosa is a visionary, caring and progressive public servant. Throughout his professional career, Antonio Villaraigosa has held various leadership positions in the public sector and the labor movement. He served on the boards of the Southern California Rapid Transit District and the Metropolitan Transportation Authority. In 1994, he was elected to the California State Assembly representing the 45th District of Los Angeles, and four years after was elected Speaker of the Assembly. As Speaker of the Assembly he was credited with fostering an unprecedented era of bipartisanship.

As a true coalition-builder, Antonio Villaraigosa spearheaded a \$9.1 billion initiative to rebuild and modernize California schools, a \$2.1 billion initiative to provide parks and open space throughout the state, and a state health insurance program, "Healthy Families."

On June 28, 2003, Antonio Villaraigosa will be sworn in as Los Angeles City Councilmember representing the 14th District. Some of his priorities include community safety, economic development, environmental issues and constituent services. His outstanding accomplishments and efforts to improve his community are inspiring and worth honoring.

#### TRIBUTE TO WEST GENESEE VARSITY BOYS AND GIRLS LACROSSE TEAMS

**HON. JAMES T. WALSH**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. WALSH. Mr. Speaker, I rise today in recognition of the high achievements of the boys and girls lacrosse teams from West Genesee High School. For the second year in a row, both teams battled their way to the New York State Class A Lacrosse State Championships, and brought home the title.

Having won the title for the third year in a row, the girls team also earned the honor of being the first Division I team ever to take home three successive state championships. Led by Coach Bob Elmer, the Lady Wildcats completed their season by adding number 67 to their ongoing winning streak.

The boys' team acquired the 12th state title in West Genesee boys lacrosse history. Coached for the last 28 years by Mike Messere, this team has a lot to be proud of, having beaten the No. 1 ranked team in the state.

On behalf of the people of the entire 25th District of New York State, I would like to congratulate the following champions on their incredible victories:

Girls: Eileen Gagnon, Samantha Falcone, Kelsey Campbell, Shannon Burke, Meghan Burgoon, Katie Donovan, Lyndsay Moore, Jacquie Griffin, Kendall Tupper, Betsy Bubnack, Kelly Nelson, Coileen O'Hara, Ashley Didio, Kathryn Keneally, Julie Fabrizio, Eireann Byrne, Lauren Delprato, Beth Elmer, Lindsay Hamann, Jamie Boulton, Kelly Duffy, Lisa McCarthy, Keelin Hollenbeck, Lori Pietraszek, Head Coach Bob Elmer and Assistant Coach Dan Hallinan;

Boys: Mike Malfitano, David Osier, Joel Derrigo, Brian Cast, Jake Moulton, Jed Bebee, Josh Begley, Kevin Hennigan, Brian Stanton, Andrew Hanover, Alex Bily, Cheney Raymond, Dan Bolestra, Pat McCormack, Jeff Murphy, Drew Dabrowski, Tom Donahue, Kiel Moore, Michael Paul Solomon, Marc Cizenski, Andrew Sugar, Bill Gleason, Casey Rotella, Chris Bulawa, Brian Cummings, Chris Duffy, Sean Leahy, Brian Calabrese, Bob Toms, Michael Malone, Mark Keida, Matt Cassalia, Tom Geiss, Head Coach Mike Messere, and Assistant Coach Bob Deegan.

#### FISHING QUOTA STANDARDS ACT OF 2003

**HON. THOMAS H. ALLEN**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. ALLEN. Mr. Speaker, I join my colleagues Mr. ROBERT SIMMONS, Mr. WILLIAM DELAHUNT, Mrs. LOIS CAPPS, Mr. MICHAEL CAPUANO, Mr. SAM FARR, Mr. EDWARD MARKEY, Mr. GEORGE MILLER, and Ms. LYNN WOOLSEY in introducing the "Fishing Quota Standards Act of 2003."

From 1996 until 2002, Congress placed a moratorium on new quota programs, programs which place limits on the amount of the total allowable catch that a fisherman may harvest within a particular fishery. The purpose of the moratorium was to protect fishermen, coastal communities, and the marine environment from the negative effects of unregulated quota systems by giving Congress an opportunity to develop national standards. When left unchecked, quota systems can give unfair advantages to the highest bidder—leaving the family fishermen out in the cold. Quota programs can also create over-consolidation of the industry, negative impacts on local communities and individual fishermen, and over-harvesting of the resource. When the moratorium expired last September, no national standards had been put in place, leaving regional fishery management councils free to develop new quota programs.

That is why we are introducing the "Fishing Quota Standards Act of 2003." This Act allows for the establishment of fishing quota systems if they allocate quota fairly among fishermen, prevent excessive consolidation, and include management measures designed to ensure

the sustainability of the fishery. Both quota systems and share holders must come under periodic review to ensure adherence to the goals of the program. Standards legislation must be passed as soon as possible to avoid any future negative results from quota systems developed without any standards at all.

This Act allows for the establishment of fishing quota systems within a fishery management plan or plan amendment if such systems:

Are voted on and approved by fishermen who hold a permit to fish in the fishery and crew who derive seventy-five percent of their income from the fishery subject to the proposed fishing quota system.

Include management measures designed to ensure the sustainability of the fishery and provide additional and substantial conservation benefits to the fishery.

Allocate quota to distribute the public resource fairly.

Not allow anyone to hold an excessive share of quota.

Reserve an allocation to new entrants into the fishery.

Minimize, to the maximum extent practicable, negative social and economic impacts of the system on local communities.

Ensure adequate enforcement, management, and data collection of the system.

Be effective for a set period, 7 years. A system can be altered or renewed to respond to fishery management issues and to ensure the sustainability of fish stocks.

#### NATIONAL RIVER MUSEUM AND AQUARIUM GRAND OPENING

**HON. JIM NUSSLE**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. NUSSLE. Mr. Speaker, I rise today to offer my deepest congratulations to a community I have had the honor of representing since I took office in January of 1991. Tomorrow Dubuque, Iowa will pass a milestone in its history with the official opening of its National Mississippi River Museum and Aquarium.

The Mississippi River has already drawn more than 1 million visitors to the City of Dubuque. This community chose to make its story of the river a cornerstone of urban renewal by investing millions of dollars to revitalize the river front. The June 28 opening represents the community's dedication to growing its tourism industry. For more than 12 years Dubuque has worked to create a world-class center to educate residents and tourists alike about the Mississippi River, its science and cultural history.

This project enjoys rare, unified and vigorous support from local government, the business community, and residents. During difficult economic times in the 1980s, the people of Dubuque came to understand all too well that being subject to a single economic sector's peaks and valleys hinders a city's self-sufficiency. The years of planning for the museum have been a catalyst for change by redirecting the economy toward tourism and making Dubuque a more viable community. Significant changes are happening in the area adjacent to the museum known as the Port of Dubuque. These changes include The Grand Harbor Re-

sort and Waterpark, a new riverwalk, a community amphitheater, and a conference center.

Enthusiasm for this project has been infectious. It has spread to Main Street where activities are beginning to flourish with the opening of new businesses, including several new restaurants. The entire business community in Dubuque and the surrounding area is already seeing a positive economic impact due to this project. Dubuque's spirit of partnership, community pride and determination have helped the city to grow. They have found a way to tie together Iowa's best strengths—our people and our rich natural resources—to serve as an example to other cities of what can be accomplished.

Mr. Speaker, I wish to personally commend Mayor Terry Duggan and other local elected officials for their leadership in Dubuque's revitalization. Additionally, this project would not be possible without the very diligent work of Jerry Enzler and Teri Goodmann. Thanks in large part to Jerry's work, the museum is now an affiliate of the Smithsonian Institution and last year was named by the U.S. Department of Transportation to be the official interpretive center for the Mississippi's Great River Road. Dubuque has been well served by Mayor Duggan, the city council, Jerry, Teri, and the countless others who have been undaunted in their efforts to obtain financial assistance for the museum from individuals, private industries and government officials.

I am proud to have played a part in making this project a reality and look forward to attending the Grand Opening. I believe Dubuque serves as a great example of what a community can do when it identifies goals and pursues them. At one time the phrase often used in the city was, "will the last person out please shut off the lights?" What a difference less than 20 years have made! The city now calls itself, "Masterpiece on the Mississippi." It is truly a masterpiece of natural beauty, historical value, and residents bursting with pride and enthusiasm. Dubuque, your lights are on for the whole world to see and experience.

#### SUPREME COURT RULING ON AFFIRMATIVE ACTION IS A JUST, FAIR DECISION IN SOCIETY WHERE RACIAL DISPARITY IS STILL THE ROOT OF MANY PROBLEMS

**HON. WM. LACY CLAY**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. CLAY. Mr. Speaker, I rise to express my joy over the 5-4 ruling by the United States Supreme Court that favors affirmative action based on race. It is the right decision at the right time. The Supreme Court ruling on affirmative action is a just, fair decision in a society where racial disparity continues to feed problems rooted in racial injustice. It is the right decision at the right time.

On Monday, the Supreme Court announced its ruling in a case where white applicants sued the University of Michigan law school, alleging the use of race was an illegal quota system. The case, *Grutter v. Michigan*, has been called the most important civil rights case in 25 years because it challenged the use of racial preferences in school admissions.

While we lost on points, or a point system used to help minorities compete for slots, the decision by the high court affirms the United States Constitution on the side of balancing the scales of fairness, not on the side of continuing the unfairness built into a system that allows the racially privileged to continue their reign.

The white ruling class in America was built in large part on slavery and its aftermath—slave wages, and as long as America depends on the beneficence of gatekeepers who are insensitive to the history of this nation and the long-term effects of American apartheid, then the problem of racial disparity will continue.

Affirmative action is one tool that can help make-up for years of deprivation by helping people of color hurdle racial pitfalls in less time than would normally take many more generations to remove," he said. To wait for the goodness of human nature to rise to the top and result in racial fairness, is not judicious governance. It took the courts to help undo segregation and it will take the courts to help maintain justice. Sometimes only laws compel people to do the right thing. Without compulsion, many people of all races will submit to whatever decisions that favors them, even decisions made at the expense of weaker, less fortunate, powerless people.

Good law creates balance and for these times, affirmative action is good law. It addresses the needs of a disparaged group that has been historically discriminated against based on race. To overlook that reality is to impose a new form of segregation. According to Pete Williams, NBC news correspondent for MSNBC News, the 5-4 ruling that favored the university's law school, noted that "race can be one of many factors that colleges consider when selecting their students, while, at the same time, knocking down a similar lawsuit over the university's undergraduate program."

An Associated Press summary said the two split decisions means "minority applicants may be given an edge when applying for admissions to universities, but limited how much a factor race can play in the selection of students. The high court struck down a point system used by the University of Michigan, but did not go as far as opponents of affirmative action had wanted. The court approved a separate program used at the University of Michigan law school that gives race less prominence in the admissions decision-making process."

In April, I noted that affirmative action today really means affirmative access for minorities, a group of Americans that was systemically denied access to education and society in general, for hundreds of years.

What I don't think some people realize is that affirmative action is not new. While affirmative action seems like something out of the ordinary, historically, it is not new.

Segregation was affirmative action for whites. And when it comes to getting into college, there is affirmative action (even quotas) for athletes, intellectuals, artists and the children of the rich, just to name a few categories. Only when minorities were added to the list of beneficiaries has affirmative action become a problem."

Former U.S. Education Secretary Richard W. Riley noted in mid-2002 that a study published by the Educational Testing Service, entitled "Crossing the Great Divide," stated that

by the year 2015 the nation's college campuses will be missing 250,000 African Americans and 550,000 Hispanic undergraduates, "because we did not prepare them to do college-level work. (If) the economy continues to demand ever-higher skills for good jobs, minorities will have to run faster just to stay in place."

Mr. Speaker, we know we cannot easily legislate away racism in the heart and minds of people. However, you can legislate and interpret in the courts, a road map that bypasses individual racism and institutionalizes opportunity and affirmative access, for all. Racism in America does not exist in isolation. It's systemic existence calls for affirmative action regarding race if we are to keep the doors open for those who were once summarily denied entrance to a chance to live better lives.

#### REGARDING LEGISLATION TO ESTABLISH THE INDEPENDENT COMMISSION ON INTELLIGENCE ABOUT IRAQ

**HON. HENRY A. WAXMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. WAXMAN. Mr. Speaker, today I am introducing legislation to establish the Independent Commission on Intelligence about Iraq. This Commission is necessary to restore the confidence of the American public and the international community regarding the Bush Administration's use of intelligence information about Iraq.

I am joined in introducing this bill by Representative MARTIN FROST, Representative RON KIND, and 20 other members who supported President Bush when he asked for congressional authorization to use force in Iraq. We were allies of the President when he wanted authority to go to war. And we are allies of the President today in the ongoing fight against terrorism.

For us, this issue is not about whether we were right to go to war in Iraq. We voted for the war resolution. And it is not about whether biological or chemical weapons will ultimately be found in Iraq. Instead, we are introducing this bill because it is now clear we had an inexcusable breakdown in our intelligence system prior to the Iraq war. We need to know how and why this happened, so that we can make sure it never happens again.

We need to know whether the breakdown was caused by problems within our intelligence agencies, and whether they failed to do their jobs competently and responsibly. If, as some in the Administration have hinted, essential information was withheld from the President, we need to discover who did that and hold them accountable.

If we find that the intelligence community did their job well, then we need to know whether Bush Administration officials either ignored or misused the intelligence information. At the end of the day, regardless of the consequences, we need to know what went wrong.

We can't avoid the responsibility. President Bush is leading us in a new doctrine of preemptive warfare. While there is obviously disagreement over the merits of this approach, there is unanimity that preemptive warfare's

essential ingredient is accurate intelligence. It can't be founded on theory or suspicion—it needs fact. Without that, the world will be unable to distinguish preemptive warfare from ordinary aggression.

The House and Senate Intelligence Committees have already begun the process of assessing the intelligence community's performance, and the Independent Commission we would create here would supplement that valuable effort.

It appears, however, that the Intelligence Committees will not be assessing how the Bush Administration used the intelligence information it received. Representative PORTER GOSS, the Chairman of the House Intelligence Committee, said, "I'm not going into what the customer did with the intelligence." I disagree with that approach, and that review will also be an important part of the Independent Commission's responsibilities.

It is profoundly important that the President, the Vice President, and other senior Administration officials accurately portray intelligence information. There is no question more grave than whether our Nation should go to war. When the topic is whether to commit our armed forces to battle, Congress and the American public need to be able to rely unquestioningly on the accuracy and veracity of the information from the President and other Administration officials.

Unfortunately, serious concerns have already been raised regarding how the Bush Administration handled intelligence information on threats posed by Iraq in the months leading up to the conflict. One of the main questions that has emerged is whether White House officials manipulated or deliberately ignored key intelligence on Iraq. The Administration's responses to date have been incomplete and inconsistent, and have raised a host of new questions.

For months, I have been asking a simple question: Why did the President cite forged evidence about Iraq's efforts to obtain nuclear materials from Africa in his State of the Union address?

Yet I have been unable to get an answer to this basic question. Instead, the Administration has provided only murky and conflicting explanations regarding the use of forged evidence by the President and other top Administration officials.

The first Administration explanation, as described in the Washington Post on March 8, 2003, was "we fell for it."

But we now know that wasn't true. Multiple press accounts have reported that CIA analysts doubted the validity of the evidence long before the President's State of the Union address and had communicated those doubts to the White House. Other press accounts have reported that State Department analysts also concluded in 2002 that the evidence was bogus.

National Security Advisor Condoleezza Rice then asserted that "maybe someone knew down in the bowels of the agency, but no one in our circles knew that there were doubts and suspicions that this might be a forgery."

But this also doesn't appear accurate. According to a June 30, 2003, New Republic article entitled "The Selling of the Iraq War: The First Casualty," Vice President Cheney's office had received the forged evidence from the British in 2002 and had provided it to the CIA; the CIA in turn had dispatched a former am-

bassador to Africa to check its validity; the ambassador determined the evidence was unreliable; and the CIA communicated this report to the Vice President's office.

Other accounts, such as those by Nicholas Kristof in the New York Times, reach the same conclusion. According to a June 13, 2003, Knight Ridder News Service report by Jonathan Landay: "Three senior administration officials said Vice President DICK CHENEY and some officials on the National Security Council staff and at the Pentagon ignored the CIA's warning and argued that Bush and others should include the allegation in their case against Hussein."

The White House has asserted that the President's State of the Union address was closely vetted by intelligence officials. But if this is so, what did these officials communicate to the President and his White House advisors and how did the White House respond? NPR has reported that early drafts of the President's State of the Union address that contained the forged evidence were reviewed by senior intelligence officials, who objected to the inclusion of the evidence. According to NPR, the White House ignored their objections. Instead, the White House response was to keep the forged evidence in the speech, but to change the wording so that the evidence was attributed to British sources.

Another question raised by the official White House account is why the White House hasn't taken disciplinary action against the CIA Director and other intelligence officials. If the White House was kept in the dark about something as fundamental as forged nuclear evidence—as Condoleezza Rice maintains—this would be an extraordinarily serious failure by the intelligence community. Shouldn't those responsible face equally serious consequences?

Other significant questions regarding the forged documents remain unanswered. For example, in some statements, the Administration has asserted that "additional evidence" supported the claim about Iraq's attempts to purchase uranium in Africa. Yet the only evidence the Administration provided to the IAEA to support its claims was the forged documents. And despite my repeated requests for this other evidence, the Administration has yet to provide it. What is the other evidence? And why didn't the President and other Administration officials cite to it instead of to the forgeries?

And then there is the question of the December 19 fact sheet by the State Department. This fact sheet—which received front-page coverage in the media—repeated the fake evidence that Iraq sought to import uranium from Africa. When I wrote the President about this, the State Department responded as follows: "The December 19 fact sheet was a product developed jointly by the CIA and the State Department."

But according to a senior intelligence official quoted in the Washington Post, the CIA objected to the inclusion of the fake evidence in the State Department fact sheet but the objection "'came too late' to prevent its publication."

Both of these accounts can't be right.

A broad, independent investigation is necessary to answer questions like these. That is why we are proposing a nonpartisan Commission on Intelligence about Iraq. This Commission would examine the collection, evaluation, and use by the Administration of Intelligence

on threats posed by Iraq, and make recommendations to Congress and the President regarding steps to enhance the accuracy of intelligence and representations regarding intelligence. The Commission would have the ability to recommend that its findings be made public.

Unlike with congressional committees examining intelligence on Iraq, no political party would have an advantage on the Iraq Commission. Based on the model of the 9/11 Commission which was thoroughly vetted by Congress, the Commission on Intelligence about Iraq would be composed of five members appointed by Republicans and five appointed by Democrats.

Some have tried to deflect efforts to explore questions about the handling of intelligence on Iraq as "revisionist history" or equated such efforts with questioning the war in Iraq. This is misdirected criticism. The purpose of the Commission is simple: to understand the truth.

The Commission's effort should proceed regardless of whether one agrees or disagrees with the ultimate decision to wage war in Iraq, and regardless of whether biological or chemical weapons ultimately are found there. The credibility of our government will remain in jeopardy if we do not resolve doubts regarding the handling of classified information on Iraq.

#### COMMENDING THE SAN MATEO POLICE DEPARTMENT

**HON. TOM LANTOS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. LANTOS. Mr. Speaker, I rise today to applaud the San Mateo Police Department, whose creative and effective policing strategies over the past decade merit recognition and praise by this body.

Law enforcement is one of the principal functions of responsible government, and the duties of a police department are as vital as they are numerous. I would like to take this opportunity to recognize the enormous strains police departments nationwide are currently experiencing, with their budgets shrinking even as their responsibilities multiply. New antiterrorism duties have been met in many cases not, Mr. Speaker, by additional funds, but by service and pay cuts, as the present Administration and Congressional leadership undermine our nation's Finest with their irresponsible theology of tax cuts.

Mr. Speaker, I ask that my colleagues join me in thanking the police departments of America for their selfless and courageous service in this most trying time for our nation, and in offering our sympathy as they work hard to make America safe.

The San Mateo Police Department stands out among police departments nationally as a paragon of public service and public sensitivity, and has worked creatively to forge partnerships with the community.

Mr. Speaker, the SMPD has made tremendous strides in recent years. During the period from 1997 to 2002, the overall crime rate in San Mateo plummeted 8 percent and there was not a single murder in the city of nearly 100,000 people. The SMPD's hard work has clearly paid off, and in addition to lower crime rates, it has yielded dividends that cannot be quantified.

Ten years ago, Mr. Speaker, the SMPD launched a Community Oriented Policing program, with the ambitious goal of improving the quality of life for every single person who lives and works in the City of San Mateo. The Department sought to accomplish this task by engaging the individuals, businesses, and local service organizations of San Mateo, as well as appropriate outside governmental agencies, and their approach has been enormously successful.

Indeed, Mr. Speaker, the San Mateo Police Department has been incredibly innovative in its efforts to reach out to the community. Among the more creative initiatives launched by the SMPD in recent years is the Citizen-Police Ride-Along Program, in which San Mateo residents accompany an officer in a police cruiser in order to get a sense of what a police patrol is like. In addition, Mr. Speaker, the SMPD has teamed up with San Mateo Parks & Recreation to form the Police Activities League (PAL), an organization with support from the State of California that helps promote trust and understanding between cops and kids. Six years into the program, the verdict is in and it is unambiguous: PAL has been an unqualified success and has contributed to a marked improvement in relations between youth and law enforcement.

Mr. Speaker, I would like to single out San Mateo Chief of Police Susan E. Manheimer for her leadership and her commitment to the principles of equality, professionalism, justice, and the highest standards of ethics. I have the utmost confidence that her commitment to a focused approach of Problem Oriented Policing will further reduce crime in the City of San Mateo and contribute generally to a better quality of life in the area, and I congratulate her on the Department's accomplishments under her stewardship.

And finally, Mr. Speaker, I would like to offer my sincerest and most heartfelt congratulations to police officers Bob Szelenyi and Fred Haney on their promotion to the rank of Sergeant in the San Mateo Police Department. I have known Bob personally since his infancy, and consider him a man of great character, industry, and integrity. In his decade and a half on the force, Mr. Speaker, Bob has established himself as a leader in mediation and negotiation, and is held in the highest regard for his involvement with San Mateo youth.

Officer Szelenyi has been awarded multiple public service awards for his work with kids, Mr. Speaker, and has earned the respect of his colleagues and many others in my district and the entire Bay Area for his successful negotiation of a gang truce several years ago. That truce prevented countless acts of violence and untold suffering, and we are all eternally indebted to him for his hard work on behalf of the lives and safety of the people of San Mateo.

While I did not have the privilege of watching Mr. Haney take his first steps, Mr. Speaker, I am familiar with his work because his remarkable contributions to the community of San Mateo are so well-known. I am proud that he is one of the top officers defending my community, and I believe his work in preventing gang violence, both as an individual officer and as a member of a special gang task force, contributed to the drop in crime my community has enjoyed over the past five years. Furthermore, Mr. Speaker, I would like to commend Mr. Haney on his work at the

frontier of digital evidence and high-tech crimes. He is a model public servant, and I salute him.

Mr. Speaker, I offer my warmest congratulations to the San Mateo Police Department, Police Chief Manheimer, and Sergeants Szelenyi and Haney, and my unending thanks to them for their service to the people of San Mateo. I wish them Godspeed.

#### DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2004

SPEECH OF

**HON. ALCEE L. HASTINGS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 24, 2003*

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2555) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, and for other purposes:

Mr. HASTINGS of Florida. Mr. Chairman, I rise today in support of the Department of Homeland Security Appropriations bill. This is the first appropriations bill for the new Department and there are few legislative issues that will have as great an impact on our nation.

As many of my colleagues are aware, I have continually expressed concern over inadequate funding available for first responders. I introduced legislation in both this, and the 107th Congress to remedy this funding shortfall. So, when I first reviewed this legislation, I was pleased to note that it provides \$888 million more to first responders than the President requested. However, the CBO estimates that with price increases in the current fiscal year, this legislation, in real dollar terms, is about \$150 million below current levels. The proposed legislation is clearly inadequate to provide the homeland security we need.

This is especially alarming given the fact that the states are suffering their worst fiscal crisis since World War II. The National Governors' Association reports that 46 states have significant revenue shortfalls, and that several have shortfalls in excess of \$1 billion. Homeland Security is one of our most critical national priorities, and yet this Administration is determined to offer \$350 billion in new tax breaks.

A number of critical security shortfalls are not addressed in this legislation. For instance, the U.S. Coast Guard estimates that to adequately secure our ports with cameras and other security measures will cost approximately \$4.4 billion, yet this bill provides only \$100 million for this initiative. In addition, there are no funds in this bill to improve methods of inspecting people and cargo entering this country through our ports. Nor are there any funds to increase the number of containers inspected. According to nearly every expert in the field of security, these areas have been severely neglected since 9/11.

With the budget deficit projected at more than \$400 billion this year, a few billion more for homeland security won't matter very much. I urge my colleagues to carefully consider what a "yes" vote will mean for a number of Amendments that will be introduced later

today. True, they will increase the cost of this legislation, but more importantly, they will increase our national security, which is what this bill is fundamentally supposed to accomplish.

**H.R. 2035, THE IDENTITY THEFT  
AND FINANCIAL PRIVACY ACT**

**HON. MAX SANDLIN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. SANDLIN. Mr. Speaker, I am pleased to add my name as a cosponsor of H.R. 2035, the Identity Theft and Financial Privacy Act.

As Congress begins the process of reauthorizing various provisions of the Fair Credit Reporting Act FCRA, I hope that my colleagues will join me in supporting measures that help protect people from the growing problem of identity theft. Consumers' private financial information should be carefully guarded, and Congress must act promptly to ensure that credit bureaus provide individuals with updated, accurate information about their credit reports.

H.R. 2035 is an important first step in Congress's efforts to prevent identity theft. By requiring consumer reporting agencies to provide free credit reports annually upon the request of a consumer, this legislation will allow individuals to detect identity theft at an early stage, before their credit reports are permanently damaged. Such reports can be the determining factor behind financial institutions' decisions to extend credit for the purchase of homes and durable goods such as cars and home appliances. Credit reports damaged by stolen identity and fraud can prevent hard working individuals and families from building better lives and attaining the desirable goals of home ownership and financial security.

To that end, I am pleased that H.R. 2035 includes a provision that would require credit card issuers to confirm change of address requests if such a request is received within 30 days of a request for an additional card, and would amend the FCRA to require consumer reporting agencies to notify requesters of potential fraud when the request includes an address for the consumer that is substantially different from the most recent address on file with the consumer reporting agency.

Finally, by requiring the truncation of credit card numbers on printed receipts, H.R. 2035 will curtail a common method by which identity theft so often occurs. In many instances, criminals have easy access to individuals' credit card numbers simply by viewing those numbers on printed receipts. In 2001, 73 percent of American households had at least one credit card, making a large segment of the country vulnerable to having their financial information stolen. This legislation will thwart a significant number of would-be identity thieves by blocking most of the numbers in a person's credit card account, thereby preserving and protecting sensitive, private financial information for the vast majority of the public.

Congress has a responsibility to help the American people, and our national economy, prosper. Strengthening financial privacy laws and preventing identity theft will help to achieve these goals, and I encourage my colleagues to join me in supporting the Identity Theft and Financial Privacy Act.

RECENT RUSSIAN PURCHASE OF  
AMERICAN MINE REPRESENTS  
FREE MARKET SUCCESS BENEFITING BOTH COUNTRIES

**HON. TOM LANTOS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. LANTOS. Mr. Speaker, after the fall of the infamous Berlin Wall and break up of the Soviet Union, I advocated a Marshall Plan for Russia and the former Soviet Republics to demonstrate that democracy and a market economy is the better way for our former adversary.

It is one thing to win the Cold War but quite another to vastly improve the lives of ordinary citizens who have never known freedom. Regrettably, our government did not seize the opportunity then and instead opted for smaller and fragmented programs to encourage private sector investment.

Although we could and should have done more, a new generation of Russian entrepreneurs is boldly moving that country to a vibrant market economy, contributing to Russia's unlikely status as the world's leading growth economy of 2003.

One of the most impressive examples is the Russian oil company, YUKOS, which under the able leadership of Mikhail Khodorkovsky, has become one of the largest and best operated energy companies in the world. This is good news for Americans, in that future oil imports from Russia will significantly reduce our energy dependence on the volatile Middle East.

Mr. Speaker, another striking example of positive change in Russia today can be found in corporate governance. Business leaders, such as Mr. Khodorkovsky and Mr. Vladimir Potanin, head of INTERROS, Russia's largest private investment company, are pressing the issue of corporate responsibility and working to set standards to insure reform and good governance to help pave the way for Russia's membership in the WTO.

The clearest sign of Russia's emergence as a player in the world economy is the recent acquisition by the Russian mining giant, Norilsk Nickel, of the Stillwater Mining Company in Montana, the largest acquisition by a Russian company in the United States.

Norilsk Nickel brings experience and a first-rate management team to complement the Montana plant's operation and competitive position. This new synergy will bring benefits to both companies, the Stillwater shareholders and workers, and the consumers—the U.S. auto industry, who depend on both plants for the palladium it uses in catalytic converters.

The transaction passed muster with two Federal agencies. The Administration's inter-agency group that looks at security-related issues on all foreign acquisitions in the U.S., and the Federal Trade Commission that scrutinizes impact of such transactions on consumers. The Stillwater shareholders also voted overwhelmingly in favor of the purchase.

Only a few years ago, it would have been all but impossible to imagine the U.S. government approving the sale of an American mining company that holds claims on the only significant sources of platinum and palladium outside of South Africa and Russia. These two precious metals are the key ingredients in the

automotive catalytic converters used to scrub pollution from exhaust emissions. They also are vital components in a wide-range of electronics and, of course, in fine jewelry as well.

Commercial transactions, such as the Norilsk Nickel-Stillwater acquisition are important to Russia. Operating on a global scale and in tune with accepted rules of Commerce and good corporate governance and also demonstrates that major East-West investments is opening the doors to opportunity for both sides.

Mr. Speaker, we need to encourage this kind of economic collaboration and rally the forces of a free market that make it possible. We should applaud the vision and dynamic leadership of Russia's new entrepreneurs and the implicit support accorded by our respective governments to encourage these bold initiatives.

**TRIBUTE TO JOHNSON COUNTY,  
KANSAS, CHRISTMAS BUREAU**

**HON. DENNIS MOORE**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. MOORE. Mr. Speaker, I rise today to thank and congratulate the Johnson County Christmas Bureau for their great work in helping the needy in our community. The Johnson County Christmas Bureau is a nonprofit organization that has been bringing Christmas joy and holiday assistance to thousands in the Kansas City area for nearly forty years.

Working out of a donated office with donated storage space, every year the Bureau puts together a "Christmas shop" for the disadvantaged, where each eligible family member can get a gift, a new item of clothing, personal items, used coats and a wide array of groceries. Each individual can choose his or her items, preserving the dignity of the family while bringing joy to those in need. The Bureau has received most of its funding through individuals, schools and church organizations—they strive to keep their overhead low so that more money may be used to provide a Merry Christmas to the needy.

I want to recognize the great contribution that the Johnson County Christmas Bureau has made to the Kansas City community and to the many lives which they have brightened. Last year, the Bureau helped over eight thousand families and this year they expect to serve many more. The many people who volunteer numerous hours from their busy lives for the Christmas Bureau, just to see the joy on the faces of others, remind us how fulfilling charity can be. It is my pleasure, Mr. Speaker, to place in the CONGRESSIONAL RECORD this tribute to the good works of the Johnson County Christmas Bureau.

**IN HONOR OF VIRGINIA FRANCO**

**HON. BOB FILNER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. FILNER. Mr. Speaker and colleagues, I rise today to recognize and honor Virginia Franco on her retirement after 23 years as an

elementary school teacher with the San Diego Unified School District. She may be retiring from teaching, but she is definitely not retiring as a community leader.

Virginia was raised in Camarillo, CA. She was widowed while still a young woman, and came to San Diego in 1971. She began her liberal arts studies at San Diego State University, and it was there that I met her.

Virginia has managed to combine her career as a dedicated teacher of second and third grade students and mother of three children with a second career as a San Diego Educators' Association (SDEA) union activist and community leader. Over the years, she has been involved in more causes and struggles than can be mentioned here. Among them are opposition to the Pinochet dictatorship in Chile, support for victims of the death squads in El Salvador, support for affirmative action, and participation in voter registration campaigns for new citizens.

Virginia's activism continues to the present. As part of the Older Women's Project, she demonstrated against the invasion of Iraq. She is working with the San Diego labor movement to bring about a living wage ordinance for the city of San Diego. She is a leader in her labor union, the SDEA, having held the position of Human Rights Chair, an elected delegate to the NEA Representative Assembly in 2001, and is currently a member of the Political Involvement Committee.

On the occasion of her retirement, Virginia wrote a farewell letter to the parents of her students. This letter expresses as well as anyone can the reasons she tries so hard to help create a better world.

The letter reads:

DEAR PARENTS: Our last day is upon us at Clay Elementary School. We, in Room 4, have been working hard to become prepared for the challenges ahead. These few years, particularly, have been trying times in news and heavily concentrated in the area of education. For many of us, working more hours to fulfill our responsibilities for our children have become necessary. The world has entered our homes in the news, and much of it is difficult for us to understand. In our schools, we are wondering how our children will fare with the problems that concern public education due to difficult economic times in the state of California. Yet, in spite of these extraordinary times, Room 4 students have been working cooperatively to prepare for the difficult times by doing their part as better readers and citizens in order to meet those challenges.

We have learned in reading that nonfiction literature—biography, science, and social studies—help us learn about the past in order to understand the present in the hopes of preparing for a better future. We learned that reading for understanding of past and present history helps us prepare to make those decisions. We are aware that this preparation will help us work toward a time, seemingly far away, but necessary, in order to preserve better conditions of life for our families, our communities, and possibly for those whom we don't know in other parts of the world.

Our world needs fixing. By reading about the environment, we learned that many studies are possible to help us prepare for knowledge and understanding about pollution and saving our natural resources. Careers in science and math will be necessary for making changes in these areas of studies. We are beginning to understand that it is of great importance to understand the present, in the hopes of affecting the future in posi-

tive ways. Social and environmental studies will help us to fix and create that better world.

We learned about early America and the struggles to build it. It took many kinds of citizens to change it for the better. We also learned that connection with other countries remains necessary to strengthen what we share now. Citizens here in America from all over the world are helping to enrich our way of life in their sharing of their cultures. Our students know that it is their job to continue their efforts to become those good, creative, and knowledgeable students to prepare for the challenges ahead.

Thank you for your part in seeing that your child continues to prepare to become that responsible citizen that you and I hope will contribute to our community. I have been privileged, hopefully, to help chart that course. It is especially meaningful for me this year of my retirement.

I look optimistically forward to your child's educational success in the future.

Most Sincerely,

VIRGINIA FRANCO,  
3rd Grade Teacher.

This letter speaks to her commitment to the children she is teaching and to the larger community. Our world would be a better place if we all were as dedicated as Virginia. As she retires, I want to acknowledge a woman of conviction, dedicated both to her love of teaching and to her belief in the importance of individuals working to make a difference in this world.

My best wishes go to my good friend, Virginia Franco.

COMMENDING LEONARD R.  
TOTORA

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 26, 2003

Mr. ISRAEL. Mr. Speaker, I rise today with great pride and admiration to commend Leonard R. Totoro for his service in the United States Army.

At this time of conflict, stories like those of Mr. Totoro remind us of the courage the members of our Armed Forces have always displayed and continue to display on a daily basis. They are a testament to the dedication, honor and strength of the men and women in uniform. They deserve to be praised for generations to come.

After enlisting in the army at the age of 17, Mr. Totoro attended the Army School of Photography and then spent two years in Europe as a member of the Signal Corps, filming motion pictures for the military. With the outbreak of the Korean War in 1950, Mr. Totoro was assigned to General MacArthur's headquarters in Japan.

In Korea, Mr. Totoro served above and beyond the call of duty when he volunteered to jump 35 miles behind enemy lines with the 187th Airborne Rangers. Unfortunately, with no prior parachuting experience or training, Mr. Totoro suffered severe injuries to his right leg and ankle. Knowing how important the footage he was capturing was, Mr. Totoro initially refused medical treatment and remained with the 187th Airborne Rangers for many more hours.

Upon hearing the news of his heroic effort on the battlefield, UN Supreme Commander

General Ridgeway awarded Mr. Totoro paratrooper wings with a Battle Star. In addition to his paratrooper wings, Mr. Totoro was awarded the Bronze Star for bravery against the enemy.

I commend Mr. Leonard Totoro for his dedication and service to his country and for the bravery, honor and valor he displayed during his service in the Army.

MAJOR GEORGE WINTON  
THOMPSON

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 26, 2003

Mr. RAHALL. Mr. Speaker, tomorrow, alumni of Woodrow Wilson High School Class of 1958 will congregate in Beckley, West Virginia. They gather to celebrate the 45 years passing after the graduation of 343 students.

My alma matter, Woodrow Wilson High School, so named in 1917, traces its roots to July 13, 1900. The school mascot is a flying bald eagle and the enrollment of the school is identified as the Flying Eagles. As the bald eagle is a majestic bird, it is also an independent creature. Eagles nest but they do not flock. It was therefore preordained that the alumni of this school separate and spread to the four corners of our great Nation and beyond.

The year 1958 represents a very different time with American citizens living under different standards. The Universal Military Training Act defined one of those standards. Under this Act, able-bodied male citizens past the age of 18 years were subject to six years of military training and duty. The United States Army, Navy, Air Force and Marine Corps thereby benefited with the coming of age by Woodrow Wilson alumni. One chapter of the military contribution made by the Class of 1958 can be found in the Vietnam War. West Virginia sacrificed more sons on a per capita basis in the Vietnam War effort than any other state in the Union. Vietnam in wartime was where some 1958 graduates celebrated their 10th year beyond graduation. By the end of the Vietnam War, these alumni had returned to their homes and families, except one. This Flying Eagle was reported as missing-in-action on May 16, 1966, when the AC-47 gun ship he was navigating failed to return from a mission. At the time of his last action, the young man who had interrupted his studies at West Virginia University to serve his country held the rank of 1st Lieutenant in the United States Air Force. When the exchange of prisoners of war took place following the Vietnam War, this airman was not among the repatriated. During the following years, the airman's mother was encouraged by our government not to relinquish hope. She mailed letters and packages for years. None of the letters or packages were either acknowledged or returned. During these same years, the airman received posthumous promotions up to the rank of major. The mystery surrounding this Class of 1958 Flying Eagle was not resolved until November 24, 1999, when his recovered remains were positively identified. His remains, along with the remains of seven additional crewmembers on the ill-fated military aircraft, were obtained from the crash site during three separate collections during 1995, 1996, and 1997. The recovered remains of all eight crewmembers

were scant, as the plane had been consumed by flames upon crashing, followed by more than 30 years of deterioration in a jungle environment.

During the 34th year following his last day on Earth, this Woodrow Wilson High School alumnus was buried in Arlington National Cemetery, in common with the limited remains of his fellow crewmembers. Every Class of 1958 Woodrow Wilson High School classmate who served honorably in this Nation's Armed Forces gave something, but this one airman gave all for his country and in a greater sense, his family and his classmates. The Woodrow Wilson High School Class of 1958 alumni gathering in Beckley, West Virginia tomorrow wish to honor this classmate, Major George Winton Thompson, by having his name placed in the CONGRESSIONAL RECORD, as evidence he has yet to be forgotten. I hereby honor that request, as this is the first class reunion that the group has known the outcome of Major Thompson's story.

#### INTRODUCTION OF THE LEGACY ACT: LIVING EQUITABLY, GRANDPARENTS AIDING CHILDREN AND YOUTH

**HON. MICHAEL E. CAPUANO**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. CAPUANO. Mr. Speaker, I am pleased today to join my good friend Congressman JACK QUINN in introducing important legislation to help address an issue in our Nation that is only starting to receive national attention—grandparents raising their grandchildren.

According to recent data from the Census Bureau, the number of intergenerational families increased more than fifty percent between 1990 and 1998. It is estimated that more than 2.5 million grandparents across America are raising their grandchildren. Many of these children have parents who have passed away, are in prison, or are suffering from drug or alcohol addictions, while some have been taken out of abusive homes.

These intergenerational families or "Grandfamilies" live in rural areas, inner cities and suburbs. They come from all races and ethnicities, and live in every State in the Nation. Many of these grandparents survive on fixed incomes—social security, a small pension—and face not only the rising cost of prescription drugs, but also the cost of diapers, baby formula, toys, and school clothes.

Unfortunately, our Nation's housing policy has not kept up with the unique needs of these families. There are very few housing developments specifically designed for intergenerational families. The Grandfamilies House in Boston, Massachusetts in my Congressional District offers apartments with special features for both grandparents and children, including childproof kitchen cabinets and handicapped-accessible bathrooms. There are also activities for seniors and children, an outdoor playground and an on-site computer lab.

I am introducing the LEGACY Act in response to the growing number of communities throughout the Nation that have been working to build on the model of the Grandfamilies House in Boston. The title of the legislation was inspired by an Academy Award nomi-

nated documentary film chronicling the life of a grandmother raising her grandchildren and their struggle to move out of a Chicago housing project.

The legislation creates demonstration programs through both the Section 8 Housing Certificate Fund and the Section 202 Elderly Housing program. These demonstration projects will enable housing developers and advocacy groups additional flexibility in securing financing for this housing and providing ongoing services to intergenerational families.

In addition, the LEGACY Act clarifies that grandparents raising their grandchildren are eligible for family unification assistance, allows access to fair housing funds for education and outreach efforts about the legal issues surrounding many of these families. It also directs the Department of Housing and Urban Development to provide specialized training for their employees focused on grandparent- and other relative-headed families. Many grandparents do not have access to the services they and their grandchildren need. These training and outreach efforts will help raise the awareness of the unique issues these families face each day.

While this bill is a small step in recognizing the tremendous contributions of these grandparents, it is my hope that it will help bring this issue greater recognition. Affordable housing is only one of the many challenges these courageous grandparents face as they raise the next generation of Americans. Please join me in supporting these families by supporting the LEGACY Act.

#### HONORING STUART COHEN

**HON. CAROLYN MCCARTHY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mrs. MCCARTHY of New York. Mr. Speaker, I rise in recognition of Stuart Cohen, a highly respected Emergency Transportation Specialist and Regional Emergency Planner for the Federal Aviation Administration (FAA) Eastern Region. Stuart recently announced his retirement after 33 years of public service during which he was a pioneer in the fields of emergency planning and environmental protection.

Upon his graduation from Empire State College, Stuart began 27 years of employment for the United States Postal Service where he held many positions including Superintendent of Postal Operations and Safety Specialist. After his time with the Postal Service, Stuart joined the U.S. Coast Guard to serve as an Occupational Safety and Health Specialist, making many contributions to safety, including the development of the first consolidated Coast Guard electronic safety and health manual.

After his tenure with the Coast Guard, Stuart continued to serve his country through the FAA's Eastern Region. With the FAA, Stuart held many positions including Regional Emergency Planner and Environmental Protection Specialist. Stuart's many achievements with the FAA highlight his commitment to safety and the preservation of our environment. Stuart provided emergency's support at the 1996 Olympic games in Atlanta, led a support team during the Federal Emergency Management

Agency's (FEMA) 1998 Exercise, and managed Department of Transportation responses to major disasters. Stuart's commitment to the environment is just as impressive. He chaired the FAA Regional Environmental Network, authored the FAA Environmental Policy Manual, and met with airline industry official regarding environmental issues.

Stuart has received many honors and awards during his distinguished career. Most notably, Stuart's courageous and selfless response to the terrorist acts of September 11, 2001 earned him the FEMA Award for Service and the State of Virginia Award for Service.

While serving his country, Stuart has kept an active private life. He has been and continues to be involved in a number of organizations including the Nassau County Auxiliary Police, U.S. Coast Guard Auxiliary, and Volunteer Firefighters.

In his 33 years of public service, Stuart Cohen's dedication to public safety and environmental protection has helped shaped the great nation we live in today and made the country a safer, cleaner place for all. The people of the Fourth District of New York and all Americans thank him for his hard work.

#### PERSONAL EXPLANATION

**HON. ANNA G. ESHOO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Ms. ESHOO. I was absent June 4th through 12th for a family emergency. Had I been here, I would have voted "yes" on roll call votes 237–241, 246–251, 256, 259–264, 267–271, and 275 and "no" on roll call votes 236, 242–245, 252–255, 257–258, 265–266, and 272–274.

#### EDITORIAL BY MR. JOSEPH SZALAY ON DEFENDING FREEDOM

**HON. CHRIS CHOCOLA**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. CHOCOLA. Mr. Speaker, I would like to take this opportunity to enter into the RECORD an article written by Mr. Joseph Szalay, of South Bend, Indiana. A child of the political "powder keg" that was Eastern Europe in the early part of the twentieth century, Mr. Szalay has a vast amount of knowledge from which he paints a vivid picture of America's historical role in helping to liberate all those who want to be free. He tells of the many times, from World War I to the first Gulf War, when America took a stand against governments who enslave their people. A true embodiment of the American Dream, Mr. Szalay came to America from his native Hungary poor, illiterate, and alone. He built a fine tailor shop in South Bend, from which he recently retired. As a member of the greatest generation that saw this nation ascend to global prominence, we should value his perspective and revere his patriotism. I urge all of my colleagues to use this article as a reminder of the historical precedent set for the recent liberation of the Iraqi people.

[From the South Bend Tribune, April 27, 2003]

WORLD'S HISTORY SHOWS THAT U.S. POSITION IS RIGHT

(By Joseph Szalay)

As an American of European descent, I have strong reactions to this war and the anti-American sentiment I hear expressed both at home and abroad. It reminds me of a Hungarian proverb: "The dog barks but the caravan progresses."

In the former Serbia, the 1914 assassination of Crown Prince Ferdinand, son of Franz Joseph, Emperor of Austria-Hungary, ignited World War I.

In 1917, before that was over, revolutionaries took over Russia. This Communist revolution had been planned in Germany. A key piece of Communist strategy was to starve the people in order to subjugate them more easily. This plan also encompassed the Starvation of 12 million (out of 40 million) Germans.

How could such a plan work? Human beings have a drive to survive. Starving people do not care what form of government they have, as long as they can put enough in their stomachs to survive.

German nationalists were aware of the Communist plan. They knew that if Germany capitulated, all of Europe could easily become Communist. They reacted by turning the Communist strategy to their own advantage. When Hitler came to power in Germany, the first thing he did was to stop starvation by feeding the people. I vividly remember that many Hungarians and people from other neighboring countries went to work in Germany. So successful was his economy that Hitler's regime developed a plan to take over the whole world, beginning with Europe—just what the Russian Communists had originally planned. Hitler's slogan was "Deutschland uber alles—Germany (taking) over the world."

What is still incomprehensible to me is the sad sequel: Hitler forced the Jews into concentration camps and gas chambers and took over countries one by one: Austria, Poland, Hungary . . . where was France? Where was the rest of the free world? Because we did not stop Hitler's conquest at the beginning, stopping him later cost the lives of 85 million people and caused unthinkable suffering not only in casualties but in the destruction of irreplaceable historical and artistic treasures.

One result of that war was to destroy the bloc of neutral states which for centuries had been able to resist the expansion of Russia and Germany alike. Masterminded by the French, the peace plan after World War I created weak artificial "nations" such as Yugoslavia; thus it paved the way for the Second World War.

World War II gave the Russian Communists the opportunity to expand their influence, giving them a free path to world conquest, their original goal.

I knew all of this through my father's experience. As a young man, he was drafted and spent four years on the front lines. When the Second World War started, he was again drafted, along with my two older brothers. As soon as I turned 18, I was also drafted, leaving my mother home alone to raise my 13-year-old sister and 7-year-old brother. With God's help, I defected from the army, living in the forest like a hermit.

Only one government was able to rescue Europe from Nazism; the United States.

After World War II, the United Nations was initiated with noble hopes by France, England, the United States and the Soviet Union. What has become of those high ideals? The U.N. has become an impotent, socialistic, bureaucratic organization full of anti-American sentiment.

Where was the United Nations when people rose up demanding their God-given right of freedom in Poland, in Hungary, in Czechoslovakia? Thousands died, thousands were imprisoned, tortured or deported to Siberia while the United Nations stood by idle.

And what of the war in Vietnam? Did the United Nations move a hair to stop it? The Communists activated their propaganda machine, trying to divide Americans. World opinion expressed at the United Nations pressured the United States to pull out of Vietnam without winning a victory over Communism. Even after the American forces departed from Vietnam, neighboring Laos and Cambodia, millions were killed to "cleanse" the country. Where was the United Nations? Where were the "peace" demonstrators? Where were the human rights advocates?

While the United Nations was clueless, the United States took leadership in eliminating Communism, whose vulnerability had been demonstrated by the freedom fighters in Poland, Hungary and Czechoslovakia. These uprisings had also shown the people's unquenchable thirst for freedom. President Reagan combined forces with the great spiritual leader and Polish hero Pope John Paul II to initiate the collapse of the "Evil Empire" of the Communist Soviet Union.

Notice that it was the United States, not the United Nations, that saved Europe yet another time.

When Saddam Hussein invaded Kuwait, it was the United States and its allies who fought and freed Kuwait. The United Nations decided that a cease-fire agreement in which Saddam promised to liquidate all his weapons of mass destruction was sufficient peace insurance. Of course, Saddam did not fulfill his obligations, but the United Nations was unable to enforce them. The United Nations did not even act when it became known that Saddam was using his arsenal of chemical weapons to eradicate his own people's fight for freedom.

Those who harbored hatred toward the United States were emboldened by the lame and indecisive attitude of the United Nations. The result? Sept. 11, 2001.

President Bush requested that the United Nations live up to its contractual obligation to defend the world against weapons of mass destruction.

There was a lengthy bureaucratic debate in which those nations whose freedom our country restored in World War II turned against the proposals of the United States. Those who had a financial interest in Saddam's rearmament blocked enforcement of the conditions imposed by the cease-fire agreement. Once again, the United States has been forced to act on its own to protect our country and the world from the danger of terrorist destruction.

On April 4, a headline in The Tribune read, "Former Soviet army generals helped Saddam with War strategy." Could this have something to do with Russia's reluctance to support any action against Saddam?

I have sketched this history to show how our country has always been willing to defend freedom, not only our own but that of the whole world. President Bush follows the example of the great presidents of the United States. He shows unwavering dedication to keeping his presidential oath. While other countries follow their economic interests, he stands tall, fulfilling his duty to God and country.

TRIBUTE TO CAPTAIN SETH MICHAUD

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 26, 2003

Mr. MEEHAN. Mr. Speaker, I rise to pay tribute to United States Marine Captain Seth Michaud, who died on Sunday, June 22, 2003, in service to his country.

Seth Michaud was a resident of Hudson, Massachusetts, in my Congressional District. In 1994, he graduated from Hudson High School, where he excelled in both academics and sports. I supported Seth's application to the Naval Academy in Annapolis, MD., and was proud when he was accepted, announcing the news at a town meeting that included his family, friends, and neighbors. Seth graduated from the Pensacola Naval Flight School in 1999, and was certified as a helicopter pilot in December, 2000.

At the time of his death, Capt. Michaud was a helicopter commander, killed when a B-52 dropped nine M117 general purpose bombs during a practice mission. Seth was watching the routine training exercise from atop a ridge on the Gondoria Range in northeastern Africa, off the coast of Djibouti. He was standing outside his CH-53E helicopter when the bomb exploded. Eight other service personnel were also injured. Seth Michaud had been assigned to Marine Heavy Helicopter Squadron 461, based at New River Marine Corps in North Carolina.

Capt. Michaud and about 50 other personnel from Combined Joint Task Force—Horn of Africa were participating in training exercises that involved the coordination of aerial bombardment missions. This exercise was the fourth of its kind since the task force's arrival in December. The task force's mission is to lead the U.S. war on terrorism, by intercepting or disrupting terrorist operatives in that region of the world. Seth, like many other soldiers who have answered their nation's call to service, paid the ultimate sacrifice in defense of our freedom and liberty.

Seth is survived by his loving wife Karen Marie, and their 18-month-old son, Ian. He also leaves his parents, Francis and Karen of Hudson, a brother, Ethan, and a sister, Samantha, as well as several other relatives and friends.

Seth Michaud was a United States Marine, a loving father, husband, son, and brother, and his commitment to his Nation and his family is one for which he will be forever remembered. His family knows that Seth's dedication to his service was of great value to him. They remember him for his photographic memory, his passion for flying, and his love for his family.

Capt. Seth Michaud served his family, his hometown, and his country, proudly and faithfully.

INTRODUCTION OF NUCLEAR DIS-  
ARMAMENT AND ECONOMIC CON-  
VERSION ACT OF 2003

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA  
IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Ms. NORTON. Mr. Speaker, today, I am introducing the Nuclear Disarmament and Economic Conversion Act of 2003 (NDECA). NDECA will require the United States to disable and dismantle its nuclear weapons when all other nations possessing nuclear weapons enact laws to do the same. NDECA further provides that when our nuclear weapons are dismantled, the resources used to support nuclear weapons programs would be diverted to our growing human and infrastructure needs, such as housing, health care, Social Security and the environment. I have introduced this bill every year following a ballot initiative in the District in 1993.

In addition to the economic cost of nuclear weapons, the weapons have increased as a destabilizing force in world affairs. North Korea, at least in part in response to stepped up aggressive talk and policies from the U.S., is expanding its nuclear capabilities. Following the Iraq War, Iran appears to be pursuing greater nuclear capability and resisting inspections. India and Pakistan have moved back from the precipice of several years ago but each remains poised with nuclear weapons.

The United States and the world community urgently need to redouble their efforts to obtain commitments to push back the new surge for nuclear proliferation. Our country would be able to better dissuade other nations who aspire to become nuclear powers if we ourselves were willing to take even greater initiative in dismantling our own nuclear weapons program. It is noteworthy that the Senate in March ratified the Moscow Treaty, which provides that by 2012 both the U.S. and Russia will reduce their long-range warheads two-thirds from approximately 6,000 warheads each to 2,200.

With 40 million people still without health care, Social Security without the benefits for the huge baby boomer generation, an economy teetering from the loss of 3 million jobs and millions more Americans pushed back out in poverty during the last three years, the time has come to begin the transfer of nuclear weapons funds to urgent domestic needs. In the 56-year period between 1940 to 1996, nuclear weapons spending exceeded the combined total Federal spending for education, training, employment, and social services; agriculture; natural resources and the environment; general science, space and technology; community and regional development (including disaster relief); law enforcement; and energy production and regulation.

HONORING THE MEMORY OF MAY-  
NARD HOLBROOK JACKSON, JR

**HON. JIM MARSHALL**

OF GEORGIA  
IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. MARSHALL. Mr. Speaker. I was elected mayor of Macon in 1995. Macon is a town of

a little over 100,000 people just 80 miles or so south of Atlanta. One of the first things I did after my election was to visit with Maynard Holbrook Jackson, Jr.

Maynard Jackson was elected mayor of Atlanta in 1973 at the age of thirty-five, the first African-American mayor of a major city in Georgia as well as the southeast. He served two four-year terms and became known for promoting majority-minority partnerships to improve access for African-Americans to the world of contracting and supplying governments.

Maynard Jackson was elected again as mayor of Atlanta in 1989 and served one more term. When I went to see him as a newly elected mayor, it was to get his advice, any advice he would care to offer. I had no particular agenda, just a hope that he would impart some wisdom, given his experience in both government and business. Maynard Jackson spent hours of his time with me that day. Of course I cannot recall all that we spoke of, but I found his advice very valuable. I will always remember how cordial and engaged he was—someone who really didn't need to give me the time of day instead gave me several hours.

Maynard and I became friends who saw one another infrequently but who always responded quickly to one another's calls, e-mails or letters. The last time I spent any significant amount of time with him was just this February in Macon at the Georgia Music Hall of Fame for the opening of an exhibit honoring black classical musicians from Georgia. Maynard's aunt, Ms. Mattiwillda Dobbs, was the guest of honor for the occasion but Maynard was the star who could have easily stolen the show. Instead he remained out of the limelight, allowing his aunt to fully enjoy the attention she deserved as a world-famous artist, the first African-American soprano to perform at the Metropolitan Opera House in New York.

When I heard of Maynard's passing this Monday morning, I recalled that evening I spent with him in February at the Music Hall of Fame and I remembered one touching incident. We all were examining the memorabilia gathered for this exhibit honoring classical African-American artists of Georgia. The walls for this section of the museum were covered with photographs. Maynard grabbed my arm and pulled me toward one. It was a picture of the Morehouse College Glee Club that appeared quite old and, with great pleasure, Maynard pointed to one of the young men in the picture. It was his father, a father who had passed away when Maynard was quite young.

Now Maynard himself has passed away too young, leaving us in his prime but leaving a legacy of remarkable accomplishments for Atlanta and all of Georgia.

Mr. Speaker, it is right and just that this body honor Maynard Holbrook Jackson, Jr. with an appropriate resolution now being prepared by Representative LEWIS which I will co-sponsor with other members, including I'm sure, all members of the Georgia delegation.

Maynard Jackson will be sorely missed by his family and many friends. May he rest in peace knowing that his life has been well lived.

TRIBUTE TO LEON M. URIS

**HON. TOM LANTOS**

OF CALIFORNIA  
IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. LANTOS. Mr. Speaker, I rise to pay tribute to the life and memory of Leon Marcus Uris, the novelist and screenwriter who touched the lives of millions around the world. His unfortunate passing this week is a devastating loss to the world of literature and cinema and to thinking people and humanitarians everywhere.

The author of more than a dozen books and several screenplays, Leon Uris was best known for his *Gunfight at O.K. Corral*, which was universally heralded as an archetypal Hollywood Western, and his moving and humane account of the birth of the State of Israel, *Exodus*.

Mr. Speaker, *Exodus* became an international sensation immediately upon its publication in 1958, and was made into an enormously popular and critically acclaimed film two years later. Mr. Uris's *Exodus* is the story of the struggles and spirit of the Jewish people, a people who, persecuted and murdered in Europe, emerged from the Holocaust and fled and were expelled from hostile Islamic and Arab societies in the late 1940s and early 1950s to establish a state in their historic homeland, Israel, on land granted to them by the United Nations. I encourage all Members who have not yet read *Exodus* to read this eloquent and emotional account of a people's struggle for survival and freedom.

As a Jew who personally fought the Nazi occupation of Hungary and survived the Holocaust, I was deeply moved by Mr. Uris's books, many of which highlighted historical events of Jewish concern and the poignant and ongoing struggle for the survival of the State of Israel. Yet it would be unfair to pigeonhole him as a man concerned exclusively with Jewish issues. Mr. Uris was an unabashed champion of freedom and democracy, not just for Jews but for the Irish and oppressed groups worldwide whom he wrote and cared about.

Mr. Speaker, *Exodus* was Leon Uris's magnum opus and it was translated into dozens of languages and distributed clandestinely throughout the Soviet Union, where it became known in dissident circles simply as "The Book" and helped generate resistance against the Communist regime. The film version, directed by Otto Preminger and starring Eva Marie Saint and Paul Newman, drew attention to the plight of the State of Israel, a vibrant democracy and ally of the United States under assault from all sides. After enjoying success beyond all expectations both as a book and as a film, *Exodus* was reincarnated as a Broadway musical in 1971.

Many of Mr. Uris's books were sympathetic war novels, imbued with tales of courage and daring, as well as intrigue and romance. In addition to *Exodus*, I was especially moved by *Mila 18*, a heroic story he wrote in 1961 about the Warsaw ghetto uprising during World War II.

Leon Uris was an unusually creative and thorough practitioner of his craft. The New York Times noted in its obituary yesterday that in "preparing to write *Exodus* . . . [Mr. Uris] read nearly 300 books, underwent a physical-

training program in preparation for about 12,000 miles of travel within Israel and interviewed more than 1,200 people." The child of a first-generation Russian-American mother and a Polish immigrant father, Mr. Uris's pool of talent was seemingly bottomless, and his spirit indomitable, renewed daily by his commitment to the twin causes of freedom and justice, and propelled by a quintessentially American-immigrant zeal. A successful genius who rose from "hardscrabble beginnings," the Washington Post wrote in its epitaph yesterday, Mr. Uris was a man of uncommon and extraordinary character.

Mr. Speaker, Leon Uris was one of the great novelists of the twentieth century, and has secured his place among the intellectual and literary giants of our time. It is with great sadness and deep admiration that I bid farewell to Mr. Uris, and I extend my heartfelt condolences to his family.

#### TRIBUTE TO HERB ZOBEL

### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. McINNIS. Mr. Speaker, I rise before this body of Congress and this nation today to pay tribute to an outstanding citizen from my district. Herb Zobel of Ouray, Colorado recently donated his time to aid 2,000 of his fellow biking enthusiasts as they pedaled through the Rocky Mountains for a good cause. In recognition of this dedication to community service, I would like to honor Herb here today.

Herb volunteered with "Ride the Rockies," a week-long tour of the beautiful Rocky Mountains of Colorado. Herb has participated in "Ride the Rockies" six times, an impressive athletic accomplishment, especially considering he is 74 years old. The riders pedal 35 to 100 miles daily, and although they pass through some incredible scenery, they must also pedal up some difficult mountain passes. By working as a Marshall for this year's event, Herb stood in the same spot for five to six hours every day to help direct riders through confusing parts of the route. He also dished out plenty of encouragement as the cyclists passed, since he understands how challenging the ride can be.

Mr. Speaker, it is my privilege to honor Herb Zobel here today. He exemplifies the spirit of community service that helped make this nation great. By donating his time to "Ride the Rockies," Herb selflessly helped 2,000 of his fellow riders stay fit, healthy, and happy. I congratulate Herb for his athletic achievements, commend him for his service, and wish him the very best for the future.

#### SMALL BUSINESS HEALTH FAIRNESS ACT OF 2003

SPEECH OF

### HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 19, 2003*

Ms. JACKSON-LEE of Texas. Mr. Speaker, we have over 40 million people without health insurance today. Over the course of this year,

another 20 million or so will find themselves without healthcare coverage for some period of time. The lack of insurance leads to decreased access to care, decreased lifespan, and increased morbidity. When people do not have health insurance, they are more likely to have uncontrolled disease, and the suffering that goes with it. They are also more likely to end up in the hospital or emergency room. A small business that cannot afford to purchase a health plan will, therefore, have workers who are more likely to call in sick, or to need long-term sick leave. And in today's economic situation, many small business owners simply do not have the funds to meet the exorbitant costs of health insurance. So they are caught between a rock and a hard place.

The lack of affordable health insurance costs our nation billions in avoidable costs each year, and has made enormous health care bills the number one cause of bankruptcy for the American people. This is a devastating and complex problem. There is no easy answer to solving it; it will require a well-thought-out bipartisan approach to enact meaningful legislation to improve access to care. The legislation before us today is not all that it could be or should be. However, it is a step in the right direction, that we cannot afford not to take.

The federal government is not the only entity grappling with the challenges of getting adequate health insurance to the American people. States have been working on this issue for decades, and have brokered extensive agreements and regulations with the insurance industry to protect consumers. This legislation will exempt AHPs from those state regulations. This is misguided and dangerous. As we go to conference with the other body, we must work to ensure that we do not undo the good work that states have done in the past. AHPs can be an important piece to the health insurance puzzle, but they should not bypass the safety mechanisms that have protected patients for decades.

If this bill is signed into law as written, people in my state of Texas will lose the right to demand independent external review of their claims. AHPs will not be required to cover emergency services, or diabetes care, or mammograms, or to charge fair premiums to the old or sick. AHPs will also have the ability to "cherry pick," that is to offer inexpensive plans to some associations—maybe groups of fitness clubs or software companies that tend to be full of younger or healthier people—while gouging associations that employ more experienced workers, or the disabled. The CBO and the Urban Institute have issued studies that predict that AHPs would do little to improve the uninsured problem, and may actually make it worse—unless we make them responsive to the demands of state legislators.

The states have been quite successful in regulating the insurance industry and protecting their consumers. Why should we undermine that? The CBO and numerous other groups have predicted that this bill will destabilize the health insurance industry in America—and actually increase the number of people without insurance while raising the costs of those with it. That is why over 500 groups have expressed formal opposition to this bill, including the National Governors Association, both the Republican and Democratic Governors Associations, the AFL-CIO, physicians groups, providers groups, insurance trade as-

sociation, many chambers of commerce, and at least a hundred consumer/advocacy groups.

I am voting for this bill today, because our nation's small businesses need relief, and their employees desperately need health insurance coverage. I will follow this bill as it goes through conference. If we can find a way to harvest the good that AHPs can do, while protecting consumers from "cherry picking," or price gouging, or benefit reductions—by keeping AHPs under control of state regulations—I will proudly support the bill. If it comes back in the form it is in today, I will vote against it.

#### HONORING TOM RETZER, U.S.

NAVY SEAL

### HON. PAUL RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. RYAN of Wisconsin. Mr. Speaker, tomorrow, the flags of Kenosha County in Wisconsin will fly at half-staff in honor of U.S. Navy Seal Tom Retzer who was killed in the line of duty in the Near East on June 25, 2003. His father-in-law and mother-in-law live in Kenosha, and his wife and children reside in northern Virginia.

The loss of this brave U.S. serviceman saddens us and reminds us of the dangers our military men and women face every day as they work to protect our country and stand up for freedom. Throughout our nation's history, courageous individuals like Tom Retzer have been willing to put their lives on the line to defend our land and liberty. We owe them and their families our support and our deepest gratitude. Without them, America's freedom would be fleeting. We honor the memory of Tom Retzer and offer prayers for him and his family.

#### PAYING TRIBUTE TO TERRY MARSDEN

### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. McINNIS. Mr. Speaker, I rise before this body of Congress and this nation today to recognize a great leader in the Mancos, Colorado community. After 10 years of service on the Mancos Library Board of Trustees, Terry Marsden is retiring from his position as President. In his five years in that post, Terry has been a dynamic force in the rapid evolution of the Mancos Public Library. As we recognize Terry's retirement, I commend him for his dedication and leadership within the community.

Terry Marsden's leadership has been an influential factor in the numerous enhancements made to the Mancos Public Library over the past 10 years. In his first few years on the Board of Trustees, Terry helped oversee the implementation of an automated circulation catalog system. During his time as President of the Board, Terry was also instrumental in providing for the renovation of the building, hiring additional staff and increasing the library's hours of operation, all in an attempt to make

the Mancos Public Library more user friendly. He also insured the addition of six patron computers in order to allow library patrons vital internet access.

Mr. Speaker, I am honored to pay tribute to Terry Marsden before you today for his commitment to his country. Terry embodies the spirit of public service and altruism that makes our communities strong. I congratulate Terry for his positive impact upon the Mancos community and wish him all the best in his future endeavors.

#### TRIBUTE HONORING ATLANTA'S FIRST BLACK MAYOR, MAYNARD H. JACKSON

#### HON. EDDIE BERNICE-JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 26, 2003

Ms. EDDIE BERNICE-JOHNSON of Texas. Mr. Speaker, it is with great sorrow that I pay tribute to the memory of a profoundly historical gentleman from Atlanta, Mayor Maynard H. Jackson. I would like to extend my greatest sympathy to the Jackson Family by taking a moment to reflect upon his rich life.

Although Mayor Jackson was born in Dallas, Texas, he grew up in Atlanta and finished high school at 14 years of age. He graduated from Morehouse College with honors at 18, and later, successfully pursued a law degree from North Carolina Central University.

Maynard Jackson reshaped Atlanta's power structure and made history, at age 35, when he was first elected Atlanta's first black mayor from 1974 through 1982. In 1990 he was re-elected with 80 percent of the vote and took office several months before the 1990 announcement that Atlanta had been chosen as host of the Summer Olympics. He's been widely acknowledged by his statement: "It is fitting and proper that Atlanta, not perfect but the best city in America, was chosen to host the Olympic Games."

Mayor Jackson's initial eight-year tenure in City Hall will be remembered most for his impact on the black business community. He was a champion of black business, evidenced by the affirmative action programs he implemented which increased the number of city contracts awarded to blacks and other under-represented groups by more than 30 percent. After he left his 1989 mayoral term, Jackson entered the business sector by forming Jackson Securities, an investment firm which now has offices in Atlanta, Houston, Miami, Orlando, Los Angeles, San Diego, San Francisco, and Chicago.

His family was active in early voting rights efforts. His grandfather, John Wesley Dobbs, was co-chairman of the Atlanta Negro Voters League, and his father, the Rev. Maynard H. Jackson Sr., was the first black to seek public office in Dallas, the former pastor of New Hope Baptist Church, and founded the Georgia Voters league. Maynard Jackson will be missed, but never forgotten for his enthusiasm, his vision and dedication towards leaving a legacy for a world of true cohesive diversity, and contributions to the City of Atlanta, Georgia.

#### THE BUDGET STILL DOES NOT KEEP OUR PROMISE TO VETERANS

#### HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 26, 2003

Mr. FILNER. Mr. Speaker and colleagues, I rise to remind my colleagues that the proposed budget for our veterans is still woefully inadequate!

Flat-line budgeting for several years prevented the Veterans Health Administration from keeping up with inflation and increased demand. Enrollees in the VA health care system (VHA) have increased by almost 120 percent since 1996, going from 2.4 million to more than a projected 7 million in the coming fiscal year. During that same period, VHA per capita expenditures have decreased by 30 percent.

Had the level of funding kept up with the demand in inflation, the current VHA budget would be around \$36 billion rather than the \$25.3 billion requested by the Administration. Had adequate funding been in place, VA Secretary Anthony Principi would not have had to temporarily suspend enrollment for VA health care for many of our nation's veterans.

Veterans did not hesitate when called to service. I urge my colleagues to keep our promise to our nation's veterans when voting on the budget.

#### PAYING TRIBUTE JOE VIGIL

#### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 26, 2003

Mr. McINNIS. Mr. Speaker, I am honored to stand before this body of Congress and this nation today to pay tribute to Joe Vigil, a nationally known Cross Country/Track and Field coach. Joe helped to make Adams State College a powerhouse in track and he will soon be inducted into the Rock Mountain Athletic Conference Hall of Fame for his accomplishments. His hard work and dedication have influenced the lives of many college students and I am proud to recognize his accomplishments here today.

For 27 years, Joe led the Adams State teams to 18 National Championships and 89 individual championships. He coached 425 All-American runners, many of whom ended up competing on the national level. Recognized as one of the best coaches in the country, he is currently training some of the United States best runners for competition in the 2004 Olympic Games in Athens, Greece.

Joe's impact on student-athletes went beyond the track, however, as his runner's graduated at a rate of 96 percent. A quality college education will always be more important than any National title, a lesson Joe passed on to his teams.

Mr. Speaker, I am proud to stand today and recognize the accomplishments of Coach Joe Vigil. I am happy knowing that Joe has made an impressive impact on some of today's youth and I hope that he continues his important role in young athletes lives. Thank you, Joe, for the contributions you have made to Adams State and the surrounding community.

I wish you the best of luck on your future endeavors.

#### OAK PARK TOWNSHIP CENTEN- NIAL—1903–2003 "100 YEARS OF SERVING PEOPLE"

#### HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 26, 2003

Mr. DAVIS of Illinois. Mr. Speaker, Oak Parkers have always been independent thinkers. So it's not surprising that the earliest residents of Oak Park opted for an independent government that gave them a greater voice in decisions that affected their lives and their community.

In the late 19th century, Oak Park was still a part of the Township of Cicero. However, after residents of the Austin neighborhood successfully broke away from the Cicero Township in 1899 choosing to annex to the city of Chicago, Oak Parkers began to petition once again for their own village. In 1901, citizens formally seceded from Cicero Township to establish their own municipal government. The first village elections were held in 1902 and Oak Park celebrated its new status as a united, self-contained community.

Because the separation from Cicero Township left Oak Park in a legal limbo as regards certain delegated township functions, Oak Park citizens voted in 1903 to establish Oak Park Township. The first elected officials were supervisor, assessor, collector, clerk, two justices of the peace and two constables.

The first social service program began in 1936 with Poor Relief, a Great Depression program to aid financially struggling residents. This was the start of the General Assistance program, which has provided financial assistance to thousands of Oak Park citizens over the years.

The growing population of youth and elderly in the 1960's and 1970's ushered in Youth Services and Senior Services. Guided by volunteer citizen committees, the services are key components in Oak Park's quality of life.

In 1971, the Senior Citizens Committee was formed and the Meals-at-Home program was established. In 1973, the Township established by popular vote the volunteer Community Mental Health Board to assess need and help fund mental health programs. In that same year, the Advisory Committee on Childcare was formed. Also in the 70's came a transportation program for seniors and people with disabilities, as well as the Senior Citizen Information and Referral Service, the Energy Assistance program and the Income Tax Assistance program.

Within the last ten years, Oak Park Township has continued to meet the growing needs of its constituency. A youth Advocacy Council was established to give a voice to the teenage population. Additionally, the Townships of Oak Park and River Forest initiated a collaborative youth services program. In 1993, the Township's Youth and Senior Services programs won three state awards and one year later the Community Mental Health Board became the only one in the state to be Medicaid certified for its case management services.

The Township's assessor and collector functions, in accordance with the Township's overall vision of service and accessibility, has

changed dramatically over the years. Since the 1930's, the assessor has been a service office, not assessing property, but helping residents, businesses and public agencies better understand property matters, taxation and assisting with appeals.

Since 1996, to improve operational efficiencies while providing broader services, the Township has entered into partnerships with other governments and private agencies to coordinate and expand its youth, senior and mental health programs. Intergovernmental agreements exist between the Township and all the other 10 governmental units in Oak Park and River Forest—villages; parks; libraries; schools and the River Forest Township.

From its humble beginnings serving Oak Park's population of 3,000 residents in 1903, one hundred years later Oak Park Township has evolved into a fullservice unit of local government serving Oak Park's 53,000 residents in 2003. I congratulate Oak Park Township on their 100th birthday and know that they will continue to identify and address unmet needs in their community.

# **BILL TO FACILITATE ACQUISITION OF MINERAL RIGHTS AT ROCKY FLATS**

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. UDALL of Colorado. Mr. Speaker, I am today introducing a bill to facilitate the acquisition by the Federal Government of mineral rights or other non-Federal interests in lands that are located within the boundaries of the Rocky Flats site in Colorado.

In the 1950's, the Federal Government bought land at Rocky Flats for the use as a production facility for nuclear-weapon components. However, the purchase did not include all the mineral rights, some of which remained in private ownership.

Production at Rocky Flats ended more than a decade ago. Since then, the Department of Energy, through its contractors, has been working to have the site cleaned up and closed.

In 2001, Congress passed legislation I sponsored with Senator Wayne Allard to guide the future of Rocky Flats. Under that legislation—the Rocky Flats National Wildlife Refuge Act Of 2001—once the cleanup and closure are accomplished, most of the land at Rocky Flats will be transferred from the Department of Energy to the Department of the Interior and will be managed as a unit of the National Wildlife Refuge System.

The refuge act includes some provisions related to the non-Federal minerals—primarily sand and gravel—at Rocky Flats. It says “nothing in this [law] limits any valid, existing . . . mineral right” except for “such reasonable conditions on access . . . as are appropriate for the cleanup and closure of Rocky Flats and for the management of the refuge.” And it says that a Memorandum of Understanding (MOU) between DOE and Interior is to “address the impacts” mineral rights “may have on the management of the refuge, and provide strategies for resolving or mitigating these impacts.”

These provisions were included in the refuge act in order to make clear that while these

mineral rights are to be respected as private property, future development of the minerals could have adverse effects on the land, wildlife habitat, and other values of the future wildlife refuge. That is why Congress directed the agencies to consider these potential future effects and work to find ways to mitigate those impacts.

So far, however, the Energy and Interior Departments have not been able to agree on what to do about the minerals, and the MOU has not been completed.

I think the best way to handle this would be for the Federal Government to acquire the minerals. However, neither the DOE nor Interior has made this a priority, and the current budgetary situation places constraints on such acquisitions.

My bill is intended to make it more feasible for the Interior Department to acquire some or all of the minerals. It would do that by giving the Secretary of the Interior two additional methods (either instead of or in addition to purchase for cash) for completing such acquisitions—

(1) by giving “credits” that could be used instead of cash to pay for oil and gas leases on the Outer Continental Shelf; and

(2) by allowing federal lands or minerals anywhere in the country to be exchanged for the Rocky Flats minerals (under current law, such exchanges can only occur within the same state—Colorado lands/minerals for other Colorado lands/minerals).

The bill has no compulsory provisions. It does not require that any of the non-Federal interests at Rocky Flats be acquired by the government, and it does not require anyone to accept anything other than cash for any interests that the government may acquire. It would merely provide the Interior Department with new tools—in addition to those it already has—for such acquisitions.

In developing the bill, I sought and obtained technical assistance from the Interior Department. I also have given careful consideration to comments from local governments and others in Colorado, and have made revisions to earlier drafts of the legislation in response to points raised in those comments.

Mr. Speaker, this bill—the “Rocky Flats Minerals Acquisition Act”—is narrow in scope. However, I think it can assist in successful implementation of something that is very important for all Coloradans—the establishment of the Rocky Flats National Wildlife Refuge. I think it deserves the support of every Member of the House.

For the information of our colleagues, here is a short outline of the bill:

## **OUTLINE OF ROCKY FLATS MINERALS ACQUISITION BILL**

### **BACKGROUND**

When the ongoing cleanup of the Rocky Flats site is completed, it will be closed and most of the site will be transferred to the Interior Department for management as a National Wildlife Refuge. Within the site's boundaries there are some privately-owned mineral rights (primarily sand and gravel). Federal acquisition of at least some of these mineral rights would further sound management of the site as a wildlife refuge. However, the current budgetary situation makes it difficult to complete such acquisition.

The purpose of the bill is to provide the Interior Department with two additional tools to assist in the acquisition of minerals rights or other non-Federal property at Rocky Flats:

(1) Authority to provide “credits” (instead of or in addition to cash) that could be used for bonus bids or royalties for mineral leases on the Outer Continental Shelf; and

(2) Authority to provide eligible BLM lands (or interests) anywhere in the country in exchange for the interests acquired at Rocky Flats (waiving the current requirement that exchanges must be within the same state).

### **SECTION-BY-SECTION OUTLINE**

#### **Section 1—**

(1) provides a short title: “Rocky Flats Minerals Acquisition Act.”

(2) includes findings regarding the status of Rocky Flats and the desirability of federal acquisition of mineral interests within its boundaries

(3) states the bill's purpose as being to facilitate acquisition of non-Federal interests at Rocky Flats by authorizing the Interior Department to use credits or interests in certain public lands, instead of or in addition to cash.

#### **Section 2—**

(1) authorizes the Interior Department to use appropriated funds, credits, exchanged lands or interests therein, or any combination of these, to acquire mineral interests or other non-Federal interests at Rocky Flats;

(2) defines “credits,” making clear that they can only be issued with agreement of recipient, can only be used for bonus bids or royalty payments for oil or gas leases on the Outer Continental Shelf and must be used within 10 years of their issuance;

(3) specifies that while exchanges can involve BLM lands or interests in any State, only lands or interests identified as suitable for disposal under current law can be transferred to private ownership through such an exchange;

(4) provides that interests acquired by the United States under the bill will be managed as part of the wildlife refuge and cannot be developed or transferred out of Federal ownership; and specifies that the bill adds to the Interior Department's existing authority and does not reduce any authority the Department already has.

**PAYING TRIBUTE ELVA  
MARTINEZ-DRYER**

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. McINNIS. Mr. Speaker, I am honored to stand before this body of Congress and this nation today to pay tribute to a phenomenal athlete from my district. Elva Martinez-Dyer, a former student-athlete from Western State College, will soon be inducted into the Rocky Mountain Athletic Conference Hall of Fame. Her exploits on the track are legendary and I would like to recognize the hard work and determination she gave the sport.

Elva helped the track team at Western State earn nation-wide recognition, personally achieving All-American status 16 times and winning five national championships. Elva became a dominant force in the sport; she did not lose a race during her final two years at school. She was awarded the “NCAA—II Track and Field Athlete of the Year Award,” for her accomplishments and was inducted into the Colorado Sports Women's Hall of Fame. Elva currently holds three records in the Rocky Mountain Athletic Conference, as well as four conference championships.

All of Elva's hard work and dedication paid off, as she earned a spot on the 2000 Olympic

Team in the 5,000-meter event. In her most recent major race, Elva finished fourth in the Boulder Bolder, running the 10-kilometer race in the Elite Division.

Mr. Speaker, Elva's accomplishments are certainly deserving of praise before this body of Congress and this nation. She has accomplished more in her short career than some could hope for in an entire lifetime. Congratulations, Elva, on your induction into the Rocky Mountain Athletic Conference Hall of Fame and good luck with your future endeavors.

**CONGRATULATING LOUIE WONG  
FOR HIS DISTINGUISHED SERVICE  
TO CALEXICO, CALIFORNIA**

**HON. BOB FILNER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. FILNER. Mr. Speaker, I rise today to honor Louie Wong for his distinguished service to Calexico.

Louie was born in China and has made his home in Calexico since 1971. Mr. Wong and his wife own and operate YUM YUM Restaurant in Calexico where they serve, "the Best Chinese Food in Town." The YUM YUM restaurant has become a hub of activity for the Calexico community, hosting local politicians who meet to share ideas and concerns over plates of good food.

As a successful local businessman and a community activist, Louie has a long record of supporting numerous community organizations. He has just completed a term as President of the Calexico Chamber of Commerce where he has served with great distinction. He is a past recipient of the coveted Lava Lamp Award, presented annually by the Calexico Chamber of Commerce for service to the community. He was an early champion of Calexico's new cultural arts center, located in the renovated De Anza Hotel. The plan involves creating four rooms, or chambers, each dedicated to a different artistic discipline. Louie has supported this vision since its inception, by building community support for the plan and raising money, including personally paying for the architectural renderings.

Louie is a member of numerous community organizations and committees, including serving as a Trustee of the Imperial Valley College Board of Trustees, and on the Imperial Valley College Foundation Board of Directors. He has been much honored for his community service, receiving the first community service citation ever presented by the Calexico Unified School District and the Man of the Year Award from the Calexico Benevolent and Protective Order of Elks. He has served as Grand Marshal of the Calexico Christmas Parade.

Mr. Speaker, Louie Wong is a community leader, equally at home creating regional cultural arts centers as he is serving up Chinese food at high school football games to raise money for charity. He gives wholeheartedly to the organizations he supports that benefit the people of Calexico. While his service as President of the Calexico Chamber of Commerce is coming to an end, I have no doubt that he will find even more ways to improve the quality of life in his community.

TRIBUTE TO CHARLES L.  
STUPPARD

**HON. DANNY K. DAVIS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. DAVIS of Illinois. Mr. Speaker, I rise to commend and congratulate Commander Charles L. Stuppard, United States Navy, who is leaving from the Joint Chiefs of Staff to be the next Commanding Officer of the USS *Arleigh Burke* (DDG51). The *Arleigh Burke* is a guided missile AEGIS Destroyer with a complement of about 325 personnel including 25 Officers. Commander Stuppard is slated to be at the helm of this powerful Navy vessel in April 2004.

Commander Stuppard joined the Naval Officer Corps in 1985. He obtained his Bachelor of Science Degree in Mechanical and Aerospace Engineering from Cornell University and his Master's degree in National Security and Strategic Studies from the Naval War College. Commander Stuppard's achievements and accomplishments are truly exemplary and I hope many young people from my district and around the country will follow in his footsteps as an Officer and a Gentleman. I congratulate Commander Stuppard for a job well done and wish him and his family fair winds and following seas.

**A TRIBUTE TO GEORGETOWN, COLORADO—ONE OF AMERICA'S  
DOZEN DISTINCTIVE DESTINATIONS**

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. UDALL of Colorado. Mr. Speaker, I rise today to congratulate the town of Georgetown, Colorado, for being selected by the National Trust for Historic Preservation as one of its 2003 Dozen Distinctive Destination locations. This designation acknowledges the outstanding work of the residents of Georgetown in protecting, respecting and celebrating their unique history and cultural heritage.

Anyone who has spent time in Georgetown knows of the wealth of historical structures that have been preserved and protected. This heritage provides a lasting reminder of the early years of mining and living in rugged mountainous areas of Colorado and the West.

Georgetown, the county seat of Clear Creek County, was established in 1864, when the discovery of the Belmont Lode started a stampede of prospectors and ultimately gave the town its nickname, "Silver Queen of the Rockies." The town still operates under an 1868 charter from Colorado's territorial legislature.

As the National Trust notes in its announcement of this designation: "Many vestiges of the town's heyday remain, including the Georgetown Loop Railroad, a marvel of engineering, hailed as the most complex railroad loop in the world at the turn of the century. Today, the historic railroad is still thrilling passengers as it traverses the Devil's Gate High Bridge, soaring 95 feet above Clear Creek. A year-round vacation wonderland, Georgetown's spectacular setting provides unlimited

opportunities for fun. Summer months offer trout fishing, back-country hiking, biking, rafting and more—while during ski season, Georgetown is a convenient base for hitting the nearby slopes."

It was for these reasons and more that the National Trust, the country's largest private, nonprofit preservation organization, named Georgetown to its 2003 list of America's Dozen Distinctive Destinations, an annual list of unique and lovingly preserved communities in the United States.

In recognizing Georgetown, the National Trust singled out the Hamill House Museum, completed in 1879 as the home of silver baron William A. Hamill and adorned with furnishings delivered from its owner's birthplace in England. Another notable landmark is the Hotel de Paris, built in 1876. In its heyday, it was one of the finest hotels and gourmet restaurants in the state. Today the Colonial Dames operates the hotel as a museum.

Also noted by the National Trust are the town's holiday celebrations, which include a Christmas Market, Santa Lucia Processional, and horse-drawn wagon rides.

This is the fourth time the National Trust for Historic Preservation has compiled a list of A Dozen Distinctive Destinations. More than 50 destinations in 27 states were nominated by preservation organizations and local communities. Georgetown was selected because it met the National Trust's criteria of well-managed growth, a commitment to historic preservation with a protected historic core and meaningful context, interesting and attractive architecture, cultural diversity, activities for families with children, an economic base of locally-owned small businesses, and walkability for residents and visitors.

The National Trust also noted that Georgetown residents have taken forceful action to protect their town's character and sense of place and have worked hard to preserve the historic and scenic assets of their communities, with rewards that transcend town limits. In so doing, Georgetown has preserved its quality of life for its residents and tourists alike. Georgetown and towns like it in Colorado and throughout the west preserve the allure of the western lifestyle and the respect that settlers had and still have for the special places that have been established.

In announcing the places on the list of distinctive destinations, Richard Moe, the President of the National Trust for Historic Preservation, had this to say about Georgetown: "It is encouraging to see communities so committed to the preservation of their historic landmarks, the revitalization of their downtown areas, and the protection of their unique heritage. Georgetown represents a truly distinctive slice of America. That makes it an exciting alternative to the homogenization of many other vacation spots. It is my hope that more American cities and towns will follow Georgetown's lead in preserving their own spirit of place."

All I can add to that is, "amen," and my own congratulations to the people of Georgetown for this honor, so well earned through their efforts to preserve one of the places that makes Colorado such a special place to live.

## HONORING SIDNY ZINK

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. McINNIS. Mr. Speaker, I rise before this body of Congress and this nation today to pay tribute to a selfless community servant from my district, Sidney Zink of Durango, Colorado. An active member of the Leadership La Plata organization, Sidney was recently honored with the "Barbara Conrad Award," which recognizes a person who donates numerous hours to their community. Today I would like to join with the Durango Area Chamber of Commerce in honoring Sidney's commitment and recognizing this distinct honor.

A longtime resident of Durango, Sidney is widely known for her dedication to community service. Sidney has been active in a number of committees and organizations, such as the Big Brothers Big Sisters foundation, Community Development Corporation, the La Plata Homebuilders Society, and the Community Development Corporation. While Sidney has worked vigorously for the community, she spends much of her time with Leadership La Plata, learning how new issues could affect her community.

Mr. Speaker, in a recent ceremony in Durango, last year's recipient of the "Barbara Conrad Award" Ed Morlan passed on the award in recognition of Sidney's commitment to the community. I join with my colleagues here today in applauding Sidney's civic-mindedness and in recognizing this prestigious honor. Congratulations and thanks again, Sidney, for the many years of service you have given the Durango community.

## STATEMENT RECOGNIZING DR. CHARLES CARPENTER FOR HIS ACHIEVEMENTS

**HON. JAMES R. LANGEVIN**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. LANGEVIN. Mr. Speaker, I rise today to congratulate Dr. Charles C.J. Carpenter, who received the John E. Fogarty Recognition award for his lifelong achievements in global health on May 29. This prestigious honor, given by the National Institute of Health's John E. Fogarty International Center, recognizes Dr. Carpenter's career in research to combat major diseases in developing countries and his involvement in training future generations of researchers in international health. Dr. Carpenter is a Professor of Medicine at Brown University in Providence, Rhode Island, and formerly the Physician-in-Chief of Brown University's Miriam Hospital.

Born in Savannah, GA, Dr. Carpenter received a Bachelor of Arts degree from Princeton University and a medical degree from the Johns Hopkins School of Medicine. He began his medical career at Johns Hopkins, where he later served as a faculty member. He started the Johns Hopkins Cholera Research Program, which was located in Calcutta, India, and researched the treatment of cholera in children and adults. He served for 12 years as Professor and Chairman of the Department of

Medicine at Case Western Reserve University before joining the medical faculty at Brown University in 1986. At Brown, he became involved with the clinical management of persons living with HIV/AIDS, and is currently the Principal Investigator of the Lifespan/Tufts/Brown Center for AIDS Research. Dr. Carpenter has also written many notable publications on his research from cholera to HIV/AIDS.

The John E. Fogarty International Center plays a vital role in the United States' response to global challenges in health. The late John Fogarty served as Representative from the 2nd District of Rhode Island and was a lifelong advocate of promoting the study of global health problems. Dr. Carpenter has consistently shown that same vision by taking on the challenge of disease prevention throughout the global community. He has shown himself to be a notable leader on seeking out ways to better the entire global community, and by doing so, has left his mark on international health.

Thank you, Mr. Speaker, and I hope our colleagues will join me in congratulating Dr. Carpenter on his lifetime of achievements.

## DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2004

**HON. GINNY BROWN-WAITE**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, with great disappointment I was unable to be present on Tuesday, June 24 to speak and vote in favor of H.R. 2555, the Homeland Security Appropriations Act for Fiscal Year 2004.

The terrorist attacks on and following September 11 highlighted our vulnerability to attack on our soil, and exposed a new enemy with a desire to harm the United States and the American people. Our swift efforts at bolstering our domestic security have resulted in the prevention of further domestic incidents. It is this absence of occurrences that confirms our success. We cannot, however, become complacent in this success and must remain committed to securing our homeland.

Our Nation continually faces new and previously unfamiliar domestic threats that are more severe than ever before. Local governments cannot be expected to bear the new financial burdens that accompany their extensive and important new detection, prevention, and emergency management responsibilities. Funding must come from the Federal Government in this matter of national security.

When I was a Florida State Senator I chaired the Senate Homeland Security Committee following September 11. Florida was the state that initiated the drive to secure federal funds for first responders. Because we had to deal with so many natural disasters, we know the many benefits of well-trained, well-equipped first responders. Local governments cannot be expected to bear the new financial burdens that accompany their extensive and important new responsibilities. Funding must come from the Federal Government in this matter of national security.

I applaud Chairman ROGERS, Chairman YOUNG, and the entire Appropriations Sub-

committee on Homeland Security for their excellent work in producing the first ever Homeland Security Appropriations bill. I am so pleased that my colleagues in Congress share my concern for the priority that is Homeland Security, and that consequently, the Appropriations Act passed 425-2.

## PAYING TRIBUTE TO PATTI O'ROURKE

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to honor the life and memory of an outstanding woman from my district. Patti O'Rourke of Pueblo, Colorado made tremendous contributions during her lifetime to her community and served as leader and role model for many.

Patti graduated from law school at Fordham University in 1944 and went to work with a firm on Wall Street. She later became one of the first women to practice law in Pueblo County, Colorado, and in 1981, became the county's first female judge. Patti's reputation as a fair and caring judge, as well as her lifelong commitment to community service, was well known. She donated countless hours to a variety of causes that are too numerous to mention. In short, Patti served on many community boards, worked tirelessly to support family court reforms, and took up the cause for senior citizens. Even after leaving full-time service on the bench, Patti's interest in serving others prompted her to travel to Denver several times a week to help alleviate a large backlog of cases.

Mr. Speaker, I am honored to recognize the life and memory of Patti O'Rourke before this body of Congress and this nation today. By reaching heights no other woman had attained, Patti became a pioneer who blazed a trail other women could follow. By giving so much of herself to the community, Patti became a public servant and a beacon for everyone in Pueblo, the State of Colorado, and our nation to follow. Patti left the world a better place; she will be missed by her family, friends, and the many people whose lives she impacted for the better.

## HONORING PRESTON HIGH SCHOOL GRADUATE TIFFANY BROWN

**HON. JOSEPH CROWLEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. CROWLEY. Mr. Speaker, I rise to pay tribute to Miss Tiffany Brown, a constituent of mine from the Bronx, NY. Tiffany is graduating this year with honors from Preston High School in the Bronx.

Mr. Speaker, we hear so much these days about students not being interested in community service and not being interested in politics and public service, but Tiffany is the exception, not the rule. While in school at Preston, she interned with New York State Assemblyman Steve Kaufman, interned with the Eleanor Roosevelt Democratic Club, was a CCD

teacher at St. Ursula's Church and co-founded a program called "R.A.M.", Registering Adults and Minorities Program, which seeks to increase voting registration and participation.

Mr. Speaker, Tiffany is truly one of the best and brightest students in New York City. In high school, she was a member of Amnesty International, was a columnist for her newspaper, wrote for Preston's literary magazine, was a member of the African American club, the orchestra, a captain of the Defense Team, and a participant in the Science and Technology entry program at Fordham University. Tiffany was a well-rounded student and successful student, gaining notice as one of the Who's Who Among American High School Students.

Mr. Speaker, I applaud Tiffany's commitment to community service and her giving back so much to make the Bronx and the Co-Op City neighborhood where she lives in a better place. Mr. Speaker, academic and community success though is not achieved with the work of one person alone. It is a team effort. Tiffany comes from a strong and caring family, including her aunt who is also my Co-Op City office director Teckla Halls. Her family along with her teachers, mentors and adults in the community are all part of the success that makes Tiffany the wonderful young woman she is today.

Mr. Speaker, Tiffany is an exceptional student, one who has a bright and prosperous future ahead. I wish her and her family all the best.

#### HONORING BILL KILLGORE

### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. McINNIS. Mr. Speaker, I rise before this body of Congress and this nation today to pay tribute to a selfless community servant from my district, Bill Killgore of Grand Junction, Colorado. An active member of the Grand Junction Lions Club, Bill was recently honored as "Lion of the Year." I would like to join with his fellow Lions in honoring Bill's commitment and recognizing this distinct honor.

A longtime resident of Grand Junction, Bill is widely known for his dedication to community service. Bill has been active in a number of committees and organizations, such as the Redlands Water Board, the Avalon Theatre Restoration Committee, and serving as chairman of the Highway Cleanup Committee. While Bill has worked vigorously for the community, his heart has always been with his beloved Lions Club. Bill's work with the Lions is well known; from their commitment to community service to the many fundraising events they hold in support of local causes and organizations, Bill is always at the forefront of the club's service projects, eager to help out his community.

Mr. Speaker, in a recent ceremony in Grand Junction, former "Lion of the Year" Dan Griffin passed on that distinctive title in recognition of Bill's commitment to both the community and the club. I join with my colleagues here today in applauding Bill's civic-mindedness and in recognizing this prestigious honor. This recognition to Bill and his fellow Lions for the work that they do in my community is long

overdue, and I am proud to bring it to the attention of this House today. Congratulations and thanks again, Bill, for your many years of hard work on behalf of Grand Junction and the Lions. May you have many more to come!

IN HONOR OF DR. WAYNE D. LETT,  
SUPERINTENDENT OF NEWPORT  
NEWS PUBLIC SCHOOLS

### HON. ROBERT C. SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. SCOTT of Virginia. Mr. Speaker, I rise today on behalf of Representative JO ANN DAVIS and myself to recognize the outstanding service of Dr. Wayne Lett. Following 34 years of educational service, Dr. Lett will be retiring from his post as Superintendent of Newport News Public Schools on July 1, 2003.

Dr. Lett's career has been devoted to education and his efforts have been important to the lives of countless young people in Newport News. His achievements have been recognized by both local and national organizations. In 2001, Dr. Lett was named Virginia Superintendent of the Year by the Virginia Association of School Superintendents. He has provided leadership in many urban school organizations and has served as President and Vice President of the National Association of Federally Impacted Schools.

Dr. Lett's illustrious career in education began in 1969, following his graduation from East Carolina University with an A.B. in history and political science. He first served as a teacher, assistant principal, and personnel director in York County Public Schools. It was during this time that Dr. Lett earned his M.A. in history from Old Dominion University in 1972, a C.A.S. in education administration from the College of William and Mary in 1975, and an Ed.D in education administration from the same institution in 1984.

Dr. Lett's tenure in Newport News Public Schools began in 1984. After serving in a number of different administrative positions for the school district, Dr. Lett was named Superintendent in 1996.

Under Dr. Lett's leadership, Newport News Public Schools has made significant progress in the academic performance of its students. The number of fully accredited schools has risen from one to nineteen, access to rigorous coursework has been made a priority, tutoring and mentoring programs have been expanded, and the dropout rate has been reduced by more than 50 percent. During this time Newport News Public Schools has received more U.S. Department of Education "Blue Ribbon" designations than any other school division in Virginia. These are only a few of the many achievements that are the direct result of Dr. Lett's leadership.

Mr. Speaker, Representative JO ANN DAVIS and I would like to congratulate Dr. Lett on his distinguished service and thank him for his great commitment to the education of our youth.

PAYING TRIBUTE TO COLORADO  
MOUNTAIN COLLEGE

### HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. McINNIS. Mr. Speaker, I am honored to stand before this body of Congress and this nation to pay tribute to an exceptional educational institution in my district. Colorado Mountain College was established in 1967 and currently provides over 25,000 students with a quality education. The school will soon be opening a new campus to better serve the Vail/Eagle Valley area. I am proud to stand here today and recognize the 36 years of service that Colorado Mountain College has given to my state and congratulate them on their expansion.

The new campus in Edwards, Colorado will provide students with state of the art facilities that will help enrich their college experience. The campus will have 16 classrooms, several labs, science and EMT facilities, and a fire science center. CMC is already the largest rural community college in the U.S. and this campus will further the services they provide to underserved areas throughout the state.

Colorado Mountain College provides students with the opportunity to take classes in one of the most beautiful landscapes in the world. Sitting high in the Rocky Mountains, CMC maintains a unique curriculum, offering classes in subject areas not found elsewhere. Students are able to study ski business and resort management, seeing first hand how some of the world's premier ski resorts are run. CMC also offers classes in forestry and fire sciences, important subjects on the Western Slope, which faces some of the worst fire danger in the country.

Mr. Speaker, Colorado Mountain College does more for its students than provide an education, it gives them the opportunity to succeed. The college is a vital part of the Colorado Community, and I am truly honored to recognize such an exceptional institution and its outstanding team of dedicated employees here today. Congratulations on the expansion, and good luck with all of your future endeavors.

IN HONOR OF BILL RUMBLE

### HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. BECERRA. Mr. Speaker, it is with the utmost pleasure and privilege that I rise today to recognize and pay tribute to a friend and educator, Mr. Bill Rumble, who will retire this Friday, June 27th, after 28 exceptional years of teaching in the Los Angeles Unified School District.

Born November 5, 1946 in Long Beach, California, to Everett and Marion Rumble, Bill graduated from Millikan High School in 1964 and then attended the University of California, Los Angeles, where he earned a Bachelor of Arts degree in Political Science. Following college, Bill served in the United State Navy from June 1968 to July 1970. First commissioned as an Ensign in the U.S. Naval Reserve, he

was quickly called up to active duty and served as Combat Information Center Officer on the Naval destroyers USS *DuPont* and USS *Albert David*. During his two-year Naval tenure, he earned the National Defense Medal, the Republic of Vietnam Campaign Medal, the Vietnam Service Medal, and he attained the rank of Lieutenant.

Bill's service to his country did not end when he left the military, but instead evolved into a lifetime of service in the classroom. After completing his California Teaching Credential from California State University, Long Beach, in June 1974, Bill went to work for the Los Angeles Unified School District where he taught English as a Second Language, English, history, and Chicano Studies from 1974 to 1996. From 1996 to the present, he has served as the Bilingual Program Coordinator at Wilson High School, which is attended by many students who reside in my district. Though he has spent his career as a teacher, Bill somehow found the time to be a student earning his Master of Arts in Latin American Studies from California State University, Los Angeles in 1988.

Bill Rumble has never pursued but has certainly earned recognition as a dedicated public servant, committed educator, and fighter for human dignity. But what sets him apart from many others, at least for me, is his devotion to and appreciation of his role as husband and father.

Bill had the good sense to marry Carol Jacques in August of 1981. Together they have three children: Lawrence, Mateo, and Maya. In her own right, Carol is a tireless and beloved advocate in our community. Together they have mastered the art of advocacy, and together they have shared in the fruits of their progressive work. Together, they are a powerful team.

Bill's 28 years with the schools of Los Angeles have been flush with positions of leadership, including Social Studies Department Chair during 1995–96, member of the Accredited Committee during 1996–97, member of the Professional Development Committee during 2000–03, and member of the Academic Leadership Team during 2001–03. Furthermore, Bill played an active role with our local teachers union, the United Teachers of Los Angeles, in which he assumed several positions of leadership. Ultimately, however, Bill's first priority as a teacher was his genuine concern for the education, enrichment and well being of his students.

As a tireless volunteer, Bill has supported many local community-based organizations, including Art in the Park, the Northeast branch of the Los Angeles YMCA, the Mount Washington Residents Association, and the Arroyo Seco Neighborhood Council.

Bill's retirement marks the final chapter in a distinguished teaching career. But, if I know Bill, he's just getting started. I look forward to his continued service and devotion to our community. Just as his students needed him yesterday, we who believe in social activism and a commitment to social justice need him today.

Mr. Speaker, as family, friends and colleagues gather to celebrate Bill's many accomplishments, it is with great admiration and pride that I ask my colleagues to join me today in saluting this exceptional man and brother to many. America certainly got the best end of the bargain when it opened the

doors of education and public service to Bill Rumble.

#### TRIBUTE TO RICK LUPE

##### HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. MCINNIS. Mr. Speaker, it is with profound sadness that I rise before this body of Congress and this nation today to pay tribute to a true American hero. Rick Lupe recently passed away from injuries sustained while battling a prescribed burn on the Fort Apache Indian Reservation near Whiteriver, Arizona. I am saddened by his death and would like to take a moment to reflect on the courage and leadership of this honorable and distinguished individual.

Rick previously made headlines during another fire that took place last summer. When the Rodeo-Chediski fire scorched much of Arizona, Rick engineered a fire line at the last minute, using a back burn and bulldozers that helped save the town of Show Low. Such acts of courage are no surprise to those who knew him. In nearly two decades of service to the Fort Apache Hotshot crew, Rick developed a reputation as a strong but quiet leader, a loyal colleague, and trusted friend.

Rick possessed courage and toughness to spare. While checking on a hot spot recently, the wind picked up and blew the flames around him. When the shelter he tried to deploy blew away, Rick dropped to the ground to allow the fire to pass over him. Even though the flames and heat scorched him, leaving 3rd degree burns over 40 percent of his body, he summoned the strength to walk a half-mile to get help. Even then, Rick held on for five weeks before leaving us. He will be especially missed by his beloved wife Evelyn and his children Brent, Sean, and Daniel. I would like to extend my deepest sympathy to them during this difficult time.

Mr. Speaker, I am honored to recognize Rick Lupe today. His immediate family will remember Rick for the loving husband and father that he was. The town of Show Low, the Fort Apache Hotshots, and this nation will remember Rick as the hero that he was. Rick dedicated his life to serving his nation and his fellow citizens. We will always be grateful.

#### TRIBUTE TO JOEL WILLARD

##### HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. WALDEN of Oregon. Mr. Speaker, I would like to pay tribute to a member of my Washington, D.C., staff for his years of faithful service to me and to the good people of Oregon's Second Congressional District. Joel Willard has been my Executive Assistant for over 2 years, performing a myriad of responsibilities in a hectic environment with dedication and poise. It's a tough job, and he excelled at it. Joel will leave my office this week to continue his education as a law student at the University of California at Berkeley, where I have every confidence that he will dem-

onstrate the same talents that have made him such an invaluable member of my staff.

Mr. Speaker, Joel is a lifelong Oregonian and the son of a highly respected southern Oregon family. His father, Dave, is a long-time servant of the Oregon public school system and has worked for ten years as the Superintendent of the Phoenix-Talent School District. Joel's mother, Jana, is a homemaker who has returned to graduate school after raising her children. Like Joel, his brothers Chad and Gabe are fine young Oregonians with bright, promising futures. I am proud to call them my friends.

One of Joel's defining characteristics is his dedication to the people of his native state. Since his days in the Oregon State Legislature working for State Representative Rob Patridge, Joel has pursued his passion for public policy and public service from Salem to Washington, D.C. He came to the Nation's capital on a weekend's notice and brought with him both his love of Oregon and his reverence for the American system of government. I have no doubt that he will return to the West Coast with the same idealism that first inspired him to serve his fellow citizens.

Perhaps Joel's most impressive trait is his deep religious faith and personal commitment to the teachings of Jesus Christ. Prior to his marriage, Joel lived in a home for Christian men on Capitol Hill called Jonathan House, where he enjoyed the company of young professionals who shared his moral convictions and dedication to the Christian church. Joel's unwavering devotion to his beliefs, in an age when so many young people lack a guiding moral compass, has deeply impressed me and those with whom he has worked.

Mr. Speaker, in July of last year, I had the honor of attending Joel's wedding to his lovely bride, the former Elizabeth Horton, who has been at Joel's side since their early teens. Elizabeth, also a lifelong Oregonian, has made her love of children a career as an elementary school teacher, a calling for which she is particularly well suited. Joel and Elizabeth are the sort of people that parents want their children to grow up to be, and it gives me great pleasure to know that they will share their lives together.

Mr. Speaker, it goes without saying that Joel will be difficult to replace. If you were to poll my staff, they would be unanimous in their regret at his departure, as he has been a reliable coworker and caring friend. While we are sorry to see him depart the office, we are happy to watch him enter a new phase in his life that I know will bring both great challenges and great rewards. I have no doubt that he will do as well pursuing a legal career as he has done in his work on behalf of the people of the Second District. Joel, thank you for a job well done, and know that you are leaving my office with my deepest gratitude and that of the people you have so ably helped me to represent. We're counting on you to keep in close touch.

#### MILITARY CONSTRUCTION

##### HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. RODRIGUEZ. Mr. Speaker, it is an outrage that we are today considering a military

construction bill that cuts funding for desperately needed facilities by \$1.5 billion from last year's bill.

It is an outrage that, as young men and women in uniform are fighting and dying every day in Iraq, we are voting on a bill that will not provide needed funds for housing for their families; for dormitories or young airmen, sailors, soldiers, and marines; and for safe facilities in which to work.

The bill we are voting on today represents a sad example of a policy that the majority seems to be pursuing of paying lip-service to the men and women who risk their lives in defense of our country—while cutting funds for family housing, for needed pay raises, for health care for veterans.

The young people who are fighting for us now in Iraq and around the world have been shut out of the child tax credit, and now it seems that we are yet again going after programs that help these brave men and women and the families they have left behind.

Mr. Speaker, this is wrong, and I urge my colleagues to vote against this rule.

TRIBUTE TO RAY WAH-NYEP QUAN

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 26, 2003*

Mr. McINNIS. Mr. Speaker, it is with a solemn heart that I stand before this body of Congress and this nation today to pay tribute to the life and passing of Ray Wah-Nyep Quan, an outstanding citizen from my district. Ray was an active member of the Grand Junction community, and he will be remembered as a respected businessman and dedicated family man. Ray passed away recently at the age of 81, leaving a legacy of leadership for his community to follow.

Ray owned and operated the Far East Restaurant in Grand Junction, providing the community with excellent food and quality service. His hard work and dedication helped make the Far East one of the most popular restaurants in town, attracting customers to its unique atmosphere, authentic decor, and quality food. The restaurant became so popular that Ray

was able to expand the building twice, turning the Far East into a luxurious three-level eatery.

Ray loved his life in the United States and became an example of the American dream. Ray was a self made man whose diligence and determination aided his success. He called the United States "gold mountain" in appreciation of the opportunities he found here, and helped several Chinese immigrants move to this country to experience those same opportunities from which he has benefited. With Ray's assistance, many of these new Americans have seen their lives improve and their children go on to college.

Mr. Speaker, I am honored to pay tribute to the life of Ray Wah-Nyep Quan today. Ray loved the United States, embracing it as his own. His drive and dedication helped him become a model citizen, one who cares about the country that has helped provide him with so much. I am saddened by his passing, and my thoughts and prayers go out to his family and friends.

# Daily Digest

## HIGHLIGHTS

Senate agreed to S. Res. 191, Relative to the death of Honorable J. Strom Thurmond.

Senate agreed to H. Con. Res. 231, Adjournment Resolution.

House passed H.R. 1, Medicare Prescription Drug, Modernization, Health Savings and Affordability Act.

House passed H.R. 2559, Military Construction Appropriations Act.

House passed H.R. 2417, Intelligence Authorization Act.

## Senate

### Chamber Action

*Routine Proceedings, pages S8819–S8868*

**Measures Introduced:** Two bills and two resolutions were introduced, as follows: S. 1368–1369, S.J. Res. 14, and S. Res. 191. **Page S8862**

#### Measures Reported:

S. 344, expressing the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity, with an amendment in the nature of a substitute. (S. Rept. No. 108–85)

S. Res. 90, expressing the sense of the Senate that the Senate strongly supports the nonproliferation programs of the United States, and with an amended preamble. **Page S8862**

#### Measures Passed:

**Adjournment Resolution:** Pursuant to the order of Thursday, June 26, 2003, Senate agreed to H. Con. Res. 231, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page S8825**

**Relative to the Death of the Honorable J. Strom Thurmond:** Senate agreed to S. Res. 191, relative to the death of the Honorable J. Strom Thurmond, former United States Senator and President Pro Tempore Emeritus from the State of South Carolina. **Pages S8833–37**

**Electing Chaplain of the Senate:** Senate agreed to S. Res. 189, electing Doctor Barry C. Black, of Bal-

timore, Maryland, as Chaplain of the United States Senate. **Page S8845**

**Welfare Reform Extension Act:** Senate passed H.R. 2350, to reauthorize the Temporary Assistance for Needy Families block grant program through fiscal year 2003, clearing the measure for the President. **Page S8846**

**Congressional Hunger Center Authorization:** Senate passed H.R. 2474, to authorize the Congressional Hunger Center to award Bill Emerson and Mickey Leland Hunger Fellowships for fiscal years 2003 and 2004, clearing the measure for the President. **Page S8846**

**Presidential Succession Act:** Senate passed S. 148, to provide for the Secretary of Homeland Security to be included in the line of Presidential succession. **Page S8846**

**Senate Art Protection:** Senate agreed to S. Res. 178, to prohibit Members of the Senate and other persons from removing art and historic objects from the Senate wing of the Capitol and Senate office buildings for personal use. **Page S8846**

**Feed America Thursday:** Senate agreed to S. Res. 174, designating Thursday, November 20, 2003, as “Feed America Thursday”. **Page S8846**

**Family History Month:** Senate agreed to S. Res. 175, designating the month of October 2003, as “Family History Month”. **Pages S8846–47**

**Human Rights in Cuba:** Senate agreed to S. Res. 62, calling upon the Organization of American States (OAS) Inter-American Commission on Human Rights, the United Nations High Commissioner for

Human Rights, the European Union, and human rights activists throughout the world to take certain actions in regard to the human rights situation in Cuba. **Pages S8847–48**

**Horn of Africa Food Crisis:** Senate agreed to S. Res. 149, expressing the sense of the Senate that the international response to the current need for food in the Horn of Africa remains inadequate. **Page S8848**

**Nonproliferation Programs Support:** Senate agreed to S. Res. 90, expressing the sense of the Senate that the Senate strongly supports the non-proliferation programs of the United States. **Pages S8848–49**

### Measure Indefinitely Postponed:

**Budget Resolution Fiscal Year 2004:** Senate indefinitely postponed, S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013. **Page S8849**

**Nomination—Agreement:** A unanimous-consent agreement was reached providing that on Tuesday, July 8, 2003, at a time determined by the Majority Leader, after consultation with the Democratic Leader, Senate proceed to the consideration of the nomination of David G. Campbell, of Arizona, to be United States District Judge for the District of Arizona; and that the Senate vote on the confirmation of the nomination without intervening action or debate. **Page S8825**

**Nominations—Agreement:** A unanimous-consent agreement was reached providing that at a time determined by the Majority Leader, after consultation with the Democratic Leader, Senate proceed to the consideration of the nomination of Victor J. Wolski, of Virginia, to be a Judge of the United States Court of Federal Claims, and the nomination of Bruce E. Kasold, of Virginia, to be a Judge of the United States Court of Appeals for Veterans Claims. **Page S8825**

**Nomination Considered:** Senate began consideration of the nomination of Victor J. Wolski, of Virginia, to be a Judge of the United States Court of Federal Claims. **Page S8845**

A motion was entered to close further debate on the nomination and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on the cloture motion will occur on Tuesday, July 8, 2003 following the vote on confirmation of the nomination of David Campbell (listed above). **Page S8845**

**Authority for Committees:** All committees were authorized to file legislative and executive reports

during the adjournment of the Senate on Wednesday, July 2, 2003, from 10 a.m. until 12 noon. **Page S8849**

**Chair Appointment Authority—Agreement:** A unanimous-consent agreement was reached providing that notwithstanding the recess or adjournment of the Senate, the Chair be authorized to make Chair appointments. **Page S8849**

**Signing Authority Agreement:** A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader or the Assistant Majority Leader, or Senator Allen, be authorized to sign duly enrolled bills or joint resolutions. **Page S8849**

**Nominations Confirmed:** Senate confirmed the following nominations:

Fern Flanagan Saddler, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Judith Nan Macaluso, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Marsha E. Barnes, of Maryland, to be Ambassador to the Republic of Suriname.

John F. Maisto, of Pennsylvania, to be Permanent Representative of the United States of America to the Organization of American States, with the rank of Ambassador.

Robert D. McCallum, Jr., of Georgia, to be Associate Attorney General.

David Hall, of Massachusetts, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2005.

Robert W. Fitts, of New Hampshire, to be Ambassador to Papua New Guinea, and to serve concurrently and without additional compensation as Ambassador to the Solomon Islands and Ambassador to the Republic of Vanuatu.

John E. Herbst, of Virginia, to be Ambassador to Ukraine.

William B. Wood, of New York, to be Ambassador to the Republic of Colombia.

Tracey Ann Jacobson, of the District of Columbia, a Foreign Service Officer of Class One, to be Ambassador to Turkmenistan.

George A. Krol, of New Jersey, to be Ambassador to the Republic of Belarus.

Greta N. Morris, of California, to be Ambassador to the Republic of the Marshall Islands.

Lillian R. BeVier, of Virginia, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2004.

11 Air Force nominations in the rank of general.

36 Army nominations in the rank of general.  
4 Marine Corps nominations in the rank of general.  
25 Navy nominations in the rank of admiral.  
Routine lists in the Air Force, Army, Foreign Service, Navy, Public Health Service.

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Messages From the House: Pages S8861–62

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Pages S8863–65

Additional Statements: Pages S8860–61

Notices of Hearings/Meetings: Pages S8865–66

**Adjournment:** Senate met at 10:15 a.m., and as a further mark of respect to the memory of the late Honorable Strom Thurmond, former United States Senator and President Pro Tempore Emeritus from the State of South Carolina, in accordance with S. Res. 191, and also in accordance with H. Con. Res. 231 (Adjournment Resolution), adjourned at 4:14 p.m., until 2 p.m., on Monday, July 7, 2003. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S8866.)

### *Committee Meetings*

No committee meetings were held.

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## House of Representatives

### *Chamber Action*

The House was not in session. Pursuant to the provisions of H. Con. Res. 231 it stands adjourned until 2 p.m. on Monday, July 7, 2003.

### *Committee Meetings*

No committee meetings were held.

struction in Omaha, Nebraska, as the "Carl T. Curtis National Park Service Midwest Regional Headquarters Building". Signed on June 26, 2003. (Public Law 108–37)

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. Signed on June 26, 2003. (Public Law 108–38)

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### NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D755)

S. 703, to designate the regional headquarters building for the National Park Service under con-

*Next Meeting of the SENATE*

2 p.m., Monday, July 7

## Senate Chamber

**Program for Monday:** Senate will be in a period of morning business. Also, Senate may begin consideration of S. 11, to protect patients' access to quality and affordable health care by reducing the effects of excessive liability costs.

*Next Meeting of the HOUSE OF REPRESENTATIVES*

12:30 p.m., Monday, July 7

## House Chamber

**Program for Monday:** To be announced.

## Extensions of Remarks, as inserted in this issue

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