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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. PENCE).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
November 17, 2003.

I hereby appoint the Honorable MIKE PENCE to act as Speaker pro tempore on this day.

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1261. An act to enhance the workforce investment system of the Nation by strengthening one-stop career centers, providing for more effective governance arrangements, promoting access to a more comprehensive array of employment, training, and related services, establishing a targeted approach to serving youth, and improving performance accountability, and for other purposes.

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

S. 1824. An act to amend the Foreign Assistance Act of 1961 to reauthorize the Overseas Private Investment Corporation, and for other purposes.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates.

NOTICE

If the 108th Congress, 1st Session, adjourns sine die on or before November 21, 2003, a final issue of the Congressional Record for the 108th Congress, 1st Session, will be published on Monday, December 15, 2003, in order to permit Members to revise and extend their remarks.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT–60 or S–410A of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Friday, December 12, 2003. The final issue will be dated Monday, December 15, 2003, and will be delivered on Tuesday, December 16, 2003.

None of the material printed in the final issue of the Congressional Record may contain subject matter, or relate to any event that occurred after the sine die date.

Senators' statements should also be submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at ''Record@Sec.Senate.gov''.

Members of the House of Representatives' statements may also be submitted electronically by e-mail, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at http://clerkhouse.house.gov/forms. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, and signed manuscript. Deliver statements to the Official Reporters in Room HT–60 of the Capitol.

Members of Congress desiring to purchase reprints of material submitted for inclusion in the Congressional Record may do so by contacting the Office of Congressional Publishing Services, at the Government Printing Office, on 512–0224, between the hours of 8:00 a.m. and 4:00 p.m. daily.

By order of the Joint Committee on Printing.

ROBERT W. NEY, *Chairman.*

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The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. STEARNS) for 5 minutes.

STEMMING THE SPREAD OF CARGO THEFT

Mr. STEARNS. Mr. Speaker, billions and billions of dollars are sapped from our economy each year by cargo theft. It is a staggering problem, and, at the same time, a problem that really no one is aware of.

Every day, millions of cargo carrying trucks transport their contents across the highways of our districts. And, every day, millions of dollars of goods are stolen from these trucks, often times with violent results.

Mr. Speaker, this week I will introduce legislation that will seek to address the growing tide of cargo theft in hopes of bringing awareness of this problem to the national spotlight.

With the prevalence of cargo theft today, insurance companies have placed a heavy burden on the trucking industry. The costs associated with investigation, insurance payments, are only exacerbating what is already an industry crisis.

Typical targets for cargo theft often include shipments of clothing, prescription drugs, computers and jewelry. A truckload of computer microprocessors can be worth millions of dollars. A single pallet of pharmaceuticals, another common target, can be worth upwards of $2 million dollars, and cargo containers are capable of carrying dozens of such pallets.

The high value-to-volume ratio of these goods has encouraged criminals previously involved in drug dealing to move into this area of activity, where they run less risk of detection and suffer less severe penalties if they are caught. The National Cargo Security Council reported that cargo worth $12 billion is stolen in the United States every year, and yet the penalties for cargo theft are lower than those for selling drugs.

Cargo thieves employ creative means to prey on cargo carriers and have managed to stay one step ahead of authorities. Thieves know what they want and where they can find it, striking cargo containers at ports and at trains and 18-wheelers.

Thieves will either roll the dice, stealing containers with unknown contents, or they will go as far as camping outside of distribution centers. This method is called ''full load truck theft.'' It involves monitoring shipments out of distribution centers that are known for putting out expensive goods. The thieves will then follow the trucks in rental cars waiting for the right time to pounce. This will often occur at truck rest stops, where the driver leaves the vehicle. The process can amazingly take but a few minutes. These professional criminals are usually licensed truck drivers, who can hot wire a truck quickly and efficiently.

The legislation that I have proposed will seek to finally give both lawmakers and law enforcement officials the tools they need to combat this growing crime. Cargo theft does not receive the attention it deserves because very little concrete information exists today concerning this problem. There currently is no all-inclusive database that collects, contains or processes distinct information and data concerning cargo theft. My bill would require the creation of such a database that will allow State and local law enforcement officials to coordinate reports of cargo theft, helping them prove to lawmakers just how severe this problem really is.

Also, after speaking with officials in my Congressional District, it has become clear to me that stricter criminal penalties are needed in order to keep criminals from turning to cargo theft. My bill does just this, requiring that the United States Sentencing Commission determine what sentencing enhancement must be made.

Finally, this legislation would ensure that cargo theft reports would be reflected as a separate category in the Uniform Crime Reporting System, the data collection system used by the FBI. Currently no such category exists, resulting in ambiguous data and the inability to track and monitor trends.

Mr. Speaker, Members in this Chamber need to be aware of this problem, a problem not only specific to the large port cities of this country, but a problem specific to all Congressional districts. Flowing up and down I–75, through the heart of my district, thieves transport goods to and from Miami. Billions of dollars are being sapped from our economy, and this body is doing little to stop it. It is time that we get aggressive and make our highways safe again for commerce.

This body must make an example of cargo thieves. We must let them know that they will not get away with merely a slap on the hand. And as sheriff's departments begin integrating special cargo theft task forces, we must arm them with the ability to prosecute criminals with stiffer penalties.

Mr. Speaker, my bill represents a cohesive effort backed by law enforcement and industry representatives alike. I urge Members to support this bill, in hopes of bringing acknowledgment of this fight against cargo theft at the Federal level.

With links even to terrorism, cargo theft is a problem that has flown under our radar screens for far too long. Until we strengthen these laws, this 30-year-old crime wave will persist, threatening our ports and roads and costing our economy billions of dollars.

LOOMING DIABETES EPIDEMIC CAUSING HEALTHCARE CRISIS

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the gentleman from New Mexico (Mr. UDALL) is recognized during morning hour debates for 5 minutes.

Mr. UDALL of New Mexico. Mr. Speaker, the headlines shout out: ''Healthcare crisis looms.'' ''Diabetes epidemic.'' ''Increase in childhood obesity.'' Solutions abound, but the one which could make a real difference, prevention, is only paid lip service. We say ''an ounce of prevention is worth a pound of cure,'' but then we fail to reinvent our health policy to make prevention a cornerstone.

The facts are ominous, unrelenting and tell it all:

An obesity epidemic started in the early 1980s and equally impacts all age groups. Nearly one in four Americans are obese. Obesity is highly predictive of diabetes.

One in three children now being born in the United States ultimately will become diabetic.

Diabetes incidence increased 61 percent in the last decade; 76 percent for people in their thirties.

An alarming British study reported one-third of 5-year-old girls were overweight and showing signs of developing Type II diabetes, formerly called adult onset diabetes.

The Surgeon General in his December 2001 report left no doubt where we are headed. ''Left unabated, overweight and obesity may soon cause as much preventable disease and death as cigarette smoking.''

The healthcare costs to deal with these trends are overwhelming and unaffordable. The National Institutes of Health has estimated that diabetes costs the United States close to $138 billion each year in direct and indirect costs. Let me repeat, $138 billion. We cannot afford to double, triple and quadruple these costs. Even if we could find the resources, would this be a wise expenditure of our finite healthcare dollars?

Today we spend 95 percent of our healthcare dollars on treating chronic and acute illnesses, many of which could be prevented in the first place. In other cases we could at least delay the onset of disease for a number of years and provide a higher quality of life. The dollars we spend on prevention are minuscule, and we do not track the outcomes in a meaningful way.

This Nation needs a new approach to healthcare, which puts prevention front and center. The key to prevention is personal responsibility and personal action. If people are given the facts and alternatives, they can take charge of their health.

We are facing an epidemic of diabetes in New Mexico due to obesity and unhealthy lifestyles. Minority communities are disproportionately impacted. But there is hope in many of our communities, where individuals are taking charge of their health and their future.

I was in the Navajo community of Thoreau recently and saw some dynamic seniors reshaping the health of their community. These Navajo seniors knew that decades ago, when the Navajo people were leading an active life and herding their sheep and livestock and eating traditional food, there was very little disease. They remember diabetes and other modern ailments were also unheard of in the Navajo population. So with the help of the Centers for Disease Control and the University of New Mexico Preventive Health Center, they designed a menu of healthy traditional foods.

They call the regimen of regular exercise and healthier eating ''The Healthy Path.'' The seniors are teaching younger parents and their grandchildren the benefits of these healthier foods and how to begin The Healthy Path. Word has spread, and there are now a dozen healthy path initiatives ongoing in Navajo chapter houses.

This is not rocket science. We know prevention works. We have the tests and screening to know when someone is pre-diabetic, on a path to diabetes. Doctors have known for years that regular exercise, weight loss and healthy diet will virtually eliminate Type II diabetes. Let us put this knowledge to work and create healthier individuals and communities.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 44 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PETRI) at 2 p.m.

PRAYER

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

Lord God, all Your ways are just. You alone are the source of true compassion and love. We turn to You to be strengthened this week so we may accomplish the work You set before us.

By their deeds You judge all peoples. May this Congress prove to be just stewards of the resources of this Nation and worthy leaders who gain the respect of the people.

Above all and in all, guide their judgment and place prudence and practicality in their hearts. May they meet their responsibilities with fair and open debate, seeking the best means to achieve common goals.

May their work, conversations and all their efforts be dedicated to Your service and meet the needs of the least in our midst now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. GUTKNECHT led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken after 6:30 p.m. today.

RECOGNIZING AGRICULTURAL RESEARCH SERVICE FOR 50 YEARS OF OUTSTANDING SERVICE

Mr. GUTKNECHT. Mr. Speaker, I move to suspend the rules and pass the Senate joint resolution (S.J. Res. 22) recognizing the Agricultural Research Service of the Department of Agriculture for 50 years of outstanding service to the Nation through agricultural research.

The Clerk read as follows:

S.J. RES. 22

Whereas the Agricultural Research Service is the primary research agency of the Department of Agriculture and provides the Department of Agriculture and other Federal offices with objective research that is critical to the missions of those offices;

Whereas the agricultural research conducted by the Agricultural Research Service has an enormous impact on the economic viability of agriculture in the United States and around the world;

Whereas people around the world, especially rural Americans, enjoy a higher quality of life due in part to the work of the Agricultural Research Service to expand scientific knowledge;

Whereas the Agricultural Research Service has achieved major scientific breakthroughs that have benefited farmers, ranchers, agribusiness, and consumers;

Whereas the Agricultural Research Service has made scientific discoveries and technological developments that address agricultural problems of broad scope and high national priority, ensure safe and high quality food and other agricultural products that meet nutritional needs, and maintain a quality environment and natural resource base; and

Whereas the Agricultural Research Service continues to play a vital role in maintaining the global competitiveness and leadership of the United States in the next millennium: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress—

(1) recognizes the Agricultural Research Service of the Department of Agriculture for 50 years of outstanding service to the Nation through agricultural research; and

(2) acknowledges the promise of the Agricultural Research Service to continue to perform outstanding agricultural research in the next 50 years and beyond.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. GUTKNECHT) and the gentleman from Texas (Mr. STENHOLM) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. GUTKNECHT).

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

Mr. Speaker, Senate Joint Resolution 22 honors the Agricultural Research Service, the primary research agency of the United States Department of Agriculture. On Wednesday, October 29, the House Committee on Agriculture reported out an identical resolution, House Joint Resolution 74.

Although ARS can trace its heritage back to early 19th century seed collection activities in the U.S. Patent Office, it was originally organized on November 2, 1953, when the USDA consolidated most of its research functions into one newly-named Agricultural Research Service.

I am very pleased to help ARS mark its 50th anniversary and to use this occasion to recognize the important contributions ARS has made to the agricultural community, as well as to our Nation.

ARS is a public institution that conducts agricultural research exclusively for the public good. ARS scientists and other employees serve the Nation in their capacity of public servants and are accountable to the American people. The research is often long-term and costly and unlikely to be undertaken by the private sector. The ARS discoveries and innovations touch the lives of every American through the food we eat, the clothes we wear, and the environment in which we all live. Those of us from rural districts see firsthand the impact of ARS research but we should all be mindful of the agency's unique contributions to the quality of life for people everywhere. This impact is far greater than anyone could have imagined 50 years ago.

To mark its five decades of public service and to look forward to the next 50 years and beyond of even greater service to this Nation, ARS will be celebrating with various events throughout the next year. In fact, in recognition of the local and national partnerships that are the foundation of much of their research, ARS has declared this a year of outreach and will hold an open house or in some other way throw open their doors at each location over the next year. With over

100 locations across the country, I hope you will support these activities and provide special encouragement for continued ARS leadership in the agricultural, natural resources and technological arenas.

I urge all Members to support this important resolution.

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

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

I rise today in support of S.J. Res. 22, a resolution commending the USDA Agricultural Research Service for their 50 years of service to America. For half a century now, the ARS has been a leader in publicly-funded basic and applied research. Given the structure of U.S. agriculture, individual family farms are certainly not able to provide for their own technical and research needs. Publicly-funded research entities such as ARS can provide the lead for long-term projects and have been an obvious and significant success to the benefit of the American people.

Over the years, ARS scientists have made hundreds of technical advances, released thousands of new plant varieties, and contributed to the abundant food supply that all our citizens enjoy. My own State and district have benefited in many tangible ways from the work of the Agricultural Research Service, and I doubt that there are any of us here today who could not say the same thing. The ARS has contributed so very much to advances in the quality and quantity of our food supply, benefiting rural and urban dwellers alike.

I congratulate the Agricultural Research Service on their 50 years of service and I look forward to continue working with them to enhance both American agriculture and the well-being of all our citizens. I encourage all Members to support this well-deserved resolution of commendation.

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

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

This is a very important resolution. The ARS has done some wonderful work for us. This is one small way that Congress can say thank you and recognize their efforts.

Mr. HOYER. Mr. Speaker, I rise today to recognize the Agriculture Research Service (ARS) of the Department of Agriculture for 50 years of outstanding research. ARS is the established leader in agriculture science, producing quality research used by many to help create responsible science-based policy. As we prepare to celebrate their accomplishments of the past half-century, it is also an opportunity for us to bear in mind future achievements.

ARS is the largest science organization in the world dedicated to agriculture research. As the Department of Agriculture's in-house agency. ARS conducts research to solve problems that are of high national priority and in the best interests of the Nation. This science is vital to the mission area of several Department of Agriculture agencies such as the Animal and Plant Health Inspection Service (APHIS), Food Safety Inspection Service (FSIS), Grain Inspection, Packers and Stockyard Administration (GIPSA), and the Natural Resources Conservation Service (NRCS). ARS also serves a number of other Federal agencies such as the Food and Drug Administration (FDA), the Environmental Protection Agency (EPA), and some components within the Department of Defense (DOD), and the Department of Interior (DOI). Not only is ARS responsible for providing data to these agencies, they also distribute information to producers, consumers, and other stakeholders.

It is easy to see that research is an essential tool, but it is also a worthy investment. Federal agriculture research is a critical element in maintaining our competitive edge in the international arena as well as helps us address environmental challenges. We can better protect our resources from plant pests and animal diseases and can expect improved water quality, resource conservation, and renewable sources of energy. The value of these should research programs benefit not only agriculture, but all Americans.

ARS is able to carry out their mission of providing scientific research through collaborative efforts. There are more than 2,100 scientists conducting research at approximately 100 locations across the country and overseas. At any given time, ARS has more than 1,000 research projects underway, each of which is incorporated into one of 22 national programs. The network of laboratories and research centers across the country allows ARS to address problems quickly and efficiently.

I am proud to represent one center that has significantly contributed to this effort, the Beltsville Area Research Center (BARC), located in Beltsville, MD. I have worked with BARC over the years and have witnessed the work these researchers do and how critical it is to our daily lives.

BARC is the largest and most diversified agricultural research complex in the world. Beltsville's record of accomplishments and programs has earned the center international accolade and attracts thousands of visitors each year. Research in the Beltsville area addresses issues of agriculture importance and high national priority through programs in the Plant Sciences Institute, the Animal and Natural Resources Institute, the Beltsville Human Nutrition Research Center, and the U.S. National Arboretum. I am sure BARC will live up to its reputation of producing high quality research on the cutting edge that will propel U.S. agriculture into the future.

We should take great pride for the many milestones that have been met and continue to support ARS and American agriculture.

Mr. VISCLOSKY. Mr. Speaker, for the past 50 years, the Agriculture Research Service, or ARS as they are better known, has performed indispensable agriculture research across the country, including in the Congressional District I represent. I would like to take this opportunity to recognize ARS in honor of their 50th anniversary as the U.S. Department of Agriculture's main research authority.

From improving food safety to protecting crops and livestock, ARS has proved itself invaluable throughout the past 50 years. As the Department of Agriculture's research arm, they have been able to translate their raw data into profitability for farmers and lower costs for consumers. ARS has formed lasting partnerships with Universities throughout the nation, and has done so at Purdue University since 1965 when they released their first nationwide soil erosion-prediction equation. ARS maintains top-notch Crop Production and Pest Control, Livestock Behavior, and National Soil Erosion Laboratory units at Purdue. ARS, in conjunction with Purdue, continues to stay on the leading edge of agricultural research. Just this summer, they released their cutting edge Water Erosion Prediction Project over the Internet with software known as GeoWEPP.

From this research station, individuals such as Larry Dunkle, Donald Lay, and Darrell Norton have been able to study the agricultural dynamic of Northwest Indiana. They have all contributed a fundamental service to Northwest Indiana as well as the rest of the state, and their service with the ARS is indeed recognized and deeply appreciated. The agricultural community of Northwest Indiana has counted on their contributions of ARS for 50 years now, and that strong partnership will continue into the future.

Mr. Speaker, I ask that my colleagues join me as I congratulate ARS and its researchers on their 50th anniversary by supporting S.J. Res. 22. I would further like to express my gratitude for their service to the agricultural community. Their accomplishments speak volumes, and I thank them for their vital public service.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. GUTKNECHT) that the House suspend the rules and pass the Senate joint resolution, S.J. Res. 22.

The question was taken.

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

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

The yeas and nays were ordered.

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

NATIONAL VETERINARY MEDICAL SERVICE ACT

Mr. GUTKNECHT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1367) to authorize the Secretary of Agriculture to conduct a loan repayment program regarding the provision of veterinary services in shortage situations, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1367

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

SECTION. 1. SHORT TITLE.

This Act may be cited as the ''National Veterinary Medical Service Act''.

SEC. 2. ESTABLISHMENT OF LOAN REPAYMENT PROGRAM REGARDING VETERINARY MEDICINE.

The National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7

U.S.C. 3101 et seq.) is amended by inserting after section 1415 the following new section:

"SEC. 1415A. VETERINARY MEDICINE LOAN REPAYMENT.

''(a) PROGRAM.—

''(1) SERVICE IN SHORTAGE SITUATIONS.—The Secretary shall carry out a program of entering into agreements with veterinarians under which the veterinarians agree to provide, for a period of time as determined by the Secretary and specified in the agreement, veterinary services in veterinarian shortage situations. For each year of such service under an agreement under this paragraph, the Secretary shall pay an amount, as determined by the Secretary and specified in the agreement, of the principal and interest of qualifying educational loans of the veterinarians.

''(2) SERVICE TO FEDERAL GOVERNMENT IN EMERGENCY SITUATIONS.—

''(A) IN GENERAL.—The Secretary may enter into agreements of one year duration with veterinarians who have agreements pursuant to paragraph (1) for such veterinarians to provide services to the Federal Government in emergency situations, as determined by the Secretary, under terms and conditions specified in the agreement. Pursuant to an agreement under this paragraph, the Secretary shall pay an amount, in addition to the amount paid pursuant to the agreement in paragraph (1), as determined by the Secretary and specified in the agreement, of the principal and interest of qualifying educational loans of the veterinarians.

''(B) REQUIREMENTS.—Agreements entered into under this paragraph shall include the following:

''(i) A veterinarian shall not be required to serve more than 60 working days per year of the agreement.

''(ii) A veterinarian who provides service pursuant to the agreement shall receive a salary commensurate with the duties and shall be reimbursed for travel and per diem expenses as appropriate for the duration of the service.

''(b) DETERMINATION OF VETERINARIAN SHORTAGE SITUATIONS.—In determining 'veterinarian shortage situations' the Secretary may consider the following:

''(1) Urban or rural areas that the Secretary determines have a shortage of veterinarians.

''(2) Areas of veterinary practice that the Secretary determines have a shortage of veterinarians, such as public health, epidemiology, and food safety.

''(3) Areas of veterinary need in the Federal Government.

''(4) Other factors that the Secretary considers to be relevant.

''(c) ADMINISTRATION.—

''(1) AUTHORITY.—The Secretary may carry out this program directly or enter into agreements with another Federal agency or other service provider to assist in the administration of this program.

''(2) BREACH REMEDIES.—

''(A) IN GENERAL.—Agreements with program participants shall provide remedies for any breach of an agreement by a participant, including repayment or partial repayment of financial assistance received, with interest.

''(B) AMOUNTS RECOVERED.—Funds recovered under this subsection shall be credited to the account available to carry out this section and shall remain available until expended.

''(3) WAIVER.—The Secretary may grant a waiver of the repayment obligation for breach of contract in the event of extreme hardship or extreme need, as determined by the Secretary.

''(4) AMOUNT.—The Secretary shall develop regulations to determine the amount of loan repayment for a year of service by a veterinarian. In making the determination, the Secretary shall consider the extent to which such determination—

''(A) affects the ability of the Secretary to maximize the number of agreements that can be provided under the Veterinary Medicine Loan Repayment Program from the amounts appropriated for such agreements; and

''(B) provides an incentive to serve in veterinary service shortage areas with the greatest need.

''(5) QUALIFYING EDUCATIONAL LOANS.—Loan repayments provided under this section may consist of payments on behalf of participating individuals of the principal and interest on government and commercial loans received by the individual for attendance of the individual at an accredited college of veterinary medicine resulting in a degree of Doctor of Veterinary Medicine or the equivalent, which loans were made for—

''(A) tuition expenses;

''(B) all other reasonable educational expenses, including fees, books, and laboratory expenses, incurred by the individual; or

''(C) reasonable living expenses as determined by the Secretary.

''(6) REPAYMENT SCHEDULE.—The Secretary may enter into an agreement with the holder of any loan for which payments are made under this section to establish a schedule for the making of such payments.

''(7) TAX LIABILITY.—In addition to educational loan repayments, the Secretary shall make such additional payments to participants as the Secretary determines to be appropriate for the purpose of providing reimbursements to participants for individual tax liability resulting from participation in this program.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for carrying out this section such sums as may be necessary and such sums shall remain available to the Secretary for the purposes of this section until expended.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. GUTKNECHT) and the gentleman from Texas (Mr. STENHOLM) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. GUTKNECHT).

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

Mr. Speaker, I rise today in support of H.R. 1367, the National Veterinary Medical Service Act. I commend the gentleman from Mississippi (Mr. PICKERING) for his leadership on this issue.

H.R. 1367, as amended, authorizes the Secretary of Agriculture, subject to the availability of appropriations, to assist veterinarians in repaying their educational loans if they agree to provide veterinary medical services in areas where the Secretary has determined a shortage of qualified veterinarians exists.

In addition, at the request of the USDA, the bill authorizes the Secretary to provide additional loan repayment for those veterinarians in this program who agree to provide services to the Federal Government in emergency situations. Examples of when this may be important include California's recent experience with Exotic Newcastle Disease, or in a case closer to home, an outbreak of low pathogenic Avian influenza in Virginia here in 2002. In both of these examples, the Federal Government, acting through USDA's Animal and Plant Health Inspection Service, mobilizes its resources in order to detect, control and eradicate disease. Having a pool of qualified veterinarians able to assist in a time of emergency simply bolsters our ability to rapidly contain diseases which can cost our economy millions or even billions of dollars.

Once again, I commend the gentleman from Mississippi for his hard work on this important legislation and urge all Members to support it.

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

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

I rise today in support of H.R. 1367, the National Veterinary Medical Services Act. I want to commend the gentleman from Mississippi (Mr. PICKERING) and the gentleman from Texas (Mr. TURNER) for their good work in advancing this legislation.

Assuring an adequate supply of veterinarians in many underserved rural and urban areas is a critical issue for our Nation's animal health infrastructure. It is generally private veterinarians who are the first to identify and respond to animal disease outbreaks. In addition, there is a great need for private veterinarians to supplement the Federal response during future animal health emergencies. The assistance that this legislation will provide to encourage veterinary practice in underserved areas, along with the creation of something like a ''National Guard'' for private veterinarians who can be called up in emergencies, should wisely enhance our preparation to deal with future animal health emergencies.

The bill under consideration will help to encourage both goals through a very modest public investment with the U.S. Department of Agriculture. I believe H.R. 1367 is a good, cost-effective policy. I encourage Members to support passage of this bill.

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

Mr. GUTKNECHT. Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi (Mr. PICKERING), the author of the bill.

Mr. PICKERING. Mr. Speaker, I want to thank the gentleman from Minnesota (Mr. GUTKNECHT), the gentleman from Texas (Mr. STENHOLM), and the gentleman from Virginia (Mr. GOODLATTE) and all of his staff who have worked in a bipartisan manner with the gentleman from Texas (Mr. TURNER) and myself as we have brought this much-needed legislation through the committee and now to the floor of the U.S. House of Representatives.

I want to thank those leaders at Mississippi State University who had the foresight and the ability to bring to our attention here on the committee and in my office the need that we have, the critical need, the desperate need that we have to be able to help our students, our veterinarian students who

often end up their education with up to, on average, $70,000 in debt. When that occurs, it is so difficult for them to pay the debt and practice in rural or underserved markets and make the type of salary that is needed to be able to retire that debt and pay that debt and raise a family, start a family and start their dreams. And so we are doing just as we have done for medical doctors and dentists and nurses and teachers, and, that is, starting a program that will help them repay their debt, that will pick up those obligations, if in return, they will agree to serve in those areas where we have critical shortages in the rural and the large-animal practices and the underserved markets. Not only will they fill that critical need that is so important not only in animal health, but as it relates to the connections to human health, and in national security, and in homeland security, where we have new threats of bioterrorism, or we have the outbreaks of dreaded diseases that we have seen ravage not only Europe, the economy and the agricultural economy in Europe with mad cow disease, that in those times of crisis those that sign up and meet these requirements and then have their debts repaid, will agree to serve their country, in essence, a National Guard for veterinarians.

□ 1415

So we see today a way to meet the critical shortage of veterinarians in rural and underserved markets. We see a way to encourage the service to our country in homeland security and to meet the threats of either bioterrorism or major animal disease outbreaks. This is much-needed legislation that will help us as we go forward.

Again, I want to thank the committee, the staff, the chairman, and the ranking member for all their help and assistance in getting us to this point. We hope that this legislation can pass not only today in the House but move quickly through the Senate as we address this much-needed legislation and to address the critical shortages that we face in rural districts like mine and across the country.

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

I would ask to engage the gentleman from Minnesota (Mr. GUTKNECHT) on behalf of the gentleman from Virginia (Chairman GOODLATTE) in a brief colloquy.

During the Committee consideration of H.R. 1367, I raised some concerns about the potential that implementation of this bill, should it be passed and signed into law, might include an arbitrary graduation cutoff date for veterinarians wishing to participate. We certainly do not want to preclude participation by veterinarians that may have years of valuable experience. This has been a problem with regard to a different educational loan repayment program that folks from my district have tried to access in the past. It is my understanding that nothing in this legislation before us today would encourage the establishment of such a standard by USDA. It is my understanding that any veterinarian who meets the general standards for participation would be eligible to apply for this program no matter how long might have elapsed since her or his graduation from an accredited school of veterinary medicine. Is that the gentleman's understanding of the bill language?

Mr. GUTKNECHT. Mr. Speaker, will the gentleman yield?

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

Mr. GUTKNECHT. Mr. Speaker, I thank the gentleman from Texas (Mr. STENHOLM) for yielding and for raising this issue. We have talked to the gentleman from Virginia (Chairman GOODLATTE), and it is our understanding and intent that nothing in this language would preclude any veterinarian, no matter when they graduated from vet school, from applying or to participate so long as they have eligible student loan debt and meet other criteria for participation as described in the legislation.

Mr. STENHOLM. Mr. Speaker, I thank the gentleman for helping to make this point clear.

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

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

I would like to thank the gentleman from Mississippi (Mr. PICKERING). I think this is a very important piece of legislation. I think veterinarians in some respects are like tourniquets: we do not need one often; but when we do need one, we need one rapidly; and in underserved areas, it could become a very serious problem. So I think this is an important piece of legislation. I hope my colleagues will join me in supporting this bill.

Mr. HAYES. Mr. Speaker, I want to commend my colleagues for this needed legislation which ensures the Federal Government's deep commitment to a highly trained and diverse workforce in rural and underserved areas, and encourages veterinarians to assist the U.S. Department of Agriculture in emergency disease outbreak situations. But we should go even further. In order to best maximize Federal Government resources, both in this program at the Department of Agriculture, as well as loan repayment programs throughout the Federal Government, we should allow competition within other aspects of the student loan program, including consolidation loans.

The 1998 reauthorization of the Higher Education Act allowed Federal Family Education Loan (FFEL) student loan borrowers who hold loans from more than one underlying lender to select from those lenders when consolidating their loans. This change has enabled many recent college graduates to refinance their loans at a lower fixed-interest rate. However, student loan borrowers who hold loans through a single lender must consolidate loans through their current lender. This rule is known as the "Single Holder Rule."

In order to ensure that we instill competition, we will need to make sure that during the reauthorization of the Higher Education Act, which is currently moving through the Education and the Workforce Committee, we repeal the single holder rule. I want to thank Chairman BOEHNER and Congressman MCKEON for their efforts to keep college costs under control during consideration of this important legislation. It will be part of my commitment to Federal agencies, students and families everywhere that they have the benefit of competition from qualified lenders in the program when they consolidate their loans and, thus, allow them to take advantage of historically low fixed interest rates—just as other borrowers are able to do every day.

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Minnesota (Mr. GUTKNECHT) that the House suspend the rules and pass the bill, H.R. 1367, as amended.

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

A motion to reconsider was laid on the table.

PROVIDING FOR CONVEYANCE OF LAND IN APALACHICOLA NATIONAL FOREST, FLORIDA

Mr. GUTKNECHT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3217) to provide for the conveyance of several small parcels of National Forest System land in the Apalachicola National Forest, Florida, to resolve boundary discrepancies involving the Mt. Trial Primitive Baptist Church of Wakulla County, Florida, and for other purposes.

The Clerk read as follows:

H.R. 3217

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

SECTION 1. LAND CONVEYANCE, APALACHICOLA NATIONAL FOREST, FLORIDA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of Agriculture may convey, without consideration, to the Mt. Trial Primitive Baptist Church of Wakulla County, Florida, all right, title, and interest of the United States in and to four parcels of real property in the Apalachicola National Forest, Florida, located in section 5 of township 5 south, range 2 west, Tallahassee meridian, and consisting of approximately 9.95 acres, 0.09 acres, 0.09 acres, and 0.096 acres, respectively, as depicted on a map, plat number 5–118, prepared as part of a 1983 Forest Service survey.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by the Secretary.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. GUTKNECHT) and the gentleman from Texas (Mr. STENHOLM) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. GUTKNECHT).

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

Mr. Speaker, H.R. 3217 allows the Forest Service to convey without consideration 10.2 acres of the Apalachicola National Forest to the Mt. Trial Primitive Baptist Church of Wakulla County, Florida.

This parcel of land was purchased by the Mt. Trial church in the 1930s; but for a variety of reasons, the deed was never recorded. Unfortunately, the original landowner subsequently resold the land to the National Forest Service in the 1950s. While the Forest Service now technically owns the land, it is more than happy to return this cemetery to the church. This is a fair and equitable resolution to this unfortunate situation.

H.R. 3217 was marked up by the Committee on Agriculture on October 29, 2003. It was approved by the committee on a voice vote without amendment. The bill enjoys the support of the local community and the administration. I urge all Members to support this legislation and return this property to its rightful owner.

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

I rise in support of H.R. 3217, legislation to convey several small parcels of National Forest System land in the Apalachicola National Forest in order to resolve boundary discrepancies involving the U.S. Forest Service and the Mt. Trial Primitive Baptist Church of Wakulla County, Florida.

Briefly, H.R. 3217 would allow the Mt. Trial church to expand a cemetery that it maintains next to its church building. This legislation would correct boundary discrepancies that resulted from the church and the Forest Service claiming ownership to the same 10-acre tract of land.

By way of background, the Mt. Trial Primitive Baptist Church is a historically African American church that purchased 10 acres of land in the 1930s in anticipation of expanding its cemetery. The church, however, never recorded the deed for the land purchased at the local county courthouse.

In 1938, the U.S. Forest Service purchased the same 10 acres of land as part of a larger tract that was incorporated into the Apalachicola National Forest. In that instance, the Forest Service did record its deed; and while there is no dispute about the validity of the church's purchase, the Department of Agriculture's legal counsel has ruled that because the Federal Government did file its deed with the county, it is the rightful owner of the property. I would also note that two graves are already located on the Federal Government property and the church's existing cemetery is full.

Mr. Speaker, H.R. 3217 will solve the boundary discrepancies by giving the Secretary of Agriculture the authority to transfer the property to the Mt. Trial Primitive Baptist Church. I encourage my colleagues to support this measure. This measure has been brought to our attention by the gentleman from Florida (Mr. BOYD).

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

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

This is a fair and equitable way to deal with this problem. All parties agree to it, and hopefully the Members of the House will join us in support of this important legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. GUTKNECHT) that the House suspend the rules and pass the bill, H.R. 3217.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GUTKNECHT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3217, the bill just passed.

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

There was no objection.

PROVIDING FOR DESIGNATION OF A DEPARTMENT OF AGRICULTURE DISASTER LIAISON

Mr. GUTKNECHT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3157) to provide for the designation of a Department of Agriculture disaster liaison to assist State and local employees of the Department in coordination with other disaster agencies in response to a federally declared disaster area as a result of a disaster, as amended.

The Clerk read as follows:

H.R. 3157

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

SECTION 1. LIAISON FOR DISASTER EMERGENCIES.

(a) DEPLOYMENT OF DISASTER LIAISON.—The Secretary of Agriculture shall deploy disaster liaisons to State and local Department of Agriculture Service Centers in a federally declared disaster area whenever Federal Emergency Management Agency Personnel are deployed in that area, to coordinate Department programs with the appropriate disaster agencies designated under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(b) QUALIFICATIONS.—Disaster liaisons shall be selected from among Department employees who have experience providing emergency disaster relief in federally declared disaster areas.

(c) DUTIES.—A disaster liaison shall—

(1) serve as a liaison to State and Federal Emergency Services;

(2) be deployed to a federally declared disaster area to coordinate Department interagency programs in assistance to agricultural producers in the declared disaster area;

(3) facilitate the claims and applications of agricultural producers who are victims of the disaster that are forwarded to the Department by the appropriate State Department of Agriculture agency director; and

(4) coordinate with the Director of the State office of the appropriate Department agency to assist with the application for and distribution of economic assistance.

(d) DURATION OF DEPLOYMENT.—The deployment of a disaster liaison under subsection (a) may not exceed 30 days.

(e) DEFINITION.—In this section, the term ''federally declared disaster area'' means—

(1) an area covered by a Presidential declaration of major disaster, including a disaster caused by a wildfire, issued under section 301 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170); or

(2) determined to be a disaster area, including a disaster caused by a wildfire, by the Secretary under subpart A of part 1945 of title 7, Code of Federal Regulations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. GUTKNECHT) and the gentleman from Texas (Mr. STENHOLM) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. GUTKNECHT).

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

Mr. Speaker, H.R. 3157, a bill to designate and deploy U.S. Department of Agriculture liaison teams to areas of the country declared disaster areas, was approved by the Committee on Agriculture on October 29 of this year.

The bill seeks to ensure prompt Federal assistance to agricultural producers in rural areas affected by natural disasters that have been declared by the President or the Secretary of Agriculture. The teams will coordinate the activities of USDA employees assisting agricultural producers within the disaster area. The teams will facilitate the making of claims and applications for economic assistance of affected producers and others as they deal with the agencies designated under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

During the business meeting to consider H.R. 3157, the committee considered and adopted as a substitute amendment four changes to the legislation as originally introduced by the gentleman from Missouri (Mr. BLUNT). These changes include directing the Secretary of Agriculture to use USDA Food and Agriculture Council as a point of contact for the liaison team, requiring the Secretary to make the deployment only when FEMA has been sent to the disaster area, providing that the team will conduct and conclude its business within 30 days of the deployment, and, finally, adding wildfire as a specific disaster under a secretarial disaster declaration.

The bill before the House this afternoon makes a minor amendment to the

committee-reported bill by returning to the Secretary of Agriculture the full discretion to assign USDA employees to the liaison positions, instead of acting through the Department's Food and Agriculture Council.

As I am certain my colleagues can understand, natural disasters over large geographical areas often are followed by chaotic circumstances on the ground. Traditionally, USDA has had a significant role along with FEMA in assisting farmers, ranchers, and other rural residents; and this bill attempts to make those circumstances more orderly and more predictable for our rural constituents during a time when those residents and the communities in which they live need Federal help.

I hope the House will join with me in supporting this bill that seeks to improve Federal disaster assistance on our farms and in rural communities.

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

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

Mr. Speaker, H.R. 3157 is a bipartisan piece of legislation that attempts to address the very serious issue of USDA program coordination and information dissemination during times of federally declared national disasters.

Currently, there is no statutory requirement that USDA make a representative available at the Emergency Operations Center following a catastrophic disaster. As a result, if a farmer or rancher suffers a loss due to a natural disaster, there is no USDA point of contact on site to answer questions or provide information about departmental relief programs. Such information is obviously critical, and this legislation simply ensures that farmers and ranchers will have access to an on-site USDA point of contact.

While expressing support for this bill, let me briefly address a bigger issue for farmers and ranchers that have been adversely affected by a disaster. The fact is there are only minimal standing disaster programs within USDA to help farmers and ranchers deal with the variety of losses that can occur as a result of a natural disaster. In effect, all that USDA on-site points of contact can do is to tell farmers and ranchers, Sorry, the United States Department of Agriculture cannot help you. In addition, farmers and ranchers do not qualify for Small Business Administration programs and, in point of fact, receive very little help from FEMA.

So again, while I support H.R. 3157, the bigger question is what can be done to provide farmers and ranchers with greater certainty in terms of permanent disaster programs so that they may have some hope of recovering from such disasters.

Mr. BLUNT. Mr. Speaker, I rise today to urge support for the Rural Disaster Liaison Bill (H.R. 3157).

This past May, my district saw devastating losses in the aftermath of a series of tornadoes.

Estimates indicate that our agriculture community in southwest Missouri lost an estimated $27 billion in damages.

On the ground at home following those tornadoes, I noticed that the U.S. Department of Agriculture (USDA) had no staff in the statewide disaster field office (DFO) where officials from FEMA and the Small Business Administration were helping individuals and business owners.

Because Disaster Act declarations make no arrangements for a USDA representative, a single voice from USDA was noticeably absent on the ground in Southwest Missouri during disaster response discussions in the days and weeks after those terrible tornadoes.

This legislation will bring greater coordination from the USDA's three major agencies—Natural Resources Conservation Service, the Farm Service Agency and Rural Development—by requiring that a liaison from USDA be a member of future Federal disaster response teams. This individual would be dispatched to a disaster to work side-by-side with representatives from the local Farm Service Agency (FSA) for 30 days to help find relief for those disaster victims. Once the 30 days are up, the liaison will return to his or her post in Washington, DC, and continue to work on behalf of the farmers and others who need the services that the USDA provides.

Mr. Speaker, I hope that a disaster response team is never necessary in any of the districts my colleagues represent. However, should disaster strike, let's make sure that our agriculture communities are represented and that they get the help they deserve in a prompt fashion.

I urge my colleagues to support the passage of H.R. 3157.

Mr. BACA. Mr. Speaker, I rise in support of H.R. 3157. I am proud to support this legislation that will help farmers recover from national disasters because I believe that far too often, farmers are not thought of during times of emergency.

Representative BLUNT has authored a good bill. I supported it in the House Agriculture Committee and I even introduced an amendment that would make sure that the people in my home State of California, who suffered from the recent wildfires, could be helped by this bill.

Too many Californians have no idea how they will get by without their orchards, olive groves, and other farming operations that burned to the ground.

This legislation will compel the Department of Agriculture to create disaster liaisons and dispatch them to disaster zones.

In California, we have suffered greatly from several wildfires that have caused great damage throughout the state.

In San Bernardino County, over 40,000 people were evacuated from their homes, and nearly 1,200 buildings burned to the ground.

Far too many people lost their homes, farms, and in some cases—their lives—to these wild fires.

This bill and my amendment are only a small step in the right direction. We must funnel Federal attention and resources to rebuild after these deadly wildfires and help prevent similar events in the future.

Mr. CARDOZA. Mr. Speaker, H.R. 3157 would require USDA to designate employees of the Department to serve as disaster liaisons to State and local emergency agencies in a federally declared disaster area. These liaisons would be responsible for coordinating interagency programs and assisting agricultural producers in the area to navigate through the bureaucracy of Federal Government support.

I want to thank Majority Whip BLUNT for taking the initiative to introduce this legislation on behalf of farmers and growers in the United States. I was more than happy to sign on as the lead cosponsor because of a situation faced by a handful of growers in my congressional district earlier this year.

During this past April, an unusual hailstorm descended upon Merced Country, ruining acres and acres of peach orchards. That event set off a chain of events involving numerous agencies within USDA, which in turn led to me and my staff to negotiate on their behalf with countless officials and administrators throughout USDA attempting to elicit some type of assistance from the Federal Government. It was a trying experience to say the least.

When a disaster happens now, multiple USDA agencies involved with numerous programs actively assess damage in a disaster area, while compiling information from hundreds of phone calls and by talking to numerous disaster victims. This information is then assembled and sent to representatives of the State. The farmer is left to fend for himself or herself with no point of contact for follow up.

Those situations are what Mr. BLUNT and I are trying to avoid with this legislation.

When enacted, H.R. 3157 will require USDA to recognize the importance of quick response time to agricultural disasters by deploying an experienced disaster specialist to an affected area. This official will facilitate such things as crop insurance claims processing and other applications for economic assistance as well as provide one legitimate source of information and comfort from the Federal Government.

My growers affected by the hailstorm were continually given conflicting information from different USDA employees. It is imperative that growers, especially the more skeptical growers in my home State of California, be able to receive clear and concise information on how to proceed after a Federal disaster as been declared in order to most efficiently proceed to the next crop year.

H.R. 3157 is the right thing to do for America's agricultural industry and I am proud to be a sponsor of this bill.

Again, I would like to thank Chairman GOODLATTE, Ranking Member STENHOLM, and Majority Whip BLUNT for recognizing the importance of the legislation. I urge an aye vote on this bill.

Ms. BORDALLO. Mr. Speaker, I rise today in support of H.R. 3157, which will direct the Secretary of Agriculture to designate employees of the Department of Agriculture to serve as liaisons between the federal agencies and state and local governments in the event of a federally declared disaster area.

As Delegate and long-term resident of Guam, I can attest to the debilitating state of confusion in the after math of a disaster. Just last year, individuals and businesses on Guam sustained millions of dollars in damage as result of the destruction wrought by two supertyphoons, Cha'at'an in May and Pongsona in December, 2002. While federal agencies worked quickly to implement disaster recovery plans for Guam, the central communications

mechanism between GovGuam and the various agencies through FEMA and its designated liaisons was crucial to the typhoon recovery.

H.R. 3157 will create a consistent mechanism of communication between the federal government and state and local entities for agricultural issues in the event of a disaster. I strongly support passage of H.R. 3157 and encourage my colleagues to vote in favor of this important disaster legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. GUTKNECHT) that the House suspend the rules and pass the bill, H.R. 3157, as amended.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GUTKNECHT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill, H.R. 3157, as amended.

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

There was no objection.

RESOLVING BOUNDARY CONFLICTS IN VICINITY OF MARK TWAIN NATIONAL FOREST IN BARRY AND STONE COUNTIES, MISSOURI

Mr. GUTKNECHT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2304) to resolve boundary conflicts in the vicinity of the Mark Twain National Forest in Barry and Stone Counties, Missouri, that resulted from private landowner reliance on a subsequent Federal survey, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2304

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

SECTION 1. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Certain landowners in Barry and Stone Counties, Missouri, innocently and in good faith relied on subsequent land surveys, which they believed to be correct, and occupied, improved, or claimed portions of adjoining Federal lands based on such survey information.

(2) The appropriate Federal agencies should undertake actions to correctly reestablish the corners of the Public Land Survey System in Barry and Stone Counties, Missouri, and rectify boundary conflicts and landownership claims against Federal lands resulting from subsequent land surveys, and do so in a manner which imposes the least cost and inconvenience to affected private landowners.

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

(1) to resolve boundary conflicts in Barry and Stone Counties, Missouri, arising from subsequent land surveys; and

(2) to minimize costs and inconvenience to the affected private property owners in Barry and Stone Counties, Missouri.

SEC. 2. RESOLUTION OF BOUNDARY CONFLICTS, VICINITY OF MARK TWAIN NATIONAL FOREST, BARRY AND STONE COUNTIES, MISSOURI.

(a) DEFINITIONS.—In this section:

(1) The term ''appropriate Secretary'' means the Secretary of the Army or the Secretary of Agriculture.

(2) The term ''boundary conflict'' means the situation in which the private claim of ownership to certain lands, based on subsequent land surveys, overlaps or conflicts with Federal ownership of the same lands.

(3) The term ''Federal land surveys'' means any land survey made by any agency or department of the Federal Government using Federal employees, or by Federal contract with State-licensed private land surveyors or corporations and businesses licensed to provide professional land surveying services in the State of Missouri.

(4) The term ''original land surveys'' means the land surveys made by the United States General Land Office as part of the Public Land Survey System in the State of Missouri, and upon which Government land patents were issued conveying the land.

(5) The term ''Public Land Survey System'' means the rectangular system of original Government lands surveys made by the United States General Land Office and its successor, the Bureau of Land Management, under Federal laws providing for the survey of the public lands upon which the original land patents were issued.

(6) The term ''qualifying claimant'' means a private owner of real property in Barry or Stone County, Missouri, who has a boundary conflict as a result of good faith and innocent reliance on subsequent land surveys, and as a result of such reliance, has occupied, improved, or made ownership claims to Federal lands.

(7) The term ''subsequent land surveys'' mean any land surveys made after the original land surveys.

(b) NOTICE OF BOUNDARY CONFLICT.—

(1) SUBMISSION AND CONTENTS.—A qualifying claimant shall notify the appropriate Secretary in writing of a claim that a boundary conflict exists with Federal land administered by the appropriate Secretary. The notice shall be accompanied by the following information, which, except as provided in subsection (d)(2)(B), shall be provided without cost to the United States:

(A) A land survey plat and legal description of the affected Federal lands, which are based upon a land survey completed and certified by a Missouri State-licensed professional land surveyor, and done in conformity with the Public Land Survey System and in compliance with the applicable State and Federal land surveying laws.

(B) Information relating to the claim of ownership of the Federal lands, including supporting documentation showing the landowner relied on a subsequent land survey due to actions by the Federal Government in making or approving surveys for the Table Rock Reservoir.

(2) DEADLINE FOR SUBMISSION.—To obtain relief under this section, a qualifying claimant shall submit the notice required by paragraph (1) within 15 years after the date of the enactment of this Act.

(3) RESPONSIBILITIES OF CLAIMANTS.—The qualifying claimant shall have the responsibility for establishing that the qualifying claimant qualifies for the remedies provided in subsection (c).

(c) RESOLUTION AUTHORITIES.—The appropriate Secretary may take any of the following actions, or combination of actions, in order to resolve boundary conflicts with qualifying claimants involving lands under the administrative jurisdiction of the appropriate Secretary:

(1) Convey and quitclaim all right, title, and interest of the United States in land subject to a boundary conflict.

(2) Confirm Federal title to, and retain in Federal management, any land subject to a boundary conflict, if the appropriate Secretary determines there are Federal interests, including improvements, authorized uses, easements, hazardous materials, or historical and cultural resources, on the land that necessitates retention of the land.

(3) Compensate the qualifying claimant for the value of the overlapping property for which title is confirmed and retained in Federal management pursuant to paragraph (2).

(d) CONSIDERATION AND COST.—

(1) CONVEYANCE WITHOUT CONSIDERATION.—The conveyance of land under subsection (c)(1) shall be made without consideration if the appropriate Secretary determines that the boundary conflict was the result of the innocent detrimental reliance by the qualifying claimant on a subsequent land survey.

(2) COSTS.—The appropriate Secretary shall—

(A) pay administrative, personnel, and any other costs associated with the implementation of this section, including the costs of survey, marking, and monumenting property lines and corners; and

(B) reimburse the qualifying claimant for reasonable out-of-pocket survey costs necessary to establish a claim under this section.

(3) VALUATION.—Compensation paid to a qualifying claimant pursuant to subsection (c)(3) for land retained in Federal ownership pursuant to subsection (c)(2) shall be valued on the basis of the contributory value of the tract of land to the larger adjoining private parcel and not on the basis of the land being a separate tract. The appropriate Secretary shall not consider the value of any Federal improvements to the land.

(e) PREEXISTING CONDITIONS; RESERVATIONS; EXISTING RIGHTS AND USES.—

(1) PREEXISTING CONDITIONS.—The appropriate Secretary shall not compensate a qualifying claimant or any other person for any preexisting condition or reduction in value of any land subject to a boundary conflict because of any existing or outstanding permits, use authorizations, reservations, timber removal, or other land use or condition.

(2) EXISTING RESERVATIONS AND RIGHTS AND USES.—Any conveyance pursuant to subsection (c)(1) shall be subject to—

(A) reservations for existing public uses for roads, utilities, and facilities; and

(B) permits, rights-of-way, contracts and any other authorization to use the property.

(3) TREATMENT OF LAND SUBJECT TO SPECIAL USE AUTHORIZATION OR PERMIT.—For any land subject to a special use authorization or permit for access or utilities, the appropriate Secretary may convert, at the request of the holder, such authorization to a permanent easement prior to any conveyance pursuant to subsection (c)(1).

(4) FUTURE RESERVATIONS.—The appropriate Secretary may reserve rights for future public uses in a conveyance made pursuant to subsection (c)(1) if the qualifying claimant is compensated for the reservation in cash or in land of equal value.

(f) RELATION TO OTHER CONVEYANCE AUTHORITY.—Nothing in this section affects the

Quiet Title Act (28 U.S.C. 2409a) or other applicable law, or affects the exchange and disposal authorities of the Secretary of Agriculture, including the Small Tracts Act (16 U.S.C. 521c), or the exchange and disposal authorities of the Secretary of the Army.

(g) ADDITIONAL TERMS AND CONDITIONS.—The appropriate Secretary may require such additional terms and conditions in connection with a conveyance under subsection (c)(1) as the Secretary considers appropriate to protect the interests of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. GUTKNECHT) and the gentleman from Texas (Mr. STENHOLM) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. GUTKNECHT).

□ 1430

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

Mr. Speaker, this bill provides a mechanism for the Forest Service and the Army Corps of Engineers to resolve boundary conflicts between the Mark Twain National Forest and adjacent private landowners. The dispute over boundaries stems from recent surveys conducted by contractors to the U.S. Army Corps of Engineers, which have subsequently been found severely flawed by the State Surveyor for Missouri.

The measure sets a process for dealing with disputed boundaries. The landowner would notify the Secretary of Agriculture of a disputed boundary, prompting a new land survey. If the Secretary determines that the boundary conflict is the result of a reliance on a previous land survey, the land in dispute can be returned to the property owner.

It is important to note that the bill does not require the conveyance of any particular lands. Where a new survey shows that the lands in question were surveyed improperly, the Forest Service can either execute a quit claim deed, assert Federal ownership if the Federal Government has improved the land, or compensate the landowner for the land.

We made one minor change to the bill which requires that any liability for environmental hazards on the property, if any, be settled through an agreement between the landowner and the Federal Government. This change was requested by the Committee on Transportation and Infrastructure.

This is a case where the Federal Government has not exercised adequate due diligence in maintaining their land surveys to the detriment of their neighbors. Rather than redrawing map boundaries from Washington, we are creating a process where these folks can address their claims closer to home. The Committee on Agriculture regards this as an equitable solution to a local problem created by the Federal Government. I urge my colleagues to join me in support of this bill.

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

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

Mr. Speaker, I rise in support of H.R. 2304, legislation to resolve boundary conflicts in the vicinity of the Mark Twain National Forest in Barry and Stone Counties, Missouri, resulting from private landowner reliance on a subsequent Federal survey.

These boundary conflicts resulted from discrepancies between recent land surveys conducted by the U.S. Forest Service and its implementation of the Restoration of Original Corners Program, and decades-old surveys conducted by the Army Corps of Engineers. As a result of the more recent land surveys, private property lands adjoining Federal lands were moved, and private property landowners discovered that, due to their reliance on the older land surveys, they had inadvertently trespassed on Federal land.

Mr. Speaker, H.R. 2304 would remedy these boundary discrepancies by authorizing and directing the Secretary of Agriculture to convey title to U.S. Forest Service land on which private landowners can demonstrate that they inadvertently trespassed because of their reliance on a previous inaccurate Federal survey, or relied on a survey based on a previous inaccurate survey.

I urge my colleagues to support this legislation in order to resolve these boundary discrepancies.

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

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

This is a commonsense solution at the local level to problems that the Federal Government has created. The Committee on Agriculture strongly supports this bill, and I hope that Members will join us in supporting this bill.

Mr. BLUNT. Mr. Speaker, I rise today to urge support for the speedy resolution of a boundary dispute affecting private property owners in my Congressional District.

Apparently, there are some local issues that apparently only an act of Congress can solve.

This issue surfaced when private property owners' historic boundary lines neighboring the Mark Twain National Forest and Table Rock Lake in Missouri's Barry and Stone Counties were blurred when the U.S. Forest Service restored the mid-1800s Corners program.

Over the years, the Forest Service has been effectively shaving off substantial sections of private property that adjoins federal lands. Recent land surveys have found major differences in surveys conducted by the Forest Service and the Army Corps of Engineers. My legislation would resolve these discrepancies, so private property owners don't lose property adjoining Federal lands.

A fight with the Federal Government over a boundary line can be an uphill battle. This bill will maintain the original property lines and hand the title of the disputed land to the private landowner.

The Federal Government already owns a third of the nation's land, and inaccuracies in federally conducted surveys should never force landowners to forfeit their property.

Mr. Speaker, I urge the House's approval of this common-sense bill.

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Minnesota (Mr. GUTKNECHT) that the House suspend the rules and pass the bill, H.R. 2304, as amended.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GUTKNECHT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2304, the bill just considered.

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

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for approximately 10 minutes.

Accordingly (at 2 o'clock and 34 minutes p.m.), the House stood in recess for approximately 10 minutes.

□ 1448

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PETRI) at 2 o'clock and 48 minutes p.m.

GEORGE HENRY WHITE POST OFFICE BUILDING

Mr. DUNCAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3353) to designate the facility of the United States Postal Service located at 525 Main Street in Tarboro, North Carolina, as the ''George Henry White Post Office Building''.

The Clerk read as follows:

H.R. 3353

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

SECTION 1. GEORGE HENRY WHITE POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 525 Main Street in Tarboro, North Carolina, shall be known and designated as the ''George Henry White Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the George Henry White Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. DUNCAN) and the gentleman from North Carolina (Mr. BALLANCE) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN).

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, on behalf of the Committee on Government Reform, I am pleased that the House is considering H.R. 3353. This bill names a post office after a great American statesman, George Henry White. From 1897 to 1901, Republican George Henry White served two terms as the U.S. Representative for North Carolina's Second Congressional District. At that time, he was the only African American Member of Congress. As such, not only was Congressman White responsible for his North Carolina constituents, but as the highest-ranking black government official in the Nation he also shouldered the burden of representing the 10 million African Americans at the turn of the century.

Congressman White took principled stands against the racial inequality that was far too prevalent for this time period in American history. His eloquence and temperance toward injustice made him a well-respected Member of Congress, and he is truly worthy of commendation by this body from which he departed more than 100 years ago.

Mr. Speaker, this legislation commemorates George Henry White's courageous legacy as the last black Member of this House following Reconstruction. I congratulate the gentleman from North Carolina (Mr. BALLANCE) for having his bill considered by the whole House.

Mr. Speaker, I urge passage of H.R. 3353.

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

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

Mr. Speaker, we gather this afternoon to honor a great man and leader who blazed trails for African Americans not only in North Carolina but throughout the Nation, Congressman George Henry White from my home State of North Carolina.

I want to express my appreciation for the strong bipartisan support from the North Carolina delegation and the sponsorship of this bill.

We are here today, Mr. Speaker, to show our appreciation for Congressman White by naming the post office after him in Tarboro, North Carolina, the town which he represented; and the County of Edgecombe, which he represented with distinction as a part of the second congressional district, I now have the great privilege of representing that same community, humbly following in his footsteps.

Mr. George Henry White was born in Rosendale, Bladen County, North Carolina, during slavery. He grew up the son of a sharecropper in nearby Columbus County. He was educated at the Whitten School in Lumberton. He first embarked on his trail of excellence when he left his job as a farm laborer and ventured here to the Nation's Capital to attend Howard University. Many people mistake him as being a graduate of Howard Law School, but actually he was a graduate of high school and Howard undergraduate school.

Upon graduation from Howard University in 1877, Mr. White returned to North Carolina settling in the coastal town of New Bern, to begin the fight to better his North Carolina for all families and helping empower the African American community.

He became a teacher and then a principal and is credited with establishing four new schools. Mr. White knew then what we all know now: information is power, and the key to steering one's own course is a quality education.

While living in New Bern, where he also worked as an attorney, having read law to become a lawyer, Mr. White embarked upon a career in public service spanning more than 2 decades when, in 1880, he was elected to the North Carolina House of Representatives.

In 1884 he was elected to the North Carolina State Senate. And in 1886 he was elected as a solicitor for the second judicial district of North Carolina where he served two terms. During this time, George Henry White was the only African American district attorney in the United States. Continuing a political career steeped in innovation and leadership, blazing trails unheard of in his day, in 1894 Mr. White moved to Tarboro. It might be interesting to know that the one reason he moved was because there was redistricting going on and his hometown of New Bern was carved out of the second district. So he just packed up and moved down to Tarboro, North Carolina, his wife's hometown.

Three years later, he would become Congressman White, and only the third African American elected to the U.S. House of Representatives from North Carolina, John Adams Hyman being the first, Henry P. Cheatham the second.

Congressman White was the only African American in the United States Congress during his two terms and was the highest-ranking elected African American in the United States. He essentially represented not only citizens of the second congressional district but all 10 million African Americans across the Nation. He was the last former slave and the last African American to serve in the Congress during the post-Reconstruction era.

He opened doors while in Congress to pave the way for the civil rights movement more than half a century later. He campaigned against racial discrimination and urged enforcement of the second section of the 14th amendment.

In January 1901, his last year in office, Congressman White proposed a bill that would make lynching of African Americans a Federal crime. Unfortunately, this bill did not pass; but it did have some impact in the Deep South in particular. Despite Congressman White's passionate plea, as I indicated, the term ended without his bill passing.

George Henry White's farewell speech on the floor of Congress, often referred to as the ''Phoenix Speech,'' or his farewell speech, was made January 29, 1901: ''This, Mr. Chairman, is perhaps the Negroes' temporary farewell to the American Congress; but let me say, Phoenix-like he will rise up some day and come again. These parting words on behalf of an outraged, heartbroken, bruised and bleeding, but God-fearing people, faithful, industrious, loyal, rising people full of potential force.''

Mr. Speaker, while Congressman White is deserving of far greater accolades, and I am sure they will come in time, it is my great pleasure to offer this legislation on his behalf. I urge the passage of this bill.

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

Mr. DUNCAN. Mr. Speaker, I commend the gentleman from North Carolina (Mr. BALLANCE) for introducing this very appropriate bill, and I urge all of our colleagues to support the passage of H.R. 3353.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and pass the bill, H.R. 3353.

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

A motion to reconsider was laid on the table.

JAMES E. DAVIS POST OFFICE BUILDING

Mr. DUNCAN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1590) to redesignate the facility of the United States Postal Service, located at 315 Empire Boulevard in Crown Heights, Brooklyn, New York, as the ''James E. Davis Post Office Building''.

The Clerk read as follows:

S. 1590

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

SECTION 1. JAMES E. DAVIS POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 315 Empire Boulevard in Crown Heights, Brooklyn, New York, shall be known as designated

as the ''James E. Davis Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the James E. Davis Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. DUNCAN) and the gentleman from North Carolina (Mr. BALLANCE) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN).

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, S. 1590, a bill sponsored by Senator SCHUMER of New York, names a postal facility in Brooklyn, New York, as the James E. Davis Post Office Building. My distinguished colleague on the Committee on Government Reform, the gentleman from New York (Mr. TOWNS), authored the House version of this postal naming bill, H.R. 3012. I commend both the gentleman from New York (Mr. TOWNS) and Senator SCHUMER for their work on this meaningful effort.

Mr. Speaker, James E. Davis was a devoted public official who lived and worked in Brooklyn all of his life. The son of a corrections officer himself, Davis became an officer in the New York Police Department in 1983. After nearly 2 decades on the police force, he was elected to the New York City Council in November of 2001. In that capacity Davis was able to utilize his dynamic public speaking ability. He truly had a gift for connecting with audiences and delivering messages that advocated non-violence.

Mr. Speaker, defeating crime and eliminating violence in inner-city New York were lifelong missions for James E. Davis both as a law enforcement and elected official. This reality made July 23, 2003, an even more ironically tragic day for New Yorkers as well as all Americans. On that afternoon, James Davis had invited a political rival to City Hall to attend a council meeting. Just after 2 o'clock, Councilman Davis' guest brandished a handgun and inexplicably shot Davis twice in the chest. Mr. Davis sadly passed away at a nearby hospital later that afternoon.

Mr. Speaker, many of us saw the story of James E. Davis' tragic murder in New York City Hall on national newscasts last summer. I want to join with the gentleman from New York (Mr. TOWNS) and Senator SCHUMER in extending the sympathy of all Members of Congress to the family, friends, and supporters of James E. Davis. I am pleased that passage of this legislation will immortalize James E. Davis' contributions to his community and to the Nation.

Mr. Speaker, I urge passage of S. 1590.

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

□ 1500

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

Mr. Speaker, I am pleased to stand at this time as the designee for the gentleman from Illinois (Mr. DAVIS) on behalf of this resolution. I am pleased to join my colleagues in consideration of S. 1590, legislation naming a postal facility after the late James E. Davis.

S. 1509, which was introduced by Senator SCHUMER on September 8, 2003, was unanimously adopted by the Committee on Government Reform on November 6, 2003. An identical bill, H.R. 3012, sponsored by the gentleman from New York (Mr. TOWNS) has the support and cosponsorship of the entire New York delegation.

Mr. James Davis was born in 1962 and graduated from Tilden High School in Brooklyn, New York in 1980. He obtained a degree from Pace University in 1989 and then joined the New York City Correctional Department. He became a police officer in 1991 and was assigned to the 73rd Precinct in Brooklyn. A youth officer, Mr. DAVIS served in the New York Police Department until he decided to enter the political arena in 1988 by running for assemblyman for the 43rd District. Although unsuccessful, he ran again and won office in November 2001, where he served as councilman for the 35th District.

Tragically, as we have just heard, Councilman Davis's life was cut short when he was gunned down in a violent shooting in the City Hall at the young age of 41.

Mr. Speaker, James Davis was a man of the community. He has dedicated his life to improving conditions in Brooklyn, New York, helping young people realize their dreams and stopping urban violence.

I commend my colleagues, the gentleman from New York (Mr. TOWNS) and Senator SCHUMER for seeking to honor the legacy of Councilmember James Davis and urge the adoption of this bill.

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

Mr. DUNCAN. Mr. Speaker, I have no additional speakers. I urge passage of S. 1590, and I urge all of my colleagues to join in support of this very worthwhile and appropriate measure.

Mr. TOWNS. Mr. Speaker, as the lead sponsor of the House version of S. 1590, I am pleased that we are considering this legislation today. S. 1590 would rename the post office located at 315 Empire Boulevard in Crown Heights, Brooklyn, New York, as the "James E. Davis Post Office Building." I would also like to note that this bill has been cosponsored by the entire New York delegation, and I would like to thank my colleagues from New York for doing so.

On that tragic day when Councilman James Davis of Brooklyn was murdered in a violent shooting in City Hall, New York City, we lost a true public servant. He was an intelligent, passionate, and energetic young man who had an extremely bright future. He worked very hard and took his duties as a public servant very, very seriously. He was only 41 years old and had served almost one term in the New York City Council. But he had already made his mark.

I met James through the Youth March Against Violence that he organized. His commitment to this issue was genuine.

However, when I think of him, I remember one of the last conversations we had, which I think really embodies his approach to public service. We were meeting with housing authority officials, and he told them we weren't there to point fingers at every one. But if we didn't work together to get thing done, we would all take the blame. Sound advice that I think all public officials should take to heart.

With James, it was always about the community. He was dedicated to its betterment, having served as a police officer and district leader before being elected to the city council. One could always see the love he had for his neighbors and constituents. Naming a post office after him would be a lasting tribute to all of his hard work for the community that he loved so much. While we still have a heavy heart for losing such a good friend, the James E. Davis post office can help us celebrate his life. I think I can speak for all of Brooklyn when I say that the James E. Davis post office is something that we will all be proud of.

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and pass the Senate bill, S. 1590.

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

A motion to reconsider was laid on the table.

HUGH GREGG POST OFFICE BUILDING

Mr. DUNCAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3185) to designate the facility of the United States Postal Service located at 38 Spring Street in Nashua, New Hampshire, as the ''Hugh Gregg Post Office Building''.

The Clerk read as follows:

H.R. 3185

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

SECTION 1. HUGH GREGG POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 38 Spring Street in Nashua, New Hampshire, shall be known and designated as the ''Hugh Gregg Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to

be a reference to the Hugh Gregg Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. DUNCAN) and the gentleman from North Carolina (Mr. BALLANCE) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN).

GENERAL LEAVE

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3185.

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

There was no objection.

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

Mr. Speaker, on behalf of the Committee on Government Reform, I am pleased to call up H.R. 3185 for consideration. This legislation introduced by my colleague, the gentleman from New Hampshire (Mr. BASS) designates the postal facility at 38 Spring Street in Nashua, New Hampshire, as the Hugh Gregg Post Office Building.

Hugh Gregg, a giant in New Hampshire politics for several decades, was elected Governor of the Granite State in 1953 at the age of 34. As a result, he was forevermore nicknamed the ''Boy Governor.'' One of his most notable achievements was his work in organizing the first-in-the-Nation Presidential primary in New Hampshire. What began as little more than a beauty contest for candidates in 1952, his tireless work is a big reason the New Hampshire primary has evolved into such a critical date for modern Presidential candidates.

It is also important to note that Governor Gregg's son, Judd, went on to be elected Governor of New Hampshire in 1989, and he now serves as the State's senior United States Senator.

Mr. Speaker, America mourned on September 24th of this year, when Hugh Gregg passed away at age 85. He is survived by his wife, Catherine Warner Gregg, two sons, five grandchildren and one great-grandchild.

Mr. Speaker, I commend the gentleman from New Hampshire (Mr. BASS) for his work on H.R. 3185, and I strongly support its passage.

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

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

I am honored and pleased to join my colleagues in consideration of H.R. 3185, legislation naming a postal facility after Hugh Gregg. H.R. 3185 which was introduced by the gentleman from New Hampshire (Mr. BASS) on September 25, 2003, was unanimously approved by the Committee on Government Reform on October 8, 2003.

H.R. 3185 has the support and cosponsorship of the entire New Hampshire Congressional delegation. Hugh Gregg, a former Republican Governor of New Hampshire from 1953 until 1955, was born in New Hampshire and became its youngest Governor at the age of 34. A graduate of Yale and Harvard Law School, he served as a Special Agent of the Counterintelligence Corps during World War II and the Korean Crisis.

A well-known businessman and community leader, Mr. Gregg passed away on September 24, 2003 at the age of 85. Hugh Gregg was remembered as a statesman and gentleman. His love for his State and country and dedication to public service was well known.

Mr. Speaker, I commend my colleagues for seeking to honor the late Hugh Gregg and urge swift adoption on H.R. 3185.

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

Mr. DUNCAN. Mr. Speaker, I yield as much time as he may consume to the gentleman from New Hampshire (Mr. BASS), the author of the bill.

Mr. BASS. Mr. Speaker, I thank my friend, the gentleman from Tennessee (Mr. DUNCAN) for recognizing me and for making it possible along with my friend, the gentleman from North Carolina (Mr. BALLANCE) to have the opportunity to bring this bill to the floor.

As the gentleman said at the end of his speech just previously, Governor Hugh Gregg died on September 24th of this year after a brief illness, and brief it was, because just prior to that illness, the city of Nashua, which is the largest city in my district, celebrated its 150th anniversary. And guess who walked at the front of the line in a top hat and tuxedo with a cane but Hugh Gregg, the grand marshall of the parade. Governor Hugh Gregg celebrating the city that he loved and lived in his entire life.

Indeed, he served our country during World War II, not once, but twice. He served in the Korean War. He served on the Nashua City Council. He became its mayor, and he was elected Governor of the State of New Hampshire in his early thirties, the year I was born.

Hugh Gregg also took on big projects. He was not one to think about things pragmatically or think about things in any small way.

During my political career, he achieved two major accomplishments. First, he sought out to establish a museum of political history in New Hampshire. It is no secret that New Hampshire is the first part of the Nation's primary and always will be. Hugh Gregg wanted to make sure that the political history of the State, going back as far as anybody cared to, was properly recorded. And as time went on, candidates running for office would have a place to repose their memorabilia and great events and so forth. He published no less than three books on the subject of New Hampshire political history, the latest with our Secretary of State, Bill Gardner. Hugh Gregg is responsible for the establishment of this institution, which will live on in perpetuity.

The second big project he took on was an effort to try to prove that New Hampshire was the birthplace of the Republican party and not Ripon, Wisconsin, as it has been previously thought. No offense to our distinguished presiding officer here today, but he turned out to be right about that. He made extensive research and determined that the records of the party originated in Exeter, New Hampshire, and he established a society called the Amos Tuck Society.

Indeed, Mr. Speaker, Hugh Gregg was not only Governor, mayor of Nashua, father of U.S. Senator JUDD GREGG and Cy Gregg, long-time husband of Catherine Gregg, a great political crusader for many different causes, not all of which were necessarily associated with Republicans, but were really focussed on the good of the State of New Hampshire and the good of the lives of the people around him. The efforts he made on behalf of others, not only in the area of politics, but in charity through the Crotched Mountain Rehabilitation Center which is one of the Nation's leading centers for the treatment of those brain-injured and developmentally-disabled individuals established by his father but nurtured and expanded significantly by him.

He served on a number of different boards, serving on the board of the Fleet Bank, at that time Indian Head Bank. He was involved in businesses all over the place.

Hugh Gregg was a man of courage. He was a man that some might say was tactless on occasion. I know, as Governor of the State of New Hampshire, on a couple of occasions he was known to become frustrated with people he came in contact with, and he had a habit of taking scissors and snipping their ties off just to get their attention and, indeed, it did.

Hugh Gregg campaigned with me during one of my many campaigns in the Nashua Recycling Center. We were trying to meet people there, of course. He was in his early eighties or late seventies. He said, You go over there and work over there in recycling, where they bring in bottles and cans. That is a nice clean thing for you to do. I will go over and carry the garbage because nobody is going to tell a 75-year-old man that they do not like him for carrying their garbage over to the garbage area.

Hugh Gregg was the kind of man that was full of energy, full of enthusiasm and full of compassion and a commitment to the folks around him in the city of Nashua and the State of New Hampshire. He will be sorely missed by all of us. I think this is a wonderful opportunity to name the Nashua Post Office after this great American citizen.

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

Mr. Speaker, since the gentleman from New Hampshire (Mr. BASS) has brought up the founding of the Republican party and Mr. Gregg's interest in that, I would mention that I have the privilege of representing the only district in the United States that has had

continuous Republican representation in the United States House of Representatives since the founding of the Republican party.

This legislation seems to be very fitting and proper to name this post office facility after Hugh Gregg who was a very great American, who saw the American dream come true in his life in several different ways. I urge passage of this bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and pass the bill, H.R. 3185.

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

A motion to reconsider was laid on the table.

COMMENDING INSPECTORS GENERAL FOR EFFORTS DURING PAST 25 YEARS

Mr. DUNCAN. Mr. Speaker, I move to suspend the rules and pass the Senate joint resolution (S.J. Res. 18) commending the Inspectors General for their efforts to prevent and detect waste, fraud, abuse, and mismanagement, and to promote economy, efficiency, and effectiveness in the Federal Government during the past 25 years.

The Clerk read as follows:

S.J. RES. 18

Whereas the Inspector General Act of 1978 (5 U.S.C. App.) was signed into law on October 12, 1978, with overwhelming bipartisan support;

Whereas Inspectors General now exist in the 29 largest executive branch agencies and in 28 other designated Federal entities;

Whereas Inspectors General work to serve the American taxpayer by promoting economy, efficiency, effectiveness, and integrity in the administration of the programs and operations of the Federal Government;

Whereas Inspectors General conduct audits and investigations to both prevent and detect waste, fraud, abuse, and mismanagement in the programs and operations of the Federal Government;

Whereas Inspectors General make Congress and agency heads aware, through semiannual reports and other communications, of problems and deficiencies in the administration of programs and operations of the Federal Government;

Whereas Congress and agency heads utilize the recommendations of Inspectors General in the development and implementation of policies that promote economy and efficiency in the administration of, or prevent and detect waste, fraud, abuse, and mismanagement in, the programs and operations of the Federal Government;

Whereas Federal employees and other dedicated citizens report information to Inspectors General regarding the possible existence of an activity constituting a violation of law, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to public health and safety;

Whereas Inspector General audits and investigations result in annual recommendations for more effective spending of billions of taxpayer dollars, thousands of successful criminal prosecutions, hundreds of millions of dollars returned to the United States Treasury through investigative recoveries, and the suspension and debarment of thousands of individuals or entities from doing business with the Government; and

Whereas for 25 years the Inspectors General have worked with Congress to facilitate effective oversight to improve the programs and operations of the Federal Government: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress—

(1) recognizes the many accomplishments of the Inspectors General in preventing and detecting waste, fraud, abuse, and mismanagement in the Federal Government;

(2) commends the Inspectors General and their employees for the dedication and professionalism displayed in the performance of their duties; and

(3) reaffirms the role of Inspectors General in promoting economy, efficiency, and effectiveness in the administration of the programs and operations of the Federal Government.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. DUNCAN) and the gentleman from North Carolina (Mr. BALLANCE) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN).

GENERAL LEAVE

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S.J. Res. 18.

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

There was no objection.

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

Mr. Speaker, Senate Joint Resolution 18 commends Inspectors General across the Federal Government for their contributions to taxpayers and overall government efficiency over the last 25 years.

This year marks the 25th anniversary of the Inspector General Act of 1978 that created the position of Inspector General in Federal agencies and departments. I had the honor of introducing the original legislation to name an Inspector General or create an Inspector General position for the Tennessee Valley Authority.

Today, Inspectors General exist in 57 executive branch agencies. Their work has eliminated waste in management at all levels of the Federal Government and saved countless taxpayer dollars.

Mr. Speaker, this body has already passed the House version of this resolution, so I will similarly urge all Members to support the adoption of Senate Joint Resolution 18.

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

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

Mr. Speaker, I support Senate Joint Resolution 18 which recognizes Inspectors General for their efforts to prevent waste, fraud and abuse over the past 25 years. In fact, as has been just pointed out, the House passed H.J. Res. 70 by voice just a few days ago.

Twenty-five years ago the Inspector General Act of 1978 established, for the first time, IG's in 12 executive branch agencies. They proved so successful that today there are IG's in 59 Federal agencies. The Inspectors General report both to the agency head and to Congress and are one of Congress's principal watchdogs in the executive branch.

□ 1515

IGs have a tough job. As independent investigators within Federal agencies, they are often the last person a manager wants to hear from.

The IGs returned over $4.5 billion to the Federal Government during fiscal year 2002 in restitutions and recoveries. IG audits also identified another $72 billion in funds that could be used more efficiently and effectively. They also had more than 10,000 successful criminal prosecutions.

The IGs make similar contributions year after year. They have more than proven their usefulness to Congress and the American people. I urge my colleagues to support this resolution commemorating their 25th anniversary.

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

Mr. DUNCAN. Mr. Speaker, I yield myself such time as I may consume to close by saying that many, many people have paid lip service to waste, fraud, and abuse within the Federal Government, but these Inspectors General and their staffs are on the front lines trying to do something about this to save taxpayers money and help make our Federal Government run more honestly and efficiently, so I urge passage of this legislation.

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and pass the Senate joint resolution, S.J. Res. 18.

The question was taken.

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

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

The yeas and nays were ordered.

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

HONORING MR. SARGENT SHRIVER

Mr. DUNCAN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 299) honoring Mr. Sargent Shriver for his dedication and service to the United States of America, for his service in

the United States Navy, and for his lifetime of work as an ambassador for the poor and powerless citizens of the United States of America, and for other purposes.

The Clerk read as follows:

H. CON. RES. 299

Whereas from 1955 to 1960, Mr. Shriver served as president of the Chicago Board of Education;

Whereas Mr. Shriver earned the rank of Lieutenant Commander after 5 years of service in the United States Navy;

Whereas in 1960, Mr. Shriver began his career in public service by working as a political and organization coordinator for Senator John F. Kennedy in the Wisconsin and West Virginia Presidential primaries;

Whereas from 1961 to 1966, Mr. Shriver organized and directed the Peace Corps, developing volunteer activities in Africa, Asia, and Latin America;

Whereas from 1964 to 1968, as the first Director of the Office of Economic Opportunity during President Lyndon B. Johnson's administration, Mr. Shriver helped establish Head Start, VISTA, Community Action, Job Corps, Legal Services, Foster Grandparents, Indian and Migrant Opportunities, and Neighborhood Health Services;

Whereas in 1964, Mr. Shriver was appointed by President Johnson to serve as United States Ambassador to France;

Whereas in 1972, Mr. Shriver was selected by the Democratic party as the Vice Presidential candidate during Senator George McGovern's Presidential campaign against President Nixon;

Whereas in 1984, Mr. Shriver served as president of the Board of Directors of Special Olympics and was responsible for the operation and international development of sports programs around the world;

Whereas in 1990, Mr. Shriver was appointed chairman of the Board of Special Olympics;

Whereas in 2003, Mr. Shriver was appointed chairman of the Board Emeritus of Special Olympics and has held positions in many associations, including the American Council on Germany, the National Interreligious Task Force on Soviet Jewry, the Navy League, the Veterans of Foreign Wars, and the Knights of Columbus;

Whereas Mr. Shriver has been honored with numerous awards, including the Distinguished American Award from the John F. Kennedy Library and Foundation for his work with the Peace Corps and the Presidential Medal of Freedom, the United States' highest civilian honor; and

Whereas Mr. Shriver has been honored with more than 24 honorary degrees from universities around the world, including Yale University, Brandeis University, Boston College, Yeshiva University, the University of Liberia, and Chulalongkorn University in Bangkok, Thailand: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) honors Mr. Sargent Shriver for his dedication and service to the United States of America, for his service in the United States Navy, and for his lifetime of work acting as an ambassador for the poor and powerless citizens of the United States; and

(2) recognizes Mr. Sargent Shriver for his steadfast dedication and lifelong service to his country.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. DUNCAN) and the gentleman from North Carolina (Mr. BALLANCE) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN).

GENERAL LEAVE

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 299, the resolution now under consideration.

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

There was no objection.

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

Mr. Speaker, House Concurrent Resolution 299 honors Mr. Sargent Shriver for his dedication and service to the United States of America. In 1961, President John F. Kennedy appointed Sargent Shriver the first director of the United States Peace Corps, an organization that continues to help millions of people all over the globe today. Three years later, because of his success establishing the Peace Corps, Sargent Shriver was also named director of the Office of Economic Opportunity by President Lyndon Johnson. He ultimately resigned from the Peace Corps in 1966 to devote himself full time to the OEO. In 1968, he was selected as our Ambassador to France. Ambassador Shriver joined the national Presidential ticket in 1972, when he became George McGovern's Vice Presidential running mate in that year.

Mr. Speaker, Sargent Shriver lived a remarkable life committed to public service in the U.S. and around the world. I congratulate the gentleman from California for recognizing Mr. Sargent Shriver for his steadfast dedication and lifelong service to his country.

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

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

Mr. Speaker, Sargent Shriver is a humanitarian, an advocate, a public servant, and a leader whose contributions to his country and his fellow man are immeasurable. Leading President Johnson's War on Poverty, Shriver ushered in many of the great society programs aimed at helping Americans better their lives. A list of programs Sargent Shriver started, defended, and expanded, and which remain in place today, are the Peace Corps, which in 1961 he helped organize and became its first director, Head Start, Job Corps, Legal Services, Upward Bound, Community Action, Foster Grandparents, and VISTA. Along with his wife Eunice, the founder of Special Olympics International, Sargent Shriver has nurtured the Special Olympics since 1968.

A man of stellar character and tireless energy, Shriver was raised on a farm in Westminster, Maryland. He worked his way through college, graduating from Yale University, cum laude, in 1938, and Yale Law School in 1941. Shriver served 5 years in the Navy during World War II ending his service as Lieutenant Commander.

Sargent Shriver worked to unite common concerns of the citizens of America and of the world. In 2001, during a speech at the 40th Anniversary of the Peace Corps Vigil at the Lincoln Memorial, Shriver stated: ''Be servants of peace; work at home as you have worked abroad, humbly, persistently, intelligently. Weep with those who are sorrowful, care for those who are sick. Serve your wives, serve your husbands, serve your families, serve your neighbors, serve your citizens, serve your cities, serve the poor. Join others who serve. Serve, serve, serve. That's the end. That is the challenge. For in the end, it will be the servants who save us all.''

Be servants of peace. This is an important directive not only for the Peace Corps, but for all of us who work to seek to make America and the world a better place, as Sargent Shriver has. We owe men and women like Sargent Shriver a debt of gratitude and this resolution serves to do that.

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

Mr. DUNCAN. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. MCKEON).

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

Mr. Speaker, I rise today as the proud sponsor of House Concurrent Resolution 299, honoring the life and accomplishments of my friend Sargent Shriver. I have another good friend here that I met on the Hill, that I have known for a number of years, who worked many years ago for Sargent Shriver, considered him a mentor, and is one that really got me interested in studying more about what Sargent Shriver has accomplished in this life. Just a short week after his 88th birthday, we honor this American Patriot for his accomplishments in life, for his compassion for humanity, for his philanthropy, for his generosity, and for his commitment to public service.

As children, we all have visions and dreams of one day being able to change the world, to make a real difference to mankind, to be remembered. But in reality, it is difficult to find a person who has actually done so. As an ambassador and advocate for the poor and powerless, as a man of strong conviction, faith, and devotion, as a man who genuinely loves his country and all that it stands for, it is safe to say that Sargent Shriver truly has made a difference in the world.

Born 88 years ago last Sunday, Sargent received both his undergraduate and law degrees from Yale University. He married his long-time sweetheart, Eunice Kennedy, and 50 years later, their love remains as strong as the day they met. His devotion to his wife and his five children, throughout his life, exemplify his character and represent the true American spirit.

His love for family is followed closely by his love of country. As an international lawyer and administrator, Sargent Shriver has compiled an unparalleled record of public service at

every tier, from the local level to the world community. Sargent served as an attorney in the United States Navy during World War II and retired as a Lieutenant Commander after 5 years of service.

After ending his military career, Mr. Shriver worked briefly as an editorial assistant at Newsweek magazine. In 1955, he began a 5-year tenure as president of the Chicago Board of Education, a position that would teach him the sense of patriotism and community activism, which he would carry throughout his life.

In 1961, Mr. Shriver answered the call of duty again, this time by President John F. Kennedy. Sargent established and directed the newly-founded organization called the Peace Corps, and helped organize operations around the world, from Africa and Asia to Latin America. The Peace Corps would eventually come to the aid of foreign communities needing medical, educational and technical assistance, while giving millions of Americans the opportunity share our culture and values and democratic way of life to those less fortunate around the world.

After September 11, many Americans have been searching for their role in the war against terrorism, asking what can I do. President Bush has called on every citizen to devote a portion of their lives to service. Since September 2001, more than 3,000 potential Peace Corps volunteers have started applications and almost 7,000 men and women have contacted the Peace Corps to ask about volunteering. The Peace Corps estimates that there has been a 300 percent increase in volunteer interest. Sargent Shriver deserves the gratitude of every American for his contributions to this most noble of causes.

As the true patriot he is, Sargent's commitment to those in need did not stop there. He served as the first director of the Office of Economic Opportunity under President Johnson. Using his principles as his guiding light, Sargent played the American Dream a reality for millions of Americans across America. And, today, at the young age of 88, Sargent's mission of service continues. He was elected president of the Special Olympics in 1984 and was appointed Chairman of the Board Emeritus of Special Olympics earlier this year.

Martin Luther King said, ''You ought to believe in something in life, and believe that thing so fervently that you will stand up for it until the end of your days.'' As a man of unflinching moral character, visionary leadership, and a compassion that sees no end, Sargent Shriver embodies the idealism that helped make the United States the world's cornerstone of freedom, opportunity, and democracy.

Mr. Shriver once said that the politics of life is personal initiative, creativity, experience, and grace. Mr. Speaker, Sargent Shriver exemplifies the American spirit which represents the very best in humanity. His life is a celebration of democracy. I am proud to have sponsored this resolution and encourage all Members to follow the example set by my friend, Sargent Shriver.

Mr. DUNCAN. Mr. Speaker, I yield myself such time as I may consume to commend the gentleman from California for introducing this very worthwhile legislation, and I join him in commending Sargent Shriver on his career. He has led a life of public service that has set a great example for everyone in this Nation. He has tried to serve this Nation well.

Mr. MCGOVERN. Mr. Speaker, I am pleased to join my colleagues in honoring Sargent Shriver for his years of outstanding service to our country. As a lawyer, government administrator, ambassador, and passionate spokesman for the poor, Mr. Shriver has devoted his life to the most vulnerable among us.

Sargent Shriver is perhaps best known as the founder and first administrator of President John F. Kennedy's Peace Corps. In that position, Mr. Shriver organized Peace Corps operations in more than 50 countries in the developing world.

After founding the Peace Corps, Mr. Shriver dedicated himself to President Lyndon B. Johnson's Great Society. Within the Great Society, Mr. Shriver founded Head Start; he created the Job Corps; he organized Legal Services; and he created Volunteers in Service to America.

In time, Mr. Shriver's service to our country took on a diplomatic perspective when he went to Paris as our ambassador to France under both President Johnson and President Richard M. Nixon.

Upon his return from Paris, Mr. Shriver threw himself into Democratic politics. During the 1970 election, he traveled the country on behalf of Democratic House and Senate candidates. And then in 1972 he was the Democratic nominee for vice president joining the ticket with my good friend George McGovern. In 1976, Mr. Shriver ran in the Democratic presidential primaries.

Mr. Speaker, throughout the 1980s and 1990s, Mr. Shriver devoted himself to philanthropic causes. Among other things, he served on the Rockefeller University Council; he was elected president of the Special Olympics; he was later appointed Chairman of the Board of Special Olympics, Inc. Mr. Shriver went on to receive numerous awards and honorary degrees from colleges and universities.

Mr. Speaker, this summer I had the opportunity to see and talk with Sargent Shriver in Massachusetts. He shared with me his dreams of a peaceful world and his hopes for a brighter future. And he looks great.

Mr. Speaker, as we honor Mr. Shriver today, I believe it is important that we reflect on his life of service to our country and how we can learn from him. In a letter he composed about his fight with Alzheimer's disease, he wrote of the challenges we face as a country ''to search for the pathways to peace . . . to overcome the horrors of poverty and neglect in this country and around the world. Indeed, Mr. Shriver's words should guide us each day.

Again, Mr. Speaker, I am pleased to join my colleagues in honoring Mr. Shriver for his decades of selfless service to our country and the world community.

Mr. HOYER. Mr. Speaker, in 5 days, we will observe the 40th anniversary of one of the darkest moments in American history—the assassination of our 35th President, John F. Kennedy.

President Kennedy stirred the imagination of our Nation and inspired a generation to ''ask not what your country can do for you—ask what you can do for your country.''

Today, Mr. Speaker, I join my colleagues in honoring a man who answered that clarion call to a life in public service; a man who quite literally was a pillar in President Kennedy's New Frontier; and a man who is one of the greatest public servants in the history of our Nation.

I, of course, am referring to Robert Sargent Shriver, Jr., who celebrated his 88th birthday one week ago.

Sargent Shriver's devotion to this nation—and humanity—sets an example for all to emulate and a high bar that only a few will ever hope to exceed.

A native of the State of Maryland, and in fact a member of one of the Free State's founding families, Sargent Shriver has dedicated his life to improving the lives of others.

A few years ago, Sarge was asked to explain his lifelong commitment to public service. ''I just feel my faith,'' he said. ''A life of service is like catching a disease. In a family it's passed on. . . . Our five children are all involved in service. It's in their veins.''

There is no doubt that this generation and future generations of Americans are the beneficiaries of his life of service.

After graduating from Yale Law School in 1941, Sarge enlisted in the Navy, where he received the Navy Unit Citation and the Submarine Medal for service in both the Atlantic and Pacific.

After World War II, Sarge accepted a position as assistant editor with Newsweek magazine. He later went into business with Joseph Kennedy, President Kennedy's father, and met Eunice, his wife of more than 50 years.

Sarge than moved his family to Chicago, where he served on the Board of Education. In 1956, he was elected President of the Board, the youngest person to serve in such a position in any major American city.

And in 1960, he joined the Presidential campaign of then-Senator Kennedy. After the election, he was asked by President Kennedy to create the Peace Corps and in March 1961 was appointed its founding Director.

Sarge's vision for the Peace Corps was straight-forward and strong: ''to permit Americans to participate directly, personally, and effectively in this struggle for human dignity.''

In nearly 6 years at the Peace Corps, Sarge developed programs in 55 countries with more than 14,500 volunteers. Forty-two years later, the solid foundation that he created has only strengthened and expanded. Today, 163,000 Peace Corps volunteers have served in 135 countries.

However, while Sarge is rightly identified as the founding father of this great American idea, his contributions to the Peace Corps do not tell the whole story.

Sarge also served as the first Director of the Office of Economic Opportunity under President Johnson. Then, between 1964 and 1968, he created VISTA, Head Start, Community Action, Foster Grandparents, Job Corps, Legal Services, Indian and Migrant Opportunities and Neighborhood Health Services.

And, then, from 1968 to 1970, he served as U.S. Ambassador to France, before being

nominated in 1972 to serve as the Vice Presidential candidate on the Democratic Party's ticket with George McGovern.

Few Americans have given so much to help so many. Yet, in the twilight of this incredible life, Sarge and Eunice continue to give.

To call this record of public service exemplary is a vast understatement. Words cannot adequately convey the decency and humanity that has been brought into the lives of millions worldwide through the work of Sargent Shriver—international lawyer, ambassador, humanitarian. His life's work shall live on long after this and succeeding generations have passed the torch of public service to their progeny.

''Serve, serve, serve,'' Sarge was know to say, ''because in the end it is the servants who save us all.''

Mr. Speaker, today, I honor a great American and wish him only the best, and I urge all my colleagues on both sides of the aisle to support this Resolution recognizing Sargent Shriver.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 299.

The question was taken.

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

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

The yeas and nays were ordered.

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

WALTER F. EHRNFELT, JR. POST OFFICE BUILDING

Mr. DUNCAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3300) to designate the facility of the United States Postal Service located at 15500 Pearl Road in Strongsville, Ohio, as the ''Walter F. Ehrnfelt, Jr. Post Office Building.''

The Clerk read as follows:

H.R. 3300

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

SECTION 1. WALTER F. EHRNFELT, JR. POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 15500 Pearl Road in Strongsville, Ohio, shall be known and designated as the ''Walter F. Ehrnfelt, Jr. Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the Walter F. Ehrnfelt, Jr. Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. DUNCAN) and the gentleman from North Carolina (Mr. BALLANCE) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN).

GENERAL LEAVE

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3300, the bill under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 3300, introduced by another of my distinguished colleagues on the Committee on Government Reform, the gentleman from Ohio (Mr. LATOURETTE), designates the postal facility in Strongsville, Ohio, as the Walter F. Ehrnfelt, Jr. Post Office Building. All Members of the Ohio delegation have signed on as cosponsors to this legislation.

Walter Ehrnfelt served as Mayor of Strongsville, Ohio, for 25 years, and he was a civic and social institution in this northern Ohio community outside of Cleveland for even longer than that.

□ 1530

He was reelected six times after first being appointed as mayor in 1978. The town of Strongsville nearly doubled its population during Mayor Ehrnfelt's tenure. Largely due to the mayor's efforts over the years, Strongsville boasts a fantastic school system, a productive industrial base, and many safe and wonderful neighborhoods.

Mr. Speaker, Mayor Ehrnfelt sadly passed away in office after suffering a heart attack on May 25 of this year. Naming this post office after Mayor Ehrnfelt in the city he governed and loved would be a small, but very deserved, tribute to his leadership. I urge all Members to support passage of H.R. 3300. I commend the gentleman from Ohio (Mr. LATOURETTE) for working to honor Mr. Walter Ehrnfelt.

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

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

Mr. Speaker, I am pleased to join my colleagues in support of H.R. 3300, sponsored by the gentleman from Ohio (Mr. LATOURETTE).

Walter Ehrnfelt, Jr., was first elected mayor of Strongsville, Ohio, in 1978. He was elected for six 4-year terms until his death on May 25, 2003. He was a devoted family man, public servant, and businessman. He served the citizens of Strongsville in many capacities. He was a member of the Strongsville school board, and was later elected president of the board and served as county councilman prior to being elected mayor. In addition to holding positions in many civic organizations, he was an honorary trustee of the Strongsville Chamber of Commerce and a member of the Strongsville United Methodist Church.

I am honored to join my colleagues seeking to honor the many contributions of Walter Ehrnfelt, and I urge swift passage of H.R. 3300.

Mr. KUCINICH. Mr. Speaker, I feel honored today to support H.R. 3300, a bill to rename the United States Post Office in Strongsville, OH in tribute to the city's distinguished and dedicated former mayor and my friend, the late Walter F. Ehrnfelt. I would also like to extend special thanks to my colleague, Congressman LATOURETTE, for helping to bring his legislation to the floor, along with all of the Ohio delegation for co-sponsoring this bill.

Mayor Ehrnfelt's impact on the city of Strongsville will never be forgotten. After graduating from Strongsville High School, he began what would become a lifetime commitment to civic involvement. In 1973, while running Ehrnfelt Meats, a family business that operates still today, his neighbors convinced him to run for the Strongsville School Board, leading the fight against a campaign to dismiss teachers and ban books in the school district. He won that race, and in 1978 he was appointed mayor of Strongsville, later winning his first mayoral race in November 1979 by more than a 2 to 1 margin. Voters rewarded his effective leadership by re-electing him to six consecutive 4-year terms, the last beginning in 2000.

As mayor, Walter Ehrnfelt guided Strongsville through an unprecedented period of growth, evolving from a community of 22,000 to a thriving suburb of 45,000 residents. He served on Governor Taft's State and Local Government Commission and was president of the Ohio Municipal League. But most importantly, Mayor Ehrnfelt lived each day with the people of Strongsville close to his heart, truly living his life for the betterment of others.

I'm pleased we have the opportunity to honor Mayor Ehrnfelt for his service and spirit today. The people of Strongsville, the state of Ohio, and everyone who knew him will miss him greatly.

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

Mr. DUNCAN. Mr. Speaker, I urge support for this very fitting and proper legislation, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and pass the bill, H.R. 3300.

The question was taken.

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

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

The yeas and nays were ordered.

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

JOHN F. KENNEDY CENTER REAUTHORIZATION ACT OF 2003

Mr. PORTER. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 3198) to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes.

The Clerk read as follows:

H.R. 3198

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''John F. Kennedy Center Reauthorization Act of 2003''.

SEC. 2. AUTHORIZATIONS OF APPROPRIATIONS.

Section 13 of the John F. Kennedy Center Act (20 U.S.C. 76r) is amended by striking subsections (a) and (b) and inserting the following:

''(a) MAINTENANCE, REPAIR, AND SECURITY.—There are authorized to be appropriated to the Board to carry out section 4(a)(1)(H)—

''(1) $17,000,000 for fiscal year 2004; and

''(2) $18,000,000 for each of fiscal years 2005 and 2006.

''(b) CAPITAL PROJECTS.—There are authorized to be appropriated to the Board to carry out subparagraphs (F) and (G) of section 4(a)(1)—

''(1) $16,000,000 for fiscal year 2004; and

''(2) $18,000,000 for each of fiscal years 2005 and 2006.''.

SEC. 3. JOHN F. KENNEDY CENTER PLAZA.

(a) RESPONSIBILITIES OF THE SECRETARY.—Section 12(b) of the John F. Kennedy Center Act (20 U.S.C. 76q–1(b)) is amended by adding at the end the following:

''(6) PROJECT TEAM.—

''(A) ESTABLISHMENT.—To further construction of the Project, the Secretary shall establish a Project Team.

''(B) MEMBERSHIP.—The Protect Team shall be composed of the following members:

''(i) The Secretary (or the Secretary's designee).

''(ii) The Administrator of General Services (or the Administrator's designee).

''(iii) The Chairman of the Board (or the Chairman's designee).

''(iv) Such other individuals as the Secretary considers appropriate.

''(C) PROJECT DIRECTOR.—The Project Team shall have a Project Director who shall be appointed by the Secretary, in consultation with the Administrator of General Services and the Chairman of the Board. The Project Director shall report directly to the Project Team.''.

(b) RESPONSIBILITIES OF THE BOARD.—

(1) IN GENERAL.—Section 12(c)(1) of such Act (20 U.S.C. 76q–1(c)(1)) is amended by inserting '', in consultation with the Project Team,'' after ''The Board''.

(2) CONSTRUCTION OF BUILDINGS.—Section 12(c)(3) of such Act (20 U.S.C. 76q–1(c)(3)) is amended by inserting '', in consultation with the Project Team,'' after ''The Board''.

(3) APPROVAL BY PROJECT TEAM.—Section 12(c) of such Act (20 U.S.C. 76q–1(c)) is amended by adding at the end the following:

''(5) APPROVAL BY PROJECT TEAM.—Notwithstanding section 5(e), any decision by the Board that will significantly affect the scope, cost, schedule, or engineering feasibility of any element of the Project, other than buildings to be constructed on the Plaza, shall be subject to the approval of the Project Team.''.

(c) GAO REVIEW.—Section 12 of such Act (20 U.S.C. 76q–1) is amended by adding at the end the following:

''(g) GAO REVIEW.—

''(1) IN GENERAL.—Until completion of the Project, the Comptroller General shall review the management and oversight of construction of the Project by the Board and report periodically on the results of the review to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

''(2) OBJECTIVES.—In carrying out paragraph (1), the Comptroller General shall assess the progress made by the Board in achieving each of the following objectives:

''(A) Development and implementation of adequate policies and procedures to guide the planning and management of the Project.

''(B) Receipt of timely construction data on schedules and costs related to the Project.

''(C) Improvement of human capital resources and expertise in managing construction of the Project.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. PORTER) and the gentleman from New York (Mr. BISHOP) each will control 20 minutes.

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

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

Mr. Speaker, H.R. 3198 reauthorizes the John F. Kennedy Center for the Performing Arts for 3 years, authorizing funding for its capital repair and maintenance, allows for the GAO review of ongoing construction projects, and creates a new mechanism to ensure effective project oversight.

This bill is the product of a thorough legislative process. The subcommittee held an oversight hearing that included the GAO and the Kennedy Center, reviewed their comprehensive building plan and capital program, and discussed options for improving upon their programs. This process resulted in the bipartisan legislation we are bringing to the floor this afternoon.

I would like to recognize and congratulate the subcommittee chairman, the gentleman from Ohio (Mr. LATOURETTE), and the ranking member, the gentlewoman from the District of Columbia (Ms. NORTON), as well as full committee chairman, the gentleman from Alaska (Mr. YOUNG), and the ranking member, the gentleman from Minnesota (Mr. OBERSTAR), for their hard work in developing this legislation.

Since its founding, the Kennedy Center has become one of the world's premier entertainment venues, featuring award-winning theater, opera, and symphony performances. The funds we are authorizing today will go solely towards the upkeep and maintenance of the facility, for such repairs as elevator upgrades, handicap accessibility, enhanced fire and life safety equipment, and improved security systems. These repairs are in line with a comprehensive building plan maintained by the Kennedy Center and created at the direction of Congress in 1994. This legislation also incorporates several provisions that ensure effective project oversight.

It is no secret that there are Federal construction projects that have gone beyond their original budget, beyond schedule, and well beyond their original scope. Oftentimes it is the lack of adequate project management and oversight that allow this type of growth. That was the finding of a GAO report requested by the Committee on Transportation and Infrastructure on the Kennedy Center's garage expansion project.

The provision in this bill, including the creation of a project team, the requirement of a project director, and enhanced oversight by the GAO, should prevent such problems as the Kennedy Center goes forward with the construction of a new plaza and two new buildings. However, this reauthorization does not include any money for the plaza project. All of the funding authorized in this bill will be used for the existing structure and its surroundings. By supporting the regular maintenance and upkeep of the Kennedy Center, we will ensure that the center will continue to be a world-class venue well into the future. I support this legislation and urge my colleagues to do the same.

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

Mr. BISHOP of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to rise in support of H.R. 3198, a bill to authorize appropriations for the John F. Kennedy Center for the Performing Arts. Almost a decade ago, the Committee on Public Works, recognizing the inefficiency of years of divided responsibility for the operations, maintenance, and capital repairs of the Kennedy Center, passed H.R. 3567, which gave the board of trustees of the Kennedy Center centralized responsibilities for these matters.

In an effort to prevent continued deterioration of this landmark structure and Presidential memorial, the board asked for and received authority to maintain and improve the center. Former presidents Wolfensohn and Wilker, along with the current president, Michael Kaiser, continually worked to identify and put in place a capital improvement program to enhance the building. They believed it was of the utmost importance that the Kennedy Center management have the responsible and accountability for the building as well as its performing arts and education activities.

The Committee on Transportation and Infrastructure's interest then, as it is now, focuses on the use of appropriated funds for the capital improvement program and the repair and alteration of this Presidential memorial. To avoid the previous situation of unmet building needs and delayed repair, the center is now required to submit a 5-year capital plan to the committee. H.R. 3198 authorizes $53 million over 3 years for routine repair and alteration and $52 million for capital projects.

To address improved management for the plaza project, the bill authorizes the Secretary of Transportation, our former colleague, Norman Mineta, to establish a project team and appoint a

project director. The president of the Kennedy Center and the administrator of General Services will serve on the team. The plaza project, when completed, will change the face of Washington in the West End. It is a monumental project that will not only enhance our Nation's Capital, but also provide safer and easier access to the center for patrons, visitors, and tourists. The center, under the leadership of Michael Kaiser, is working diligently to address general management of the facility as well as unmet personal needs. I support H.R. 3198 and urge its passage.

Mr. YOUNG of Alaska. Mr. Speaker, I rise today to offer my strong support for H.R. 3198, "The John F. Kennedy Center Reauthorization Act of 2003."

The Kennedy Center serves an important role in our Nation. Not only is it one of the most active theaters in the world, hosting millions of patrons each year to its seven stages, but is also one of the most recognizable theater buildings.

The legislation we are considering this afternoon, which I have offered with my colleagues Mr. OBERSTAR, Mr. LATOURETTE, and Ms. HOLMES-NORTON, reauthorizes the Capital Infrastructure program of the Kennedy Center for an additional three years. The bill also makes a number of important changes that will improve the management of large construction projects at the Kennedy Center.

This legislation will help ensure that the Kennedy Center continues to have a world class facility to house world class entertainment, which includes everything from classical opera to cutting edge films.

In addition to authorizing funds for maintenance, repair, and security as well as other capital projects, this legislation puts into place important tools for improved project management.

The legislation creates a project team for the plaza project. This team will include the secretary of transportation, administrator of general services, and chairman of the board of trustees of The Kennedy Center. This team will be responsible for overseeing all aspects of the plaza project through a project director, who reports to the project team and is appointed by the Secretary of Transportation.

The legislation also provides for ongoing review by the General Accounting Office of the plaza project until its completion, with periodic reporting to the Congress. The GAO will be looking at the personnel, policies and procedures used to carry out the project.

I support The Kennedy Center Reauthorization and encourage my colleagues to do the same.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. PORTER) that the House suspend the rules and pass the bill, H.R. 3198.

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

A motion to reconsider was laid on the table.

CONVEYANCE TO FRESNO COUNTY, CALIFORNIA, OF EXISTING FEDERAL COURTHOUSE

Mr. PORTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1274) to direct the Administrator of General Services to convey to Fresno County, California, the existing Federal courthouse in that county, as amended.

The Clerk read as follows:

H.R. 1274

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

[SECTION 1. CONVEYANCE TO FRESNO COUNTY, CALIFORNIA.

[On completion of a new Federal courthouse in Fresno, California, the Administrator of General Services shall convey to Fresno County, California, without consideration, the existing Federal courthouse in that county.]

SECTION 1. CONVEYANCE OF B.F. SISK FEDERAL BUILDING AND UNITED STATES COURTHOUSE, CALIFORNIA.

(a) CONVEYANCE AUTHORIZED.—Notwithstanding any other provision of law, the Administrator of General Services may convey to Fresno County, California, for nominal consideration, all right, title, and interest of the United States in and to the building and site located at 1130 O Street in Fresno, California, known as the B.F. Sisk Federal Building and United States Courthouse.

(b) TIMING OF CONVEYANCE.—The Administrator may make the conveyance under subsection (a) only after the completion of construction of a new Federal courthouse in Fresno County and the relocation of the tenants in the building referred to in subsection (a) to the new Federal courthouse.

(c) RESTRICTIONS ON USE.—

(1) IN GENERAL.—The deed for the conveyance under subsection (a) shall include a covenant that provides that the property will be used for public use purposes, and specifically provides for substantial use of the property for the administration of justice.

(2) REVERSION.—If the Administrator determines that the property is not being used for the purposes described in paragraph (1), all right, title, and interest in and to the property shall revert to the United States, at the option of the United States.

(3) EXPIRATION.—The reversionary interest of the United States in the property under this subsection shall expire 20 years after the date of the conveyance.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Administrator may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Administrator considers appropriate to protect the interests of the United States.

(e) APPLICATION OF OTHER LAWS.—This section is not subject to the provisions of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. PORTER) and the gentleman from New York (Mr. BISHOP) each will control 20 minutes.

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

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

Mr. Speaker, H.R. 1274, introduced by the gentleman from California (Mr. DOOLEY) and the gentleman from California (Mr. RADANOVICH), allows the administrator of General Services to convey the B.F. Sisk United States Courthouse located in Fresno, California, to Fresno County. This is a worthwhile endeavor, as the GSA is currently constructing a new Federal courthouse in Fresno, and this legislation will ensure that the people of Fresno County continue to receive a judicial benefit from the existing Federal courthouse.

This legislation also includes a number of provisions that will help protect the interests of the Federal Government. Among the provisions included in this legislation are the requirement that the courthouse be used for public purpose for at least 20 years, that the transfer not take place until the new courthouse is completed and occupied, and the conveyance may also include any additional provisions the administrator deems necessary to protect the interests of the government. I support this legislation and urge my colleagues to do the same.

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

Mr. BISHOP of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 1274, as amended, a bill to convey a Federal courthouse in Fresno, California, to the County of Fresno. The bill transfers for a nominal fee an obsolete Federal building in Fresno, California, to the County of Fresno. The bill ensures that the transfer documents contain a reverter clause, as well as a public use clause, both of which protect Federal interests.

I would like to thank the chairman of the Subcommittee on Economic Development, Public Buildings and Emergency Management, the gentleman from Ohio (Mr. LATOURETTE), and ranking member, the gentlewoman from the District of Columbia (Ms. NORTON), for their work on this legislation and for recognizing that outmoded Federal buildings are still viable and can continue to serve a public purpose. I also commend the gentleman from California (Mr. DOOLEY) for introducing this bill, which is a win/win for all parties involved.

I support H.R. 1274 and urge its passage.

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

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

Mr. BISHOP of New York. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. DOOLEY).

Mr. DOOLEY of California. Mr. Speaker, I rise in support of H.R. 1274 as introduced by the gentleman from California (Mr. RADANOVICH) and me, and I want to thank the gentleman from Ohio (Mr. LATOURETTE) and the gentlewoman from the District of Columbia (Ms. NORTON) for their work in advancing this piece of legislation.

The Eastern District of California is very pleased that they have decided to

build a new Federal courthouse in the city of Fresno. The entire community, as well as the surrounding areas, is very pleased with this investment into the construction of a new courthouse which will serve the needs of the entire Eastern District of California.

This legislation is also very important in that it will transfer the B.F. Sisk Building to the County of Fresno, with the appropriate stipulations that this legislation embodies, ensuring that it remains in public use for a considerable period of time. This also meets the needs of Fresno, it meets the needs of public service, and ensures that the taxpayers' interests are protected. I thank the committee members for advancing this legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. PORTER) that the House suspend the rules and pass the bill, H.R. 1274, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. PORTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3198 and H.R. 1274, the measures just considered by the House.

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

There was no objection.

□ 1545

CLARIFYING ACREAGE FOR IRRIGATION WATER UNDER MISSOURI RIVER BASIN PROJECT

Mr. OSBORNE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3209) to amend the Reclamation Project Authorization Act of 1972 to clarify the acreage for which the North Loup division is authorized to provide irrigation water under the Missouri River Basin project.

The Clerk read as follows:

H.R. 3209

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

SECTION 1. CLARIFICATION OF ACREAGE FOR IRRIGATION WATER.

Section 501 of the Reclamation Project Authorization Act of 1972 (43 U.S.C. 615dddd) is amended by striking ''fifty-three thousand acres'' and inserting ''approximately 53,000 acres''.

The SPEAKER pro tempore (Mr. PETRI). Pursuant to the rule, the gentleman from Nebraska (Mr. OSBORNE) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. OSBORNE).

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, H.R. 3209 is a bill I introduced to clarify the amount of acreage for which the North Loup Division is authorized under the Missouri River Basin Project. This bill provides for a technical correction by inserting the word ''approximately'' on the amount of acreage authorized under the project.

Under current law, irrigators must cite the specific amount of irrigated acreage served under the North Loup project. Conflicting Federal and State statutes for reporting irrigable service areas, conversion of irrigated ground to right-of-ways, land conservation programs and habitat easements are causing ever-changing and misunderstood adjustments to irrigated acreage. This bill allows for more flexibility in determining the amount of irrigated acreage.

This is not a new concept and would bring consistency to the act, as well as to contracts between the irrigation districts and the United States. I urge my colleagues to support this noncontroversial bill.

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

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

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

Mrs. NAPOLITANO. Mr. Speaker, H.R. 3209 would make a minor change by requiring the North Loup Division of the Pick-Sloan Missouri Basin Program to deliver water to ''approximately'' 53,000 acres. Existing law, as was explained by my colleague, requires the project to deliver to exactly 53,000 acres. Yet, the project does not annually deliver water to precisely 53,000 acres.

The bill is not controversial. I urge Members to support this legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. OSBORNE) that the House suspend the rules and pass the bill, H.R. 3209.

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

A motion to reconsider was laid on the table.

AUTHORIZING PARTICIPATION IN WILLIAMSON COUNTY, TEXAS, WATER RECYCLING AND REUSE PROJECT

Mr. OSBORNE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1732) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Williamson County, Texas, Water Recycling and Reuse Project, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1732

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

SECTION 1. PROJECT AUTHORIZATION.

(a) SHORT TITLE.—This section may be cited as the ''Williamson County Water Recycling Act of 2003''.

(b) IN GENERAL.—The Reclamation Wastewater and Groundwater Study and Facilities Act (Title XVI of Public Law 102–575; 43 U.S.C. 390h et seq.) is amended by inserting after section 1635 the following new section:

''SEC. 1636. WILLIAMSON COUNTY, TEXAS, WATER RECYCLING AND REUSE PROJECT.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the Lower Colorado River Authority, Texas, is authorized to participate in the design, planning, and construction of permanent facilities to reclaim and reuse water in Williamson County, Texas.

''(b) COST SHARE.—The Federal share of the costs of the project described in subsection (a) shall not exceed 25 percent of the total cost.

''(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project described in subsection (a).''.

(c) CLERICAL AMENDMENT.—The table of sections in section 2 of the Reclamation Projects Authorization and Adjustment Act of 1992 is amended by inserting after the item relating to section 1635 the following:

''Sec. 1636. Williamson County, Texas, Water Recycling and Reuse Project.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska (Mr. OSBORNE) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. OSBORNE).

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, H.R. 1732, offered by the gentleman from Texas (Mr. CARTER) and the gentleman from Texas (Mr. EDWARDS), authorizes the Secretary of the Interior to participate in the design, planning and construction of facilities to reclaim and reuse water in Williamson County, Texas. Williamson County is one of the fastest growing counties in the State of Texas. The Texas Water Development Board has concluded that existing water wells are being overdrawn, and surface water supplies are not meeting current drinking water demands. This bill will allow the communities to stretch potable water resources by replacing drinking water with recycled water on parks, golf courses and school grounds.

This bill is a commonsense solution for communities that want to safeguard drinking water supplies for future generations. I urge my colleagues to support this bipartisan bill.

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

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

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

Mrs. NAPOLITANO. Mr. Speaker, I rise in support of H.R. 1732. This bill provides the Secretary of the Interior with authority to help finance a water recycling project to serve residents of Williamson County, Texas. As my colleagues know, these water recycling projects are becoming not only increasingly popular but necessary with communities who need reliable and cost-effective ways to firm up their community clean water supplies. It is unfortunate, however, that this administration refuses to understand and fund the potential of these projects. We will continue to press the administration to support these projects.

H.R. 1732 is not controversial. I urge support for this bill.

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

Mr. OSBORNE. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. CARTER).

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

Mr. Speaker, I rise to strongly support H.R. 1732 which authorizes the Secretary of the Interior to participate in the Williamson County, Texas, water recycling and reuse project. I am proud to represent Williamson County, or most of it, and I have been living there for over 30 years. During this time, I have witnessed Williamson County become one of the fastest growing communities in the entire Nation and it has been consistently the fastest growing county for over a decade. I have observed the needs of this county because it has a limited supply of water. Today some would say that water has replaced oil as the commodity most important to the future of Texas. Unfortunately, current water supplies will simply not meet the growing needs of Williamson County and that community.

To meet this need, I introduced H.R. 1732 to allow the Lower Colorado River Authority, the Brazos River Authority and local communities to work with the Bureau of Reclamation to design, build and construct permanent facilities to reclaim and reuse water in Williamson County. This partnership will be an essential part of the county's water planning efforts.

In short, this legislation will ensure current and future sources of drinking water are made available for the residents of Williamson County. I am excited about this partnership and believe it is a great example of Federal and local agencies working together to make a positive difference.

Mr. Speaker, I would like to thank the gentleman from California (Mr. POMBO), the gentleman from California (Mr. CALVERT) and their staffs for their efforts in having this legislation brought to the floor in a timely manner. I would also like to thank the gentleman from Texas (Mr. EDWARDS), my neighbor to the north, for joining me in this effort. I urge my colleagues to support this legislation.

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

I am very happy to hear the remarks of my colleagues. Water reuse, water recycling has been a very, very critical project and favorite subject of mine. Having been born and raised in Brownsville, Texas, I understand a lot of the Texas issues with the drought along the border that is creating havoc with farming and the economy thereof. I hope that we can continue to address and include funding to be able to expand not only to those areas that are in critical need but also those areas that can be used.

We have no new water in this world. It is all the same water that Mother Earth is recycling for us and we are helping recycle. We just trust that we can convince the administration of its need and begin doing it before we face very critical needs.

Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. EDWARDS), the coauthor of this bill.

Mr. EDWARDS. Mr. Speaker, I would first like to thank the gentlewoman from California for her leadership in this very, very important area. I also want to congratulate my colleague and neighbor in Williamson County (Mr. CARTER) for offering this important piece of legislation. Just as oil and gas was the economic engine for Texas in the 20th century, the availability of water will be the economic engine to Texas in the future in the 21st century.

As someone who represents part of Williamson County, the gentleman from Texas (Mr. CARTER) represents about 80 percent of that county, it is one of the largest, fastest-growing counties in the country. Water usage there is increasing dramatically. Yet our water supply is limited. I was very glad to cosponsor this bill with the gentleman from Texas (Mr. CARTER) and will look forward to working with him to try to see that we find the appropriations to fund this important piece of legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. OSBORNE) that the House suspend the rules and pass the bill, H.R. 1732, as amended.

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

A motion to reconsider was laid on the table.

CORRECTING TECHNICAL ERROR FROM UNIT OF JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM

Mr. OSBORNE. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1066) to correct a technical error from Unit T–07 of the John H. Chafee Coastal Barrier Resources System.

The Clerk read as follows:

S. 1066

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

SECTION 1. REPLACEMENT OF JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM MAP.

(a) IN GENERAL.—The map described in subsection (b) is replaced by the map entitled ''John H. Chafee Coastal Barrier Resources System Matagorda Peninsula Unit T07/T07P'' and dated July 12, 2002.

(b) DESCRIPTION OF REPLACED MAP.—The map referred to in subsection (a) is the map relating to the John H. Chafee Coastal Barrier System unit designated as Coastal Barrier Resources System Matagorda Peninsula Unit T07/T07P that is subtitled ''T07/T07P'' and included in the set of maps entitled ''Coastal Barrier Resources System'' and referred to in section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)).

(c) AVAILABILITY.—The Secretary of the Interior shall keep the replacement map referred to in subsection (a) on file and available for inspection in accordance with section 4(b) of the Coastal Barrier Resources Act (16 U.S.C. 3503(b)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska (Mr. OSBORNE) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. OSBORNE).

GENERAL LEAVE

Mr. OSBORNE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include

extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, S. 1066 introduced by Senator KAY BAILEY HUTCHISON will remove 19 acres of private property that has been mistakenly included within the Coastal Barrier Resources System. An identical bill, H.R. 154, has been proposed by the gentleman from Texas (Mr. PAUL). I compliment him for his leadership on behalf of this measure.

Specifically, the Matagorda dunes subdivision in Matagorda, Texas, was placed into the system despite the fact that a full complement of infrastructure, including roads and electricity, existed prior to 1977 and that it exceeded the number of structures per acre rule that is required for inclusion under the act.

For more than 20 years, these homeowners were told they were not within the system and therefore eligible for both Federal flood insurance and State wind insurance. These policies have now been canceled, and it is essential that this mistake be corrected so that their property can be protected from any future flooding problems. It is difficult, if not impossible, to sell coastal property or obtain a home mortgage without access to Federal flood insurance.

During the hearing before the Committee on Resources on this legislation, the administration expressed strong support and a local county judge testified, ''A mistake was made 21 years ago that placed this little subdivision in CBRA. It does not matter who made the mistake, but now since the mistake has come to light, please help us fix it.''

Finally, the House version of this bill was unanimously approved by the Committee on Resources. I urge my colleagues to support Senate 1066. I again compliment the gentleman from Texas (Mr. PAUL) for representing his constituents in such an effective way.

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

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

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

Mrs. NAPOLITANO. Mr. Speaker, S. 1066 is a noncontroversial piece of legislation that is identical to companion legislation, H.R. 154, passed and reported by the Committee on Resources earlier this year as was just addressed by my colleague.

By all evidence this technical correction appears to be genuine and needed to fix a legitimate error in the maps depicting the Matagorda subdivision in Unit T–07. For this reason and because this legislation would not undermine the policies of the Coastal Barrier Resources Act, Members should not oppose this legislation, and I recommend they vote for it.

Mr. PAUL. Mr. Speaker, I am pleased to support S. 1066, the Senate version of my H.R. 154, which I introduced on the first day of the 108th Congress. This legislation fixes a mistake in the official Fish and Wildlife Services' maps by removing a 19-acre area known as Matagorda Dunes, in Matagorda County, Texas, from the John H. Chafee Coastal Barrier Resources Act (COBRA). This change is fully supported by the Fish and Wildlife Service. In fact, a Fish and Wildlife Service created map, dated July 12, 2002, acknowledges the error.

This change will ensure property owners who had already begun developing this area are able to obtain insurance. Congress never intended to deny these landowners access to insurance. Matagorda Dunes was included in COBRA as a result of a drafting error when the COBRA maps were revised in the early eighties. Unless this mistake is fixed, the result could be catastrophic for these property owners who invested in developing Matagorda Dunes under the belief that the land was excluded from COBRA. A failure to fix this mistake could also be quite costly to the American taxpayers.

Fixing this mistake is also quite important to the people of Matagorda County, which is why a county official traveled to Washington to testify at a hearing on this bill in September. In conclusion, I thank Chairman POMBO and my colleague from Texas, Senator HUTCHISON, for their work on this issue and I urge my colleagues to support this important bill.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. OSBORNE) that the House suspend the rules and pass the Senate bill, S. 1066.

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

A motion to reconsider was laid on the table.

CARPINTERIA AND MONTECITO WATER DISTRIBUTION SYSTEMS CONVEYANCE ACT OF 2003

Mr. OSBORNE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1648) to authorize the Secretary of the Interior to convey certain water distribution systems of the Cachuma Project, California, to the Carpinteria Valley Water District and the Montecito Water District.

The Clerk read as follows:

H.R. 1648

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Carpinteria and Montecito Water Distribution Systems Conveyance Act of 2003''.

SEC. 2. CONVEYANCE OF WATER DISTRIBUTION SYSTEMS OF THE CACHUMA PROJECT, CALIFORNIA.

(a) IN GENERAL.—The Secretary of the Interior—

(1) may convey to the Carpinteria Valley Water District, located in Santa Barbara County, California, all right, title, and interest of the United States in and to the Carpinteria Distribution System of the Cachuma Project, California, consistent with the terms and conditions set forth in the agreement entitled ''Agreement Between the United States and the Carpinteria Valley Water District to Transfer Title to the Federally Owned Distribution System to the Carpinteria Valley Water District'' (Agreement No. 00–XC–20–0364); and

(2) may convey to the Montecito Water District, located in Santa Barbara County, California, all right, title, and interest of the United States in and to the Montecito Water Distribution System of the Cachuma Project, California, consistent with the terms and conditions set forth in the agreement entitled ''Agreement Between the United States and the Montecito Water District to Transfer Title to the Federally Owned Distribution System to the Montecito Water District'' (Agreement No. 01–XC–20–0365).

(b) LIABILITY.—Effective upon the date of conveyance of a distribution system under this section, the United States shall not be held liable by any court for damages of any kind arising out of any act, omission, or occurrence relating to the distribution system, except for damages caused by acts of negligence committed by the United States or by its employees or agents prior to the date of conveyance. Nothing in this section increases the liability of the United States beyond that provided in chapter 171 of title 28, United States Code (popularly known as the Federal Tort Claims Act) on the date of the enactment of this Act.

(c) BENEFITS.—After conveyance of a water distribution system to the Carpinteria Valley Water District or the Montecito Water District under this section—

(1) such water distribution system shall not be considered to be a part of a Federal reclamation project; and

(2) such water district shall not be eligible to receive any benefits with respect to any facility comprising that distribution system, except benefits that would be available to a similarly situated person with respect to such a facility that is not part of a Federal reclamation project.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska (Mr. OSBORNE) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. OSBORNE).

GENERAL LEAVE

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

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

There was no objection.

□ 1600

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

This bill authorizes the Secretary of the Interior to transfer specific water distribution systems of the Cachuma Project of the Carpinteria Valley Water District and the Montecito Water District in Santa Barbara County, California.

While this transfer would only apply to land and facilities and would not affect the repayment obligations of the Federal Government, it will help simplify the operation and maintenance of the districts' water delivery systems and eliminate unnecessary paperwork. Both districts have worked through all Federal requirements and need only to complete the process with an act of Congress.

Transfers such as those included in this bill help shrink the size and budget of Federal Government and help our communities manage our water resources in a more efficient manner. I urge my colleagues to support this consensus bill.

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

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

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

Mrs. NAPOLITANO. Mr. Speaker, H.R. 1648 simply authorizes the transfer of certain features of the Bureau of Reclamation's Cachuma Project near Santa Barbara, California, to the local water districts. Allowing the local districts to take over parts of the project will help simplify the operation and maintenance of the districts' water distribution systems. I would like very much to commend the gentlewoman from California (Mrs. CAPPS), my Democratic colleague and sponsor of this bill, who is unable to be on the floor at this moment, for her efforts to get this very important bill passed.

Mr. Speaker, H.R. 1648 is not controversial, and I urge my colleagues to support this bill.

Mrs. CAPPS. Mr. Speaker, I rise in strong support of H.R. 1648, the Carpinteria and Montecito Water Distribution Systems Conveyance Act of 2003—a bill I introduced that would authorize the title transfer of federally owned water distribution systems in my congressional district.

I want to commend my colleagues from California, the chairman of the Resources Committee, Mr. POMBO, the chairman and ranking member of the Subcommittee on Water and Power, Mr. CALVERT and Mrs. NAPOLITANO, as well as the ranking member of the full Committee, Mr. RAHALL for expediting the consideration of this legislation in their respective committees and for bringing H.R. 1648 before us today.

This legislation will authorize the title transfer of two federally owned water distribution systems from the Bureau of Reclamation to the Carpinteria Valley Water District and Montecito Water District, as requested by the two Santa Barbara area Districts.

The purpose of the legislation is to simplify the operation and maintenance of the Districts' water distribution systems and eliminate unnecessary paperwork and consultation between the Districts and the Bureau of Reclamation.

The Carpinteria Valley Water District and Montecito Water District, which have operated and maintained the facilities proposed for transfer since 1956 and 1995, respectively. The Districts have worked through all requirements of the Bureau of Reclamation's title transfer process including public meetings, fulfillment of their repayment obligations, completion of an environmental assessment, which resulted in a finding of no significant impact (FONSI), and compliance with all other applicable laws. The only step remaining to complete the process is an act of Congress enabling the Secretary of the Interior to transfer title.

The proposed transfer would apply only to lands and facilities associated with these facilities and would not affect the Districts' existing water service contract with the Santa Barbara County Water Agency nor the Federal government receipts from water deliveries under the contract. In addition, the proposed transfer does not envision any new physical modification or expansion of the service infrastructure.

Mr. Speaker, the proposed transfer of ownership would include the following facilities:

Carpinteria: The distribution system consisting of 36 miles of pipeline and laterals; Gobernador Reservoir; Shephard Mesa Tank; Lateral 10L, Carpinteria and Shephard Mesa pumping plants; several pressure regulating vaults located throughout the system; fences and structures; and rights-of-way, easements, leases and other property permitting access to the Federal system.

Montecito: 9.5 miles of pipelines and laterals; the Asegra Pumping Plant (a deactivated pumping plant connected to a portion of lateral 3 located on Asegra Road); Ortega Ridge Pumping plant located on Ortega Ridge Road; pressure regulating vaults, fences and structures appurtenant to the distribution system; and rights-of-way, easements, leases, and other property permitting access to the Federal system.

Again, I would like to thank the Committee on Resources for supporting this bill, and urge its immediate passage.

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

Mr. OSBORNE. Mr. Speaker, I commend the gentlewoman from California for her assistance through this process.

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

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentleman from Nebraska (Mr. OSBORNE) that the House suspend the rules and pass the bill, H.R. 1648.

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

A motion to reconsider was laid on the table.

HONORING THE 101ST AIRBORNE AT FORT CAMPBELL

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

Mrs. BLACKBURN. Mr. Speaker, today I rise to talk a little bit about the 101st Airborne at Fort Campbell, which is in Clarksville, Tennessee, and in my district. And I have visited with General Petreaus, commander of the 101st, and members of this elite group of American soldiers in Mosul where they are working to stabilize Iraq. Their work in Iraq is absolutely astounding. What they have accomplished is astounding, and it is a testament to their training, to their dedication, and to their love of liberty.

For the past 2 weeks the activity has absolutely broken our hearts. We have lost some of our Nation's finest, and Fort Campbell has lost some loved ones. And to the family, the friends, and their colleagues, we offer our thoughts and our prayers. And we want them to know that America is grateful not only for their service but certainly grateful for their sacrifice.

Throughout the history of the 101st, this country has relied on these brave soldiers, these brave defenders of freedom, to keep us free; and today is no different. We ask that God bless America, that He bless our Fort Campbell families and our fallen heroes.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m.

Accordingly (at 4 o'clock and 4 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1900

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DUNCAN) at 7 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

S.J. Res. 22, by the yeas and nays;

S.J. Res. 18, by the yeas and nays;

H. Con. Res. 299, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The remaining votes in this series will be conducted as 5-minute votes.

RECOGNIZING AGRICULTURAL RESEARCH SERVICE FOR 50 YEARS OF OUTSTANDING SERVICE

The SPEAKER pro tempore. The pending business is the question of suspending the rules and pass the Senate joint resolution, S.J. Res. 22.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. GUTKNECHT) that the House suspend the rules and pass the Senate joint resolution, S.J. Res. 22, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 332, nays 0, not voting 102, as follows:

[Roll No. 620]

YEAS—332

Abercrombie
Alexander
Andrews
Baca
Baird
Baker
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Bell
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Boehlert
Boehner
Boozman
Boswell
Boucher
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Burgess
Burns
Burton (IN)
Buyer
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carter
Case
Castle
Chabot
Chocola
Clay
Coble
Conyers
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Dooley (CA)
Duncan
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Foley
Ford
Fossella
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutknecht
Hall
Harman
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Hill
Hinchey
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hyde
Inslee
Israel
Jackson (IL)
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lynch
Maloney
Manzullo
Markey
Marshall
Matheson
McCarthy (MO)
McCarthy (NY)
McCotter
McCrery
McDermott
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meeks (NY)
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (NC)
Miller, Gary
Moore
Moran (KS)
Moran (VA)
Murphy
Musgrave
Nadler
Napolitano
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Oberstar
Obey
Olver
Osborne
Ose
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Peterson (MN)
Petri
Pickering
Platts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Regula
Rehberg
Renzi
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Sanchez, Loretta
Sandlin
Saxton
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sullivan
Tancredo
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Toomey
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Watson
Watt
Waxman
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NOT VOTING—102

Ackerman
Aderholt
Akin
Allen
Bachus
Baldwin
Beauprez
Becerra
Bereuter
Berman
Blumenauer
Blunt
Bonilla
Bonner
Bono
Boyd
Brown-Waite, Ginny
Burr
Calvert
Capuano
Carson (IN)
Carson (OK)
Clyburn
Cole
Collins
Davis (IL)
DeLay
DeMint
Doolittle
Doyle
Dreier
Dunn
Emanuel
Fletcher
Forbes
Frank (MA)
Gephardt
Gibbons
Gilchrest
Gonzalez
Gutierrez
Harris
Hart
Herger
Hobson
Hoyer
Hulshof
Hunter
Isakson
Issa
Istook
Jackson-Lee (TX)
Janklow
Jenkins
Kaptur
Kind
King (IA)
Kucinich
Lampson
Lipinski
Lucas (OK)
Majette
Matsui
McCollum
McGovern
Meek (FL)
Menendez
Miller (MI)
Miller, George
Mollohan
Murtha
Myrick
Neal (MA)
Nussle
Ortiz
Oxley
Pelosi
Peterson (PA)
Pitts
Pombo
Quinn
Radanovich
Rangel
Reyes
Reynolds
Rogers (AL)
Ryun (KS)
Sanchez, Linda T.
Sanders
Schakowsky
Serrano
Sessions
Simmons
Sweeney
Tanner
Taylor (NC)
Tierney
Velazquez
Waters
Weiner
Wexler
Wynn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DUNCAN) (during the vote). There are 2 minutes remaining in this vote.

□ 1922

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the remainder of votes in this series will be conducted as 5-minute votes.

COMMENDING INSPECTORS GENERAL FOR EFFORTS DURING PAST 25 YEARS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the Senate joint resolution, S.J. Res. 18.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and pass the Senate joint resolution, S.J. Res. 18, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 326, nays 3, not voting 105, as follows:

[Roll No. 621]

YEAS—326

Abercrombie
Alexander
Andrews
Baca
Baird
Baker
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Bell
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Boehlert
Boehner
Boozman
Boswell
Boucher
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Burgess
Burns
Burton (IN)
Buyer
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carter
Case
Castle
Chabot
Clay
Coble
Conyers
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Dooley (CA)
Duncan
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Foley
Ford
Fossella
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutknecht
Hall
Harman
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Hill
Hinchey
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hyde
Inslee
Israel
Jackson (IL)
Janklow
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lucas (KY)
Lynch
Maloney
Manzullo
Markey
Marshall
Matheson
McCarthy (MO)
McCarthy (NY)
McCotter
McCrery
McDermott
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meeks (NY)
Mica
Michaud
Millender-McDonald
Miller (NC)
Miller, Gary
Moore
Moran (KS)
Moran (VA)
Murphy
Musgrave
Nadler
Napolitano
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Oberstar
Obey
Olver
Osborne
Ose
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Peterson (MN)
Petri
Pickering
Platts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Regula
Rehberg
Renzi
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman

Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Sanchez, Loretta
Sandlin
Saxton
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Tancredo
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Toomey
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Vitter
Walden (OR)
Wamp
Watson
Watt
Waxman
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NAYS—3

Chocola
Miller (FL)
Souder

NOT VOTING—105

Ackerman
Aderholt
Akin
Allen
Bachus
Baldwin
Beauprez
Becerra
Bereuter
Berman
Blumenauer
Blunt
Bonilla
Bonner
Bono
Boyd
Brown-Waite, Ginny
Burr
Calvert
Capuano
Carson (IN)
Carson (OK)
Clyburn
Cole
Collins
Davis (IL)
DeLay
DeMint
Doolittle
Doyle
Dreier
Dunn
Emanuel
Fletcher
Forbes
Frank (MA)
Gephardt
Gibbons
Gilchrest
Gonzalez
Gutierrez
Harris
Hart
Herger
Hobson
Hoyer
Hulshof
Hunter
Isakson
Issa
Istook
Jackson-Lee (TX)
Jenkins
Kaptur
Kind
King (IA)
Kolbe
Kucinich
Lampson
Lipinski
Lowey
Lucas (OK)
Majette
Matsui
McCollum
McGovern
Meek (FL)
Menendez
Miller (MI)
Miller, George
Mollohan
Murtha
Myrick
Neal (MA)
Nussle
Ortiz
Oxley
Pelosi
Peterson (PA)
Pitts
Pombo
Quinn
Radanovich
Rangel
Reyes
Reynolds
Rogers (AL)
Ryun (KS)
Sanchez, Linda T.
Sanders
Schakowsky
Serrano
Sessions
Simmons
Stenholm
Sweeney
Tanner
Taylor (NC)
Tierney
Velazquez
Walsh
Waters
Weiner
Wexler
Wynn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1931

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. BONO. Mr. Speaker, on November 17, 2003, had I been present, I would have voted "yes" on S.J. Res. 18 and S.J. Res. 22.

HONORING MR. SARGENT SHRIVER

The SPEAKER pro tempore (Mr. DUNCAN). The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 299.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 299, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 325, nays 3, not voting 106, as follows:

[Roll No. 622]

YEAS—325

Abercrombie
Alexander
Andrews
Baca
Baird
Baker
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Bell
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Boehlert
Boehner
Boozman
Boswell
Boucher
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Burgess
Burns
Burton (IN)
Buyer
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carter
Case
Castle
Chabot
Chocola
Clay
Coble
Conyers
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Dooley (CA)
Duncan
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Foley
Ford
Fossella
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutknecht
Hall
Harman
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hensarling
Hill
Hinchey
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hulshof
Hyde
Inslee
Israel
Jackson (IL)
Janklow
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lowey
Lucas (KY)
Lynch
Maloney
Manzullo
Markey
Marshall
Matheson
McCarthy (MO)
McCarthy (NY)
McCotter
McCrery
McDermott
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meeks (NY)
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (NC)
Miller, Gary
Moore
Moran (KS)
Moran (VA)
Murphy
Musgrave
Nadler
Napolitano
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Oberstar
Obey
Olver
Osborne
Ose
Otter
Owens
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Peterson (MN)
Petri
Platts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Regula
Rehberg
Renzi
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Sanchez, Loretta
Sandlin
Saxton
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Tancredo
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Toomey
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Watson
Watt
Waxman
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Young (AK)

NAYS—3

Hefley
Johnson, Sam
Paul

NOT VOTING—106

Ackerman
Aderholt
Akin
Allen
Bachus
Baldwin
Beauprez
Becerra
Bereuter
Berman
Blumenauer
Blunt
Bonilla
Bonner
Bono
Boyd
Brown-Waite, Ginny
Burr
Calvert
Capuano
Carson (IN)
Carson (OK)
Clyburn
Cole
Collins
Davis (IL)
DeLay
DeMint
Doolittle
Doyle
Dreier
Dunn
Emanuel
Fletcher
Forbes
Frank (MA)
Gephardt
Gibbons
Gilchrest
Gonzalez
Gutierrez
Harris
Hart
Herger
Hobson
Hoyer
Hunter
Isakson
Issa
Istook
Jackson-Lee (TX)
Jenkins
John
Kaptur
Kind
King (IA)
Kucinich
Lampson
Lipinski
Lofgren
Lucas (OK)
Majette
Matsui
McCollum
McGovern
Meek (FL)
Menendez
Miller (MI)
Miller, George
Mollohan
Murtha
Myrick
Neal (MA)
Nussle
Ortiz
Oxley
Pelosi
Peterson (PA)
Pickering
Pitts
Pombo
Quinn
Radanovich
Rangel
Reyes
Reynolds
Rogers (AL)
Royce
Ryun (KS)
Sanchez, Linda T.
Sanders
Schakowsky
Serrano
Sessions
Simmons
Stenholm
Sweeney
Tanner
Taylor (NC)
Tierney
Velazquez
Waters
Weiner
Wexler
Wynn
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1938

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. COLLINS. Mr. Speaker, I was unavoidably detained and not present on rollcall vote 620, recognizing the Agricultural Research of the Department of Agriculture (S.J. Res. 22);

rollcall vote 621, commending the Inspectors General (S.J. Res. 18); and rollcall vote 622, honoring Mr. Sargent Shriver (H. Con. Res. 299). Had I been present, I would have voted ''yea'' for rollcall votes 620, 621, 622.

PERSONAL EXPLANATION

Mr. OXLEY. Mr. Speaker, I was returning from an official delegation trip to Iraq on Monday evening, and was absent from the House floor during the rollcall votes on S.J. Res. 22, recognizing the Agricultural Research Service, S.J. Res. 18, commending the service of Inspectors General; and H. Con. Res. 299, honoring Sargent Shriver. Had I been present, I would have voted ''aye'' on each of these resolutions.

HOUR OF MEETING ON TUESDAY, NOVEMBER 18, 2003

Mr. LINDER. Mr. Speaker, I move that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow for morning hour debates.

The SPEAKER pro tempore. The motion is not debatable.

The question is on the motion offered by the gentleman from Georgia (Mr. LINDER).

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

RECORDED VOTE

Ms. DEGETTE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 296, noes 25, not voting 113, as follows:

[Roll No. 623]

AYES—296

Abercrombie
Alexander
Andrews
Baca
Baird
Baker
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Bell
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Boehlert
Boehner
Boozman
Boswell
Boucher
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (SC)
Brown, Corrine
Burgess
Burton (IN)
Buyer
Camp
Cannon
Cantor
Capito
Cardin
Cardoza
Carter
Case
Castle
Chabot
Chocola
Clay
Coble
Conyers
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Dooley (CA)
Duncan
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Foley
Ford
Fossella
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Hall
Harman
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Hill
Hinchey
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Honda
Houghton
Hulshof
Hyde
Inslee
Israel
Jackson (IL)
Janklow
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lowey
Lucas (KY)
Lynch
Maloney
Manzullo
Markey
Marshall
Matheson
McCarthy (MO)
McCarthy (NY)
McCotter
McCrery
McHugh
McIntyre
McKeon
McNulty
Meehan
Meeks (NY)
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller, Gary
Moran (KS)
Moran (VA)
Murphy
Musgrave
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nunes
Ose
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Peterson (MN)
Petri
Pickering
Platts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Ramstad
Regula
Rehberg
Renzi
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Sabo
Sanchez, Loretta
Sandlin
Saxton
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Tancredo
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Toomey
Towns
Turner (OH)
Turner (TX)
Udall (NM)
Upton
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Watson
Waxman
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)

NOES—25

Brown (OH)
Capps
Cooper
DeFazio
Filner
Green (TX)
Grijalva
Hastings (FL)
Hooley (OR)
Lee
McDermott
Miller (NC)
Moore
Oberstar
Obey
Olver
Rahall
Ross
Rothman
Slaughter
Thompson (MS)
Udall (CO)
Van Hollen
Watt
Woolsey

NOT VOTING—113

Ackerman
Aderholt
Akin
Allen
Bachus
Baldwin
Beauprez
Becerra
Bereuter
Berman
Blumenauer
Blunt
Bonilla
Bonner
Bono
Boyd
Brown-Waite, Ginny
Burns
Burr
Calvert
Capuano
Carson (IN)
Carson (OK)
Clyburn
Cole
Collins
Davis (IL)
DeLay
DeMint
Doolittle
Doyle
Dreier
Dunn
Emanuel
Flake
Fletcher
Forbes
Frank (MA)
Gephardt
Gibbons
Gilchrest
Gingrey
Gonzalez
Gutierrez
Harris
Hart
Herger
Hobson
Hostettler
Hoyer
Hunter
Isakson
Issa
Istook
Jackson-Lee (TX)
Jenkins
Jones (NC)
Kaptur
Kind
King (IA)
Kucinich
Lampson
Lewis (GA)
Lipinski
Lofgren
Lucas (OK)
Majette
Matsui
McCollum
McGovern
McInnis
Meek (FL)
Menendez
Miller (MI)
Miller, George
Mollohan
Murtha
Myrick
Neal (MA)
Neugebauer
Nussle
Ortiz
Osborne
Oxley
Pelosi
Peterson (PA)
Pitts
Pombo
Quinn
Radanovich
Rangel
Reyes
Reynolds
Rogers (AL)
Rush
Ryun (KS)
Sanchez, Linda T.
Sanders
Schakowsky
Serrano
Sessions
Simmons
Stenholm
Sweeney
Tanner
Taylor (NC)
Tierney
Velazquez
Waters
Weiner
Wexler
Wynn
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1954

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. EMANUEL. Mr. Speaker, due to a previously scheduled commitment, I missed rollcall votes 620 through 623 on Monday, November 17. Had I been present, I would have voted ''yes'' on each measure.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 1, MEDICARE PRESCRIPTION DRUG AND MODERNIZATION ACT OF 2003

Ms. BERKLEY. Mr. Speaker, under rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 1, the prescription drug bill.

The form of the motion is as follows:

I move that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill, H.R. 1, be instructed as follows:

(1) To reject the provisions of subtitle C of title II of the House bill.

(2) To reject the provisions of section 231 of the Senate amendment.

(3) Within the scope of conference, to increase payments for physician services by an amount equal to the amount of savings attributable to the rejection of the aforementioned provisions.

(4) To insist upon section 601 of the House bill.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 2660, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

Mr. KENNEDY of Rhode Island. Mr. Speaker, pursuant to clause 7(c) of House rule XXII, I hereby notify the House of my intention tomorrow to offer the following motion to instruct House conferees on H.R. 2660, the fiscal year 2004 Labor, Health and Human Services, Education and Related Agencies Appropriations Act.

The form of the motion is as follows:

I move that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill,

H.R. 2660, be instructed to insist on the highest funding levels possible for nutrition programs for our Nation's seniors authorized by the Older Americans Act.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken tomorrow.

CONGRATULATING JOHN GAGLIARDI ON OCCASION OF HIS BECOMING ALL-TIME WINNINGEST COACH IN COLLEGIATE FOOTBALL HISTORY

Mr. KLINE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 438) congratulating John Gagliardi, football coach of St. John's University, on the occasion of his becoming the all-time winningest coach in collegiate football history.

The Clerk read as follows:

H. RES. 438

Whereas John Gagliardi began his coaching career in 1943 at the age of 16 when his high school football coach was drafted and John Gagliardi asked to take over his position;

Whereas John Gagliardi won four conference titles during the six years he coached high school football;

Whereas John Gagliardi graduated from Colorado College in 1949 and began coaching football, basketball, and baseball at Carroll College in Helena, Montana, winning titles in all three sports;

Whereas John Gagliardi took over the football program at St. John's University in Collegeville, Minnesota, in 1953 and the football team won the Minnesota Intercollegiate Athletic Conference title in his first year as coach;

Whereas by the end of the 2002 season, John Gagliardi had won three national championships, coached 25 conference title teams, appeared in 45 post-season games and compiled a 400–114–11 record during his 50 years at St. John's University;

Whereas under the leadership of John Gagliardi, St. John's University has been nationally ranked 37 times in the past 39 years, and the university set a record with a 61.5 points per game average in 1993;

Whereas over 150 students participate in the St. John's University football program each year and every player dresses for home games;

Whereas John Gagliardi's coaching methods follow the ''Winning with No's'' theory: no blocking sleds or dummies, no whistles, no tackling in practices, no athletic scholarships, and no long practices;

Whereas John Gagliardi has coached over 5,000 players during his 50 years at St. John's University, and no player has failed to graduate and most have graduated in four years;

Whereas, in 1993, the John Gagliardi trophy was unveiled, and it is given each year to the most outstanding Division III football player;

Whereas on November 1, 2003, John Gagliardi tied Grambling University coach Eddie Robinson's record of 408 wins with a 15 to 12 victory over the University of St. Thomas;

Whereas on November 8, 2003, John Gagliardi broke Eddie Robinson's record with a 29 to 26 victory over Bethel College;

Whereas John Gagliardi is admired by his players, as well as by the students, faculty, and fans of St. John's University for his ability to motivate and inspire;

Whereas students who take his course, Theory of Football, credit John Gagliardi for teaching them more about life than about football;

Whereas those closest to John Gagliardi will tell you that football is only part of his life—he values the time he spends with Peg, his wife of 47 years, and their four children; and

Whereas the on- and off-the-field accomplishments of John Gagliardi have placed him in an elite club that includes the best coaches in history: Now, therefore, be it

Resolved, That the House of Representatives congratulates John Gagliardi, football coach of St. John's University in Collegeville, Minnesota, on becoming the all-time winningest coach in collegiate football history.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. KLINE) and the gentlewoman from California (Ms. WOOLSEY) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. KLINE).

GENERAL LEAVE

Mr. KLINE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H. Res. 438.

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

There was no objection.

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

Mr. Speaker, I rise today in support of House Resolution 438. I would like to thank my colleague, the gentleman from Minnesota (Mr. KENNEDY), for bringing this resolution forward. Mr. Speaker, this resolution recognizes the achievement of Coach John Gagliardi of St. John's University for becoming the all-time winningest coach in collegiate football history.

Coach Gagliardi—John to his players, colleagues and friends—has long been a force in college athletics and in life. In his 51 years at St. Johns, John has found great success on the field, leading St. John's to 23 conference titles and the winningest record in Division III history.

His performance as a coach is impressive, but it tells only one side of the story of this great man. John has invested in thousands of lives over his career in the coaching business. The success earned by the St. John's team reflects the dedication he inspires in each player. John's investment in these young lives is, to him, the most important contribution he can make, and to them the most important reward they will receive.

I extend my congratulations to Coach John Gagliardi on this important day for him and for the St. John's community. I am happy to join my colleagues in honoring a great man and wishing him continued success.

I ask my colleagues to support this resolution.

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

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

Mr. Speaker, I rise in support of H. Res. 438. This resolution honors John Gagliardi, the football coach at St. Johns University. Coach Gagliardi is the winningest coach in college football history. This month he overtook the legendary Eddie Robinson by winning the 409th football game of his career. This record puts Coach Gagliardi at the very top of his profession. It should come as no surprise that the students, the student athletes, the faculty and fans of St. John's University greatly admire Coach Gagliardi. Fortunately, we are not only honoring Coach Gagliardi for his winning ways but also his commitment to his school, his team and, most importantly, his players and their education.

Coach Gagliardi has coached over 5,000 players during his 50 years at St. John's. Over that time, none of his players have failed to graduate and most have graduated within 4 years.

□ 2000

This is an amazing feat in today's world of college athletes. Coach Gagliardi more than deserves the honor we are bestowing on him today. Mr. Speaker, I urge all Members of the House to support this resolution.

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

Mr. KLINE. Mr. Speaker, I yield 10 minutes to the gentleman from Minnesota (Mr. KENNEDY).

Mr. KENNEDY of Minnesota. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise today to honor St. John's University's Coach John Gagliardi for becoming the winningest college football coach ever. After beating archrival St. Thomas to tie Eddie Robinson's record of 408 wins at Grambling, Coach Gagliardi's Johnnies set a new record by defeating nationally ranked Bethel in a hard-fought game before over 13,000 fans in the natural bowl of Clemens Stadium. That is quite a crowd, since the stadium only seats 5,500.

As a graduate of St. John's, I was honored to be able to join John at the White House today where the President rightly praised both his achievement and his character. Both St. John's University and Coach John Gagliardi are quite special; and as one might expect from a relationship stretching over half a century, they are special for many of the same reasons. Indeed, the similarities begin with both the university and the coach being named ultimately after St. John.

St. John's, with 1,900 male students, is one of the oldest universities in the State of Minnesota, having been founded by Benedictine monks in 1856. It sits on a beautiful campus of 2,400 acres

with four lakes on campus. Their sister school, St. Benedict's, with 2,000 students, was founded by Benedictine nuns in 1913.

The Benedictines live according to the Rule of St. Benedict with an emphasis on faithfulness, community, study, work, prayer, and humility. They have infused these values into the culture of St. John's and St. Ben's as well. Community is important to Johnnie and Bennie alumni, who are among the most loyal anywhere.

Coach Gagliardi has personified these values. After coaching 4 years at Carroll College in Helena, Montana, John has coached at St. John's for the last 51 seasons. That record of faithfulness has been matched with 47 years of marriage to the partner of his life, his wife, Peggy.

The Gagliardi family has been intertwined with the St. John's community. They live on campus, and all four of their children have attended St. John's or St. Ben's. I attended St. John's with their son John, Jr. Their son Jim is one of St. John's assistant coaches and joined him today at the White House. Since he is assistant coach there at St. John's, the President said that he appreciated sons following in their father's footsteps.

Consistent with John's commitment to community, he cuts no one from games, from coming out for football, and over 150 players regularly suit up for home games. In fact, St. John's was recently penalized for having two players with the same number on the field, a penalty few teams ever have to worry about. And while Gagliardi is acclaimed for his perennial success on the football field, he is equally loved and admired at St. John's for his commitment to making sure that his players get a quality education.

Consistent with his commitment to study, I am proud to say that no player has ever failed to graduate in John's over a half century of coaching. Every class of graduating football players includes those who go on to graduate, law, or medical school. St. John's and St. Ben's, which are ranked as among the best Catholic national liberal arts colleges in the country by ''U.S. News and World Report,'' match Gagliardi's commitment to educational excellence. The Benedictine monks have long stressed work and in their early days were almost entirely self-sufficient, growing and building most of what they needed. Coach Gagliardi's personal work ethic is reflected in his intent to continue coaching even after he has achieved this important milestone.

Yet John has a nontraditional view towards work in the form of practice. His practices involve no blocking sleds, no dummies, no whistles, no pads, no tackling, and no mandatory weight training. John does not conduct spring practices, and he gives his team the day off if it is too cold, too hot, or there are too many mosquitos, as is often the case in Minnesota.

But where Gagliardi asks his players to work is on game day. They work and they win. In over 55 years of coaching, he has now had 410 wins and only 114 losses. My son Peter recently commented that it is impossible to be a fair-weather fan of St. John's because they always win. Gagliardi's teams have won 26 conference titles, appeared in 45 post-season games, and won three national championships. Their most recent national championship was in 1976, while I was a student at St. John's, when they beat Towson State of Maryland, a school 10 times its size.

Playing bigger schools is not unusual for St. John's with its 1,900 students. I fondly remember sitting at a playoff game with St. John's president, Brother Dietrich Reinhart, in Dayton, Ohio, against the University of Dayton. They were playing St. John's in football, but Michigan State in basketball that evening.

According to St. John's folklore, prayer is vitally important to their football success. The St. John's abbey is the largest Benedictine abbey in the world. As the saying goes, if the team gets it close, they will pray it in.

Despite John's unmatched record of success, he remains amongst the most humble people one will ever meet. His news director, Michael Hemisch, has a hard time getting him to speak to the press. John avoids the limelight and wears a coat during games that everyone is happy to see has now been contributed to the College Football Hall of Fame, so he will not wear it anymore. But he said it is the only coat that will keep him warm enough for Minnesota falls.

Some were surprised that he accepted President Bush's invitation to come to the White House today. When the press asked him what was the secret of his success, he answered: talented players, luck, and prayers.

Certainly, the many players that have played for Coach Gagliardi should be congratulated on this achievement. John took no credit for himself but would be happy to ascribe some of the credit to his current coaching staff and his coaching staff over the years, three of whom joined him: his son Jim, Jerry Haugen, and Gary Fasching. He would also give credit to the monks, including athletic director Father Tim Backous, who joined him as well at the White House. Father Tim and I sang together at men's chorus at St. John's. And John likes to joke that the monks said they would always be with him, win or tie.

Though John is humble, my fellow alumni at St. John's and St. Ben's, including 13 of my family members, have great pride not just in his success as the winningest college football coach ever but the way his life has modeled the Benedictine values of faithfulness, community, study, work, prayer, and humility.

I appreciated the Johnnies who joined John at the White House and the many that came out to the reception this afternoon here in Washington to honor John, including Senator Dave Durenberger; Al Eisele, editor of ''The Hill,'' David Rehr from the Beer Wholesalers; and Tom Super, whose wife, Kathy, works for President Bush, Sr.

I encourage my fellow Members to join me in honoring his achievement.

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

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

I thank the gentlewoman for her very kind remarks on this occasion, and I thank the gentleman from Minnesota (Mr. KENNEDY) for bringing this forward. I encourage all of my colleagues to vote for this, with a hearty congratulations to Coach John Gagliardi.

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

The SPEAKER pro tempore (Mr. NEUGEBAUER). The question is on the motion offered by the gentleman from Minnesota (Mr. KLINE) that the House suspend the rules and agree to the resolution, H. Res. 438.

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

A motion to reconsider was laid on the table.

HONORING RICE UNIVERSITY OWLS BASEBALL TEAM

Mr. KLINE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 379) honoring the Rice University Owls baseball team for winning the NCAA baseball championship.

The Clerk read as follows:

H. RES. 379

Whereas, on June 23, 2003, the Rice University Owls baseball team won the NCAA baseball championship, defeating Stanford, with a final score of 14 to 2, before 18,494 Owls fans in the final game at the College World Series;

Whereas Rice University is a small but prestigious school, which opened in 1912, and prides itself on being one of the Nation's best academic institutions;

Whereas winning the national championship in a major Division I sport is a remarkable accomplishment for Rice University, which has an undergraduate enrollment of only 2,700 students and holds its athletes to the same high academic standards as the rest of the school population;

Whereas, before this 2003 victory, the Owls made three trips to the College World Series, in 1997, 1999, and 2002, but won just one of seven games;

Whereas the Owls' coach, Wayne Graham, advanced Rice University's baseball program from obscurity to a national championship in 12 years;

Whereas the Owls' victory at the College World Series is Rice University's first national championship in any team sport and easily the University's crowning athletic achievement;

Whereas Rice University is the second school in the State of Texas to win the NCAA baseball title, joining the University of Texas, which won titles in 1949, 1950, 1975, 1983, and 2002;

Whereas the Owls' victory completed a remarkable season in which Rice University won 58 of the 70 games it played;

Whereas the Owls opened the 2003 College World Series by first defeating Southwest Missouri State and then by defeating Texas University twice in a span of three days, eliminating the defending national champions and securing a spot in the championship round;

Whereas Rice University defeated Stanford, with a score of 4 to 3, in the first championship game, and then lost to Stanford, with a score of 8 to 3, in the second game, forcing the final game; and

Whereas the final score of 14 to 2, establishing Rice University's national championship victory, is the largest margin of victory in a College World Series final game: Now, therefore, be it

Resolved, That the House of Representatives honors and congratulates the Rice University Owls baseball team for their successful season and their historic, outstanding, and memorable NCAA baseball championship victory.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. KLINE) and the gentlewoman from California (Ms. WOOLSEY) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. KLINE).

GENERAL LEAVE

Mr. KLINE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 379.

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

There was no objection.

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

Mr. Speaker, I rise in support of House Resolution 379. This resolution honors the Rice University Owls baseball team for their victory in the 2003 NCAA baseball championship. With their 14 to 2 victory over Stanford, the Rice Owls scored the largest margin of victory in a College World Series championship game and earned their first, their first, NCAA baseball championship ever. The Owls won five of six games in their fourth College World Series appearance to complete a remarkable season in which they won 58 of their 70 games. The Owls' victory at the College World Series was Rice University's first national championship in any team sport. The distinction earned by these players and the remarkable repeat victories of the team reflect the dedication of each player, the leadership of Coach Wayne Graham, and the support of family, friends, and fans.

I want to thank the gentleman from Texas (Mr. BELL) for introducing this resolution and extend my congratulations to Coach Graham, Rice University, and each of the hardworking players on the successful Owls team. As the only Member of Congress to claim Rice University as my alma mater, I am especially proud and happy to join my colleagues and am very thankful to have the opportunity to join my colleagues in honoring the accomplishment of this team and wishing them continued success. I ask my colleagues to support this resolution.

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

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

Mr. Speaker, I rise in support of H. Res. 379. This resolution honors the Rice University Owls baseball team for winning the NCAA baseball championship. This summer the Rice University Owls captured the national championship in their fourth trip to the College World Series in the past 7 years. College fans, student athletes, and the general public were treated to an exciting 14 to 2 win in the final game of the year's College World Series. I want to extend my hearty congratulations to the Owls' head coach, Wayne Graham. His leadership over the past 12 years has taken baseball at Rice University from obscurity to national prominence. Rice University's student athletes also deserve our congratulations. We are on the floor today because of their hard work, their determination, and their winning ways.

I would be remiss if I did not also recognize the outstanding play by Stanford University's student athletes in the College World Series. Both teams are to be congratulated for their excellent play.

Winning a championship has brought national acclaim to Rice University. I hope the Owls fans and their community treasure this moment for many years to come. And in closing, Mr. Speaker, I urge Members to support this resolution.

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

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

Ms. WOOLSEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. BELL), the author of this resolution.

Mr. BELL. Mr. Speaker, I rise in support of the resolution to honor the Rice University Owls, the 2003 NCAA baseball national champions. It is a study in persistence. Before this victory, the Owls made three trips to the College World Series in 1997, 1999, and 2002, but won just one of seven games during those three trips.

The Owls' convincing win over Stanford in the College World Series championship game this year brought home the school's first national championship in any team sport.

Rice University is a tremendous source of pride for my 25th Congressional District in Texas. As one of the Nation's most highly regarded universities, Rice has always been well known for its academic excellence. The school now has the added distinction of being a baseball powerhouse. Winning a national title in a major Division I sport is a remarkable accomplishment for a school as small as Rice with only 2,700 undergraduates.

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Additionally, Rice athletes are held to the same high academic standards as all of the other students, signifying the incredible well-roundedness of these ball players.

Since starting at Rice 12 years ago, coaching legend Wayne Graham has catapulted the team into baseball history. Coach Graham's leadership took Rice to the NCAA tournament in 1995 and to the College World Series in 1997, 1999 and 2002. Previously, Coach Graham won five national junior college titles at San Jacinto College.

The Owls had an unforgettable season, winning 58 of their 70 games. Early in the season, the team broke a school record by winning 30 games in a row. In the College World Series, Rice beat Southwest Missouri State and last year's champion University of Texas team twice, before meeting Stanford in the championship round. Rice beat Stanford 4–3 in the first game, lost 8–3 in the second, and won the championship, 14–2, the largest margin of victory in the history of the College World Series championship games.

Mr. Speaker, with wholehearted enthusiasm, I congratulate Coach Graham and the entire Rice Owl College World Series championship team, including Philip Umber, Jeff Niemann, Wade Townsend, Vincent Sinisi, Enrique Cruz, Craig Stansberry, Paul Janish, Chris Kolkhorst, Austin Davis, Dan Bubela, Justin Ruchti, David Aardsma, Joseph Baker, Jeff Blackinton, Matthew Cavanaugh, Lyndon Duplessis, Matthew Emerson, Jonathan Gillespie, Steven Herce, Sean Hirsch, Jeff Jorgensen, Colin Matheny, Matthew Moake, and Lance Pendleton.

These players' success, both in the classroom and on the baseball field, make them stand out as the very best college sports has to offer. They played with honor and sportsmanship and raised the bar for the expectations of college athletes everywhere. Well done, Owls. You have made Houston, Texas very proud.

Ms. WOOLSEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. RODRIGUEZ).

Mr. RODRIGUEZ. Mr. Speaker, I rise today to join my colleagues and the gentleman from Texas (Mr. BELL) for authoring this legislation in honoring the National Champion Rice University baseball team. I commend the hard work of the players and their coaches. Their years of training and preparation, combined with their ability to work together as a team, led to an outstanding and overwhelming victory.

It is also important to recognize the unwavering dedication of the Rice supporters who cheered the team to victory. All Texans are proud of Rice University. Rice University, its alumni, the city of Houston, the Houston Astros and others have honored the Rice baseball team, and now the Congress is joining the local community and the State to show our support for their achievement.

I have the great honor of being a father of a Rice Owl. My daughter Xochil

attends Rice University, and I am proud that she has chosen to be a part of this outstanding academic institution. Not only is Rice University one of the Nation's top-ranking schools, Rice University students have distinguished themselves by creating a unique academic atmosphere that provides a well-rounded educational experience.

The win at this year's College World Series marks the first national championship for a Rice University sports team, but with the hard work and the discipline shown by the group of student athletes, I have no doubt that this is only the first of many accomplishments and championships. Congratulations, Rice University.

Ms. WOOLSEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. GREEN).

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

Mr. GREEN of Texas. Mr. Speaker, I rise to place in the RECORD a statement in offering my congratulations to the Rice University baseball team for winning the College World Series.

Mr. Speaker, I rise today to offer my congratulations to the Rice University Baseball team. An exemplary group of young men, the Rice team won its first baseball national championship this year and showed the true grit needed to win the College World Series.

The Owls have been no stranger to the College World Series, appearing with the best of college baseball for 4 out of the last 7 years. The championship eluded them, however, until this year when they finished the regular season with an impressive 58–12 record. Thirty of those wins came during a remarkable winning streak.

And being a University of Houston graduate, it pains me to admit that the Owls' streak began with a 3–0 win over my beloved Cougars. However, if we had to lose to a crosstown rival, I'm glad that it was one who went on to win the national championship.

The national championship was even sweeter for Houstonians considering that the Owls crushed a Stanford team that had made its third trip to the finals in the past 4 years. And in winning the final game 14–2, the Rice team secured the largest margin of victory in any College World Series final game. Without a doubt, Rice's national championship is a well-deserved honor for a first-rate team.

My congratulations go out to the Owls, along with my best wishes for a successful 2004 season in defense of their title.

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

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

Mr. Speaker, I would like to thank, again, the gentlewoman from California for her kind remarks and the other speakers today, and certainly the gentleman from Texas (Mr. BELL) for authoring this resolution. I will dare to speak on behalf of all Rice alumni and say to Coach Graham and to the team, congratulations and thank you from the bottom of our hearts. The first-ever NCAA championship is a big thing to the alumni community and Rice University.

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

The SPEAKER pro tempore (Mr. NEUGEBAUER). The question is on the motion offered by the gentleman from Minnesota (Mr. KLINE) that the House suspend the rules and agree to the resolution, H. Res. 379.

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

A motion to reconsider was laid on the table.

PERMISSION TO HAVE UNTIL 6 A.M. TUESDAY, NOVEMBER 18, 2003 TO FILE CONFERENCE REPORT ON H.R. 6, ENERGY POLICY ACT OF 2003

Mr. MORAN of Kansas. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until 6 a.m. on November 18, 2003 to file a conference report to accompany the bill (H.R. 6) to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, and for other purposes.

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

There was no objection.

TWENTY-FIFTH ANNIVERSARY OF JONESTOWN AND THE DEATH OF CONGRESSMAN LEO RYAN

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

Mr. LANTOS. Mr. Speaker, tomorrow is the 25th anniversary of the massacre at Jonestown where more than 900 people lost their lives to the sick cause of a sociopath masquerading as a visionary.

Among the victims was my distinguished predecessor and good friend, Congressman Leo Ryan, the first Member of Congress ever killed in the line of duty. He was gunned down along with four others of his delegation whom he led to investigate reports of human rights abuses in the jungles of Guyana.

Mr. Speaker, while we continue to struggle to understand such events, let us also continue to commemorate the people they affect.

I would like to ask all of my colleagues for a moment of silence to remember our fallen colleague, my predecessor representing the San Francisco peninsula in Congress, Congressman Leo Ryan, and to honor his work for justice and human rights.

Mr. Speaker, November 18, is the 25th anniversary of the massacre at Jonestown. A quarter century ago, more than 900 people lost their lives to the sick cause of a sociopath masquerading as a visionary.

Among the victims was Congressman Leo Ryan, the first Member of Congress ever killed in the line of duty. He was gunned down, along with four others of the delegation that he led to investigate reports of human rights abuses at a compound in the jungles of Guyana. Ten members of his group were wounded, some of them seriously, including California State Senator Jackie Speier, who was then a member of Congressman Ryan's staff.

In addition to those who died, thousands more were directly affected by the Jonestown tragedy: the grieving family members and friends of those who had misplaced their faith in the so-called Peoples Temple led by Jim Jones.

Mr. Speaker, survivors of that misguided movement, as well as relatives of Leo Ryan and of others who died, are gathering in Foster City, California, in a park that bears Congressman Ryan's name. They will consider his gifts and accomplishments as a public servant, and they will carry on with the struggle to make sense of the events that cut short his life and those of so many others.

Leo Ryan dedicated his life to protecting the oppressed. Elected to the California State Assembly in 1962, he was so moved by the conditions that led to the Watts Riots two years later that he volunteered as a substitute schoolteacher in Watts while the community rebuilt itself. This was typical of Leo Ryan: Confronted with a complex situation of social injustice, he insisted on getting his facts firsthand. In 1970, after hearing about abuses against convicts in California's top-security institutions, he spent a week undercover behind bars in Folsom Prison to see for himself how they were treated.

Mr. Speaker, this hands-on approach characterized Leo Ryan's work here in Congress, where he served on the Foreign Affairs Committee. In early 1978, concerns had been raised about U.S. citizens being held against their will in Guyana; stories were filtering out about beatings and forced rehearsals for mass suicides. When constituents brought the issue to Leo Ryan's attention, he took action.

There were warnings, but characteristically, Congressman Ryan was undeterred. He moved with caution, yet without trepidation, to organize a trip to Guyana. And to alert the world to what he expected to find, he brought along with him a handful of journalists, as well as members of the Concerned Relatives group whose loved ones were in the thrall of Jim Jones. But after challenging Jones and confirming some of his concerns, Leo Ryan, three of the journalists and a defector from the Peoples Temple were to lose their lives on a jungle airstrip as the cataclysm at Jonestown began.

What lessons can be drawn from these experiences, Mr. Speaker? What can we conclude when we continue to see the rise of aberrant social groups that use violence to control their members, and are capable of unleashing brutality upon the world?

Jim Jones' methods of control mirror those of totalitarian leaders throughout history. He created a cult of personality centered on himself, demanded absolute obedience, isolated those who surrounded him from their former lives, and instilled in them a profound sense of paranoia about the outside world.

The Peoples Temple's members were manipulated to see in it whatever they wanted it to be. It was a self-help group for some, for others a religious movement, and for many it represented a new means to address society's

shortcomings. Jim Jones also managed to legitimize the group among some conventional religious and political leaders by supporting their public events and contributing money to their causes during the years when the Peoples Temple was based in San Francisco.

How could so many people find themselves hoodwinked to varying degrees, letting themselves even be linked with this deviant community, much less joining its ranks and sacrificing their lives?

Mr. Speaker, it is a hard question to confront. And the Peoples Temple example teaches us most dramatically not to be seduced by easy answers. It is left to historians and specialists in mass psychology to piece together and place in context the puzzle of Jonestown, the rise of Fascism in Europe, and any number of other instances in which a twisted and charismatic individual has found ways to exploit the weaknesses of large groups and to destroy their will.

As John Ross Hall wrote in one of the definitive studies of Jonestown, Gone From the Promised Land, ''We hear the screams, but we do not entirely understand them, and we will continue to wrestle with the apocalypse they unveiled.''

And I would add, we will continue to commemorate the victims, and to pay tribute to their lives. Mr. Speaker, I would like to ask for a moment of silence here in this chamber to remember our fallen colleague, my predecessor representing the San Francisco Peninsula in Congress, Leo Ryan, and to honor his work for justice and human rights.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. NEUGEBAUER). Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

H.R. 876, THE LOCAL RAILROAD REHABILITATION AND INVESTMENT ACT

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

Mr. MORAN of Kansas. Mr. Speaker, I rise tonight on behalf of thousands of America's rural communities, and I would like to focus attention on a looming crisis within our Nation's transportation infrastructure. Short line railroads, rural America's link to the national rail network, are approaching a crisis point.

Before the rail industry was deregulated, Federal policy created a tremendous investment disincentive whose repercussions can still be felt today. With America's generation of heavier rail cars, which many short lines cannot accommodate, this situation has grown worse. We must move quickly, because thousands of miles of track are in danger of being abandoned forever.

Over 550 short line rail carriers now operate 30 percent of the Nation's rail network. Short line railroads exist in all 50 States and in over 70 percent of all congressional districts. They operate 50,000 miles of track, employ over 23,000 workers at an average wage of $47,000, and earn $3 billion in annual revenue.

Today, this local service is threatened due to the introduction of heavier 286,000 pound railcars that have become a new industry standard. Because of the interconnectivity of our Nation's rail network, short lines are forced to use these heavier cars, placing an added strain on track structure and making rehabilitation urgent. Studies indicate that it will take $7 billion in new investment for our Nation's short lines to accommodate these heavier railcars. To keep our constituents connected with the national rail network, these lines must be upgraded. Unfortunately, the small railroad revenue is insufficient to get the job done.

Today, our Nation's short line railroads need help to make the capital investment required to maintain and rebuild rail service between rural and urban America. This is why I introduced H.R. 876, the Local Railroad Rehabilitation and Investment Act. This legislation has enjoyed bipartisan support with, currently, 178 cosponsors. H.R. 876 provides a $10,000-per-mile tax credit as an offset for rehabilitation investments needed to maintain and strengthen local rail service. This temporary incentive program provides a valuable tool for our railroads to rebuild and improve as they work to meet our Nation's increasing shipping needs.

Short line railroads play an important role in my home State of Kansas. Kansas ranks second in the Nation in the amount of farm products it ships out of State by rail. These railroads keep our farmers and small businesses connected to a national rail network. However, since 1980, approximately 2,500 miles of short line rail in Kansas have been abandoned.

In my State alone, the loss of short line railroads would add nearly $50 million in annual repair costs to the State's highway system. The loss of short line rail service could also add over $20 million to the annual cost of transporting and handling the State's wheat harvest, which would result in an annual net decline in farm income of over $17 million. Nearly every State and every congressional district would experience similar consequences without short line rail service.

Congress should have a strong interest in preserving the freight connection between rural and urban America, because once track is abandoned, odds are it will never be replaced. In today's world, a disruption of the network that carries our food, raw materials, and the fuel for our power plants can be ill afforded. Tens of thousands of jobs in agriculture, manufacturing, refining, and mining in almost every congressional district depend upon this service. I urge my colleagues to join me in cosponsoring this vital transportation infrastructure legislation, and I ask the leadership of this Congress to bring this bill forward.

PHARMACEUTICAL PROMOTION AND PROFITS PROTECTION ACT

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

Mr. DEFAZIO. Mr. Speaker, Christmas has come early for the pharmaceutical and insurance industries, and it is going to be presented as a very large and complex piece of legislation that as yet no rank and file Member of Congress, no Democrat on this side of the Hill, has been able to review, and it will be voted on later this week.

It is being cast as simply a pharmaceutical benefit for seniors and some sort of a revision of Medicare to make it competitive and so on and so forth. But what it really is is legislation that was written by and for the pharmaceutical and insurance industries, the most powerful lobbies in this country and the most generous of campaign contributors, particularly to the President and the Republican Party; and it is first and foremost designed to protect their profits. In fact, perhaps we should call it the ''Pharmaceutical Promotion and Profits Protection Act.'' That would be an apt title.

Boston University School of Public Health has analyzed the bill and they said, 61 percent of the benefits will flow as increased profits to the pharmaceutical industry. The bill specifically prohibits the Government of the United States of America, on behalf of America's seniors and, indeed, all of the American people, to do anything to lower the extortionate price of prescription drugs in the United States. In fact, it closes the door on the importation of prescription drugs from Canada, which is the only relief that many Americans are able to find today. Oh, they say, well, we do not close the door; we are going to give the authority to the Secretary of Health and Human Services to certify whether or not American-manufactured, FDA-approved pharmaceuticals that have had a short vacation in Canada, where their price goes down by 50 percent or more, would be safe if they flowed back into the United States. And, of course, the Secretary of Health and Human Services, in his wisdom, has already said that he will not find them to be safe, just to reassure the industry. So they will give him a power which he will not use, or which he has already arbitrarily decided.

In fact, it is arguable that the chain of custody of drugs in Canada is safer than in the United States of America, and it would be arguable that, in fact, those drugs would be safer than those that are sometimes made available in the system here because of unregulated, unlicensed pharmacies, and phoney, closed-door pharmacies and other things that were exposed recently in a series by the Washington Post. But nonetheless, we are going to act to protect here, and what we are really protecting, the Congress will vote, and I am sure the House will

vote; the President is proposing and the conference committee has proposed to protect the profits of the pharmaceutical industry.

Then, not to leave out the insurance industry, because they are almost as generous in their campaign contributions, we are going to set up a new market for them where we will subsidize the private health insurance industry to create competition. Now, is that not ironic?

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The only industry in the United States of America exempted from antitrust law, an industry which can, and does, legally fix prices, collude with their so-called competitors, and, you know, collude also to determine who they might cover or not cover, we are going to bring about competition by subsidizing them.

There are quite a few seniors in my district that have a rather bitter taste in their mouths about the HMO Medicare+Choice and all these other foolhardy things that have been levied upon them. Those companies walked away one day and left them high and dry. And under this bill they will be able to walk away again and leave people high and dry or they will be able to choose the people they want to cover and tell the rest of them to go over to the Medicare fee-for-service plan which will be more expensive. It will get ever more expensive because all the low-risk people will be moved out and taken by the insurance industry and these subsidized plans until they become high risk, until they have to actually file a claim. That is the way the insurance industry works in America today: they will cover you until you ask them to cover something that you have been paying premiums for. And the next time renewal comes up, sorry, we will not renew you. This does not go on just in health care; it is going on in homeowners and car insurance and everything else. But it is particularly egregious in the area of health care. This bill is going to do nothing to rectify that problem.

Let us look at what the great benefits will be. In the first year, next year, there will be discount cards that will come out before the election so the President can say he did something for people, which will be to give a discount, maybe as much as 15 to 25 percent. That means that seniors will only have to pay 50 to 75 percent more than they would have to pay for those drugs imported from Canada. Oh, what a benefit that is. No, but it is a wonderful windfall for the pharmaceutical industry. They will still be paying prices higher than people covered by other private insurance plans, as are Federal employees, as am I, Blue Cross/Blue Shield, and many others; but they will get that juicy 15 to 25 percent discount.

Then the big plan kicks in in 2007. Why 2007? Because people, if it went into effect sooner, if it was such a great deal, people might figure out what a turkey it is before the next election. So they will dangle it out there 4 years in the future and say this will be really great, you just wait. It is so complicated, few people can figure it out. But here are a couple of numbers. A person who pays $1,000 for pharmaceuticals under this great plan would only pay $945 for their pharmaceuticals after they did their premiums and copayments and deductibles. They would get a benefit of $55 on an annual $1,000 prescription drug benefit.

Well, let us look at someone who has much bigger costs. Someone who pays $3,700, $300 a month. Their benefit would be a grand total of $855. Only about, you know, half of that they could get purchasing the drugs from Canada. This is a sham.

MEDICARE LEGISLATION

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

Mr. BROWN of Ohio. Mr. Speaker, this summer AARP devised a litmus test for Medicare legislation. Specifically, AARP said Congress must be careful not to pass any legislation that jeopardizes employer-sponsored retiree benefits, or that leaves such large gaps in the drug coverage that seniors still will not be able to afford needed medicines, or that includes a premium support privatization provision which will invariably give HMOs control over Medicare, or undercuts popular support for the Medicare program by requiring higher-income beneficiaries to pay more for the same coverage. In other words, we should not pass any legislation that introduces means testing into Medicare.

The Medicare conference committee agreement that was outlined this weekend still jeopardizes employer-sponsored retiree coverage for 12 million seniors. In other words, as many as a third of the seniors who now have prescription drug coverage will lose it under this bill because employers will say why should we do it, we will put you in that government program.

It still leaves such huge gaps in coverage the average senior will run out of drug benefits by August each year. Understand that the average senior will run out of drug benefits two-thirds of the way through the year, but, get this, will still be required to pay the premiums through December. That is a great deal.

It still includes a premium support provision that stacks the deck so resolutely against Medicare fee-for-service, the Medicare that seniors in this country respect and love and have benefited so greatly from. It stacks the deck so resolutely against the Medicare fee-for-service program that seniors will have no choice but to join a private insurance HMO. And it still means tests seniors.

What else does this bill do? It creates a $12 billion slush fund for HMOs to induce them to provide coverage. If anyone still believes privatizing Medicare will reduce health care costs, this $12 billion bribe going to the insurance industry from U.S. taxpayers, this $12 billion bribe should cure them of that misperception.

Mr. Speaker, there is no surprise here. After all, the insurance industry gives tens of billions of dollars to my friends on the other side of the aisle, to President Bush, to Vice President CHENEY, to Republican legislative leadership. This bill also increases drug profits by nearly 40 percent, an estimated $139 billion over 8 years. Again, no surprise there, Mr. Speaker. The drug industry gives actually tens and tens of billions of dollars to President Bush. The word on the street in Washington is they may give $100 million to President Bush's reelection. So, of course, they are going to look out for the drug industry.

Coincidentally, this bill specifically prohibits the Federal Government from negotiating lower prices on behalf of seniors and taxpayers to secure lower drug prices. It abandons the one strategy that would deliver meaningful drug savings to seniors, businesses, and all prescription drug purchasers. It abandons legislation that my friend, the gentleman from Minnesota (Mr. GUTKNECHT), who is in this Chamber, worked on; the gentleman from Washington (Mr. MCDERMOTT); the gentleman from New Jersey (Mr. PALLONE); the gentleman from Arkansas (Mr. ROSS); the gentleman from Texas (Mr. GREEN); the gentlewoman from California (Ms. WOOLSEY), a lot of us on both sides of the aisle worked on. It abandons legislation to allow importation of prescription drugs, safe, affordable prescription drugs from Canada and other countries that charge one-third, one-fourth, one-fifth as much as they do in the United States.

Other countries negotiate for lower drug prices, but the U.S. is a passive drug taker. As a result, U.S. consumers get robbed; the drug industry gets rich. This bill ignores public support for prescription drug reimportation from other countries for lower price, the same drug but for lower price, ignores the consequences for consumers, for employers, and for the Federal Treasury if we fail to bring drug prices down.

Seniors cannot afford the high cost, employers cannot afford the high cost, taxpayers cannot afford the high cost of prescription drugs anymore in this country.

If anyone still believes the drug industry and the insurance industry are not the ghost writers of this bill and are not its principal beneficiaries, perhaps the $12 billion HMO slush fund, the $139 billion in additional drug industry profits, the prohibition on negotiated drug prices, and the stifling of prescription drug importation just might convince you.

One more thing. While the drug and insurance industries fair extremely well under this legislation, the bill's

authors decided to cut corners by barring 3.9 million seniors living at or near poverty from receiving low-income prescription drug assistance.

Under the deal described this weekend, a senior earning $8,000 a year may still be required to pay as much as $2,500 to $3,500 for coverage. That is not protection, Mr. Speaker. It is a cruel joke.

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

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

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

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

(Mr. MILLER of Florida addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

FALSE PROMISE FOR AMERICA'S SENIORS

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

Mr. ROSS. Mr. Speaker, after years of talk about the need to help our seniors with the high cost of prescription drugs, it appears that sometime this week, or perhaps this weekend, this Congress will be voting. They will be voting on a bill that is nothing more than a false hope and a false promise for America's seniors. In fact, Max Richmond, the head of the National Committee to Preserve Social Security and Medicare, a nonpartisan, not bipartisan, but a nonpartisan, nonprofit organization, has been quoted as saying, ''Have you ever heard of Medicare fraud? Well, this Republican prescription drug bill is Medicare fraud.''

Let me tell you why. As I see it, there are three major problems with the bill. Problem number one: the Republican leadership actually had the nerve to put language in the bill that says the Federal Government shall be prohibited from negotiating with the big drug manufacturers to bring down the high cost of medicine. That is in the bill. Then they call it a seniors bill.

Problem number two is the prescription drug plan will be privatized. And what is worse than that is the rest of Medicare could very well be privatized by 2010 under this bill. Insurance is about spreading the risk. When our homeowners policy comes due, sure, we complain; but when you think about the fact that they will replace everything in our house and build us a new house if something happens, it is fairly reasonable, the premium we pay. And why is that? When is the last time you saw a home in your neighborhood burn down or get blown away? It does not happen very often. Insurance is about spreading the risk.

Well, with seniors there is no risk to spread. Seniors require a lot of medicine and a lot of health care to either get well or to stay healthy. That is why we created Medicare 38 years ago.

So why do the Republican leadership and the big drug manufacturers want to privatize the Medicare prescription drug benefit? Well, let me tell you why. You hear about how prescription drugs are less expensive in other countries. It is true. I did a survey about a year ago where I compared the price paid by seniors of the five most commonly used brand-name drugs in my district with seven other countries. And guess what we found: seniors in my district pay on average 110 percent more than seniors in these other countries.

Now, why is that? Because America is the only industrialized Nation in the world where people go without health insurance; 43.6 million of them today, 10 million of them are children and the rest of them, for the most part, are people that are trying to do the right thing and work jobs, but they are working the jobs with no benefits.

In other countries everybody has health care. And in other countries they tell the big drug manufacturers if you want your medicine, your brand in our country, you are going to give us a discount. And they do. And the drug manufacturers and the Republican leadership know good and well that if we have 40 million seniors under one plan in America, that we too will demand those kinds of discounts to help offset the cost of this program.

So they want to privatize the plan and spread seniors out over about 100 plans and have 100 different insurance companies knocking on your door and calling and sending mail to your mother or dad or grandfather or grandmother all trying to sell them, what? Exactly the same plan. Privatization will not work.

The third big problem with this is it is not really a meaningful benefit. Most people who are fortunate enough to have a private health insurance company, and every plan is a little different, but most people who are fortunate to have private health insurance, well, the first $3,500 worth of medicine they pay about $700 out of pocket. Under this Republican prescription drug plan, on the first $3,500 worth of medicine, seniors are going to get stuck with $2,600 of it. All this talk in Washington amounts to $900 worth of help on the first $3,500 worth of medicine.

You see, it is going to have a $250 deductible. And during that time, you have got to pay the monthly premium, which they say may be $35; but they are not real sure what it will be, it could be more. And then after $250 up to $2,000, Medicare is going to pay 80 percent and you pay 20 percent. That sounds pretty good. But on a $100 prescription, once you get to the $250 mark and you are paying $20, what happens when you hit $2,000? All the way up to $3,500 you are back paying the full $100. Medicare pays nothing. But they still bill you monthly for this premium. This is Medicare fraud. It is wrong. This is America, and we can do better than that by our seniors.

□ 2045

The SPEAKER pro tempore (Mr. NEUGEBAUER). Under a previous order of the House, the gentleman from North Carolina (Mr. COBLE) is recognized for 5 minutes.

(Mr. COBLE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Mr. GUTKNECHT. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from North Carolina (Mr. COBLE).

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

There was no objection.

PRESCRIPTION DRUG MARKET ACCESS

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

Mr. GUTKNECHT. Mr. Speaker, I will not take the whole 5 minutes. I have been listening to the discussions about Medicare reforms, and I must tell my colleagues that some of the arguments they are making on the other side, I agree with. Some of them, I do not agree with.

I do want to let Members know that in first hour there will be a special order, and I invite Members from the Republican and Democrat and Independent parties to join us tonight and talk about the issue of market access because I think that is one thing that most Members here in the House agree on, and that is, that Americans deserve to have world class prices for world class drugs.

As the gentleman from Arkansas (Mr. ROSS) was just saying, in the studies that he has done, in the studies that I have done, the studies that other Americans have done, that have been done by the press and other groups, they all come to the same conclusion; and that is that Americans pay by far and away the world's highest prices,

even though we are the world's best customers.

Later on tonight, we will be talking about that issue and whether or not there is a way that we, here in the House, can exercise the will of the people and get something done on that issue before we go home for the break.

BEWARE THE GHOSTS OF CHRISTMAS PAST

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

Mr. GREEN of Texas. Mr. Speaker, I want to associate myself with the remarks of both my colleague, the gentleman from Arkansas (Mr. ROSS) and also my colleague, the gentleman from Ohio (Mr. BROWN) in the concern about what happened in the Medicare conference committee on prescription drugs.

It is sad that we came here to talk about a prescription drug plan for seniors, but we are actually going to take it away from them in the process. But the reason I am here tonight, Mr. Speaker, is to talk about the problem we have in our country with the unemployment.

Mr. Speaker, as we embark on what we hope will be our last week in sessions before the holiday recess, I rise to warn my colleagues about the ghost of Christmas Past, the economic mistakes that Congress and this administration have made on the eve of past holidays. Let us take time to learn from those mistakes and not recreate them.

I can say with confidence that each Member of this Chamber was pleased to hear the impressive economic growth figures for July through September. Over the past 3 years, this country has suffered through some of the worst economic conditions since the Great Depression, and it was certainly uplifting to see the reports of 7.2 percent growth in gross domestic product. While we remain optimistic about an economic rebound for the country, I, however, caution my colleagues against relying on the sustainability of this economic growth.

Economic indicators show that these figures were the result of consumer spending and a tremendous boost in the housing market. Yet with consumer spending outpacing consumer income, it is clear that spending cannot fuel our economic growth indefinitely. Let us remember our reaction to similar news in 2002. After months of job losses and a dismal economic growth, the country boasted growth of 5 percent in the first quarter of 2002. Despite our optimism, however, job losses continued and the next quarter yielded a 1.3 percent growth.

This time last year we were celebrating third quarter growth of 4 percent, and like today, entering the holidays with high hopes. Needless to say, our hopes were dashed and the country has since endured the worst job conditions in 20 years. These are our ghosts of Christmas Past, the flurry of mistaken optimism that failed to deliver on its economic promises.

Like the optimism of Christmas Past, this recent economic growth belies the fact that our manufacturing sector has cut jobs for the 39th straight month. My State of Texas, with 1.6 million lost jobs, ranks third in the amount of manufacturing jobs lost since September of 2000. While the country may be making modest gains in employment, 6 percent of America's workers are still unemployed. Almost one-quarter of these 8.8 million people have been out of work for more than 6 months. These figures do not even count the discouraged workers, 462,000 Americans who have completely given up looking for jobs and are no longer on our unemployment roles.

Fortunately, many former unemployed workers have found jobs, but we must examine the kind of jobs they are turning to; 4.8 million Americans work part-time, but only because they cannot find full-time work, and many of these workers are former engineers, former computer technicians who previously earned up to $60,000 a year, but now must settle for $7.50 an hour at a retail store.

No amount of economic statistics can hide the realities that these people face. Our unemployed workers are hurting. Our unemployed families are draining their savings to survive. And this Congress holds in its hands the ability to extend their unemployment benefits.

Let me remind my colleagues that the holiday season is the time of the year when we give thanks for our blessings and extend our hearts to the less fortunate. Last year, that important lesson must have been lost on the majority's leadership, because Congress packed up for the year without extending unemployment benefits.

That is right. Congress left town to enjoy the holidays and in doing so, left America's unemployed workers in the cold.

Mr. Speaker, this year is no different. Unfortunately, if we do not act soon, the Ghost of Christmas Past will be forced to remind us of the tremendous mistake we made by withholding these benefits last year. Even Scrooge learned from his mistakes.

I implore the administration and my colleagues to let us take a hard, realistic look at our economy and make sure that any recovery helps the Americans who have been most hurt by this downturn, and above all, let us pass the extension of the temporary unemployment benefits before we adjourn for the holidays.

It is the right thing to do for our economy and for America's unemployed.

IRAQ PROPAGANDA CAMPAIGN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, the Coalition Provisional Authority which is the title of the American authority overseeing the reconstruction of Iraq, and the Bush administration which created it, are openly dissatisfied with the stories the media has chosen to broadcast regarding the United States' role in Iraq. In fact, they say the news media too often covers the negative events that occur in Iraq, but rarely reports any positive happenings there. They even pressured reporters to find the so-called good news in Iraq or lose access in an attempt to manipulate the stories coming out of Iraq.

Let us keep in mind that over 400 American soldiers have died in Iraq since the start of the war in March. That is more than 11 brave young men and women killed each week. It is hard to find the good news when our sons and daughters keep coming home in body bags. And it is exceptionally insulting to the families of these victims to complain about media bias at the same time four helicopters have been destroyed by enemy fire over the last 2 weeks.

The situation in Iraq is getting less safe for our troops, not safer. In addition to the 404 troops killed in action, over 2,000 have been wounded and another 7,000 have been evacuated for noncombat medical conditions. And yet, the President continues to complain about media bias. So what has the White House decided to do about the quote/unquote ''unfair reporting'' by the media?

Why, bypass that very media, of course. The President's handlers plan to influence public perception by creating a government-run broadcast operation to provide American news agencies unfettered access to the real stories in Iraq. This broadcasting system which the administration unofficially refers to as C–SPAN Bagdad will run via satellite 24 hours a day. C–SPAN Bagdad. More like American Al-Jazeera, the media giant that reports to the Arab world in a very biased fashion.

The White House is increasingly aware, of course, that President Bush's fate in the upcoming 2004 election is directly linked to the progress of the war in Iraq. So bypassing the third-party national media allows the Bush administration to mold public perception of the war effort. I think our country's founders would be ashamed to know that at the same time hundreds of our soldiers and thousands of Iraqi civilians are dying, President Bush is thinking about the chances for reelection. That is nothing short of appalling.

But equally appalling is that the American taxpayer will finance this shameful propaganda machine. That is right. The administration is directing money from the $87 billion emergency supplemental spending bill that Congress approved last month to help pay

for the new Bush media machine. This is not emergency spending. This is campaign spending. This is propaganda spending. Instead of trying to win the hearts and minds of Americans through propaganda, President Bush should be trying to win the hearts and minds of the insurgents who are making Iraq less stable. He should show them a United States to which burgeoning democracies like Iraq can aspire, a United States that would be a democratic model for the rest of the world. I daresay an autocratic state-sponsored propaganda campaign is not a part of this model.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. SOLIS) is recognized for 5 minutes.

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

TENTATIVE AGREEMENT ON MEDICARE CONFERENCE REPORT

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

Mr. PALLONE. Mr. Speaker, I rise this evening to express my extreme disappointment regarding the tentative agreement that has been reached by the Republicans in Congress with regard to Medicare and prescription drugs.

Mr. Speaker, the source of my frustration stems from the fact that this agreement is not good public policy. It is not good for seniors or any Medicare consumer and it does nothing to reduce the cost of soaring prescription drugs.

What this bill does, simply stated, is it kills the Medicare program and, in the process, shores up hundreds of billions of dollars of funding for the HMO industry and for the name-brand pharmaceutical industry. If this so-called deal is enacted into law, make no mistake about it, the Medicare program will be privatized. Medicare, as we know it today, will be turned into a voucher system and seniors will be forced into HMO's.

Republicans are trying to fool us into believing that their privatization provisions are merely a demonstration project or a test, but nothing could be further from the truth.

Mr. Speaker, the Republican Medicare provisions are unacceptable because they have nothing to do with prescription drugs. The ''demo'' goes way beyond the scope of providing seniors with prescription drug coverage, and, in fact, aims to bankrupt seniors, denying them their right to adequate health care under Medicare, and ultimately forcing them into HMOs because they can no longer afford Medicare.

This is exactly where the insurance companies come in to get their big payoff because greater risk and cost are shifted to senior citizens.

Furthermore, the provisions in the medicare agreement that deal with prescription drug coverage are completely inadequate in terms of benefit structure. We are talking about a $275 deductible, a $35 monthly premium, 75–25 coverage, in other words, 75 percent paid by the Federal Government, 25 percent by the senior to the first $2,200 and no assistance until $3,600, at which point, the catastrophic is reached. So there is a huge doughnut hole; basically, between $2,200 and $3,600, in assistance, seniors get nothing. This means that seniors will have to pay nearly $2,600 before the government pays for all drug costs.

Twenty million seniors or half of all seniors will be paying premiums year-round but would have no coverage for part of the year due to this large gap or doughnut hole in the coverage.

Now, the combination of this insufficient benefit combined with watered-down generic provisions, watered-down reimportation provisions, and the prohibition of the Medicare Administrator to negotiate lower drug prices brings me to my point that this Medicare final agreement is a giveaway to the name-brand pharmaceutical industry.

Mr. Speaker, there are so many fundamental problems with this upcoming Medicare agreement beyond what I have discussed tonight. There is no Medicare fallback in this bill that is favorable to seniors. We expect 2 to 3 million retirees to have their coverage dropped. Ten million, or one out of four, seniors will be forced to pay more for Medicare or to join an HMO. Low-income seniors are not financially protected and will be subject to an assets test for the first time in Medicare history. And the Medicare Part B will rise for the first time in 12 years. Means testing will be implemented in the Medicare program for the first time in its history, and tax sheltered accounts for the wealthy are going to be part of this bill, even though it is not really a Medicare bill.

Mr. Speaker, the list of problems in this so-called Medicare agreement is overwhelming, and I really do not know how the Republicans or groups like the AARP or the President and others who have endorsed this agreement can live with their deceit and ill will against America's seniors.

□ 2100

UNDERMINING THE WHOLE CONCEPT OF MEDICARE

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

Mr. MCDERMOTT. Mr. Speaker, I want to associate myself with the remarks of the gentleman from New Jersey (Mr. PALLONE). This week is one of the most important weeks that I have seen in the 16 years I have been in the Congress because we are dealing with an issue that is about the question of what is in the common good.

We have no problem in this country believing that fire departments and police departments and road systems and schools are issues of the common good. We all pay our taxes. We all get benefits from them, and we have since 1964 had a program in this country called Medicare which was a program in which everybody put their money and people over the age of 65 took out their money to pay for health care benefits when they needed them. Everybody got the same thing everywhere in the whole country.

But there have been people in this Congress who have always thought that the idea of doing something collectively was somehow, I do not know, socialism or something bad. I do not know. They believe that everybody should be individually responsible for themselves, that they should be on their own and that they should deal with these things in a market, like they were buying cars or buying refrigerators or television sets.

So we have a bill before us that is going to undo what we have had in this country for senior citizens for the last 38 years. They have been waiting. They have been trying to do this for 4 or 5 years.

I was on the Medicare commission. One of the Members of the other body and the gentleman from Michigan (Mr. DINGELL) of this body and I represented the Democrats on that commission, and we managed to hold off the disaster which is being foisted on the senior citizens and the country itself in the next week.

This attitude about the common good really began to be undermined under Mr. Reagan. It was his campaign slogan in 1980: Are you better off than you were 4 years ago? Not are ''we'' better off than we were 4 years ago, but are ''you.''

This bill is going to say we are going to guarantee a premium support to every senior citizen in this country; we are going to write them a check, $5,900, $6,000, $6,300, whatever; and we are going to say now you, grandma, take that check out and find yourself an insurance company that will take care of what your needs are. You can stay in the program of Medicare as we know it, but since the healthy and the least sick will go out and find these good deals somewhere, who will be left in the regular program? The old and the sick.

The price per person is going to go up, so they are going to raise the premium on anybody who stays in the regular program. Is that thinking about the common good, that we are going to pick on the ones who are the old and the sick, and we are going to let the young and the healthy seniors go off and make a good deal somewhere? No, it is not. It is wrong, it is un-American, and it is undermining the whole concept of Medicare.

The idea that all seniors put their money into the pot, nobody sits around

in this country and says, gee, I hope I get sick so I can use some money out of the pot. There is nobody that crazy in our country. Everybody wants insurance there when they are sick and particularly they want to feel independent, they have taken care of it themselves. It is not their children that have to do it or their grandchildren.

My father died a couple of years ago at 93. My mother is 93, and we four kids in my family have not had to spend anything on our mother's health or our father's health. Like every American, we pay our taxes into the pot, and they have taken out when they needed to; and that has gone on over the entire country.

What they are saying in this bill is send your mother out and let her pick her own plan. That is wrong; and as we watch this debate, understand that is what they are saying to every senior citizen. Here is your money; good luck, Grandma; I hope you find something for yourself.

I hope every Member votes ''no'' on this. We could do better than this.

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

(Mr. STRICKLAND addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PRESCRIPTION DRUG PRICES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Texas (Mr. NEUGEBAUER) is recognized for 60 minutes as the designee of the majority leader.

Mr. NEUGEBAUER. Mr. Speaker, I yield to the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Speaker, I want to thank the gentleman from Texas (Mr. NEUGEBAUER) for yielding to me, and I want to thank him for claiming the time.

I rise tonight to talk about an issue where we have had a lot of discussion so far tonight. We have had a lot of discussion during this entire legislative session. In fact, we have had a lot of discussion for a number of years, and that is the issue of the price that Americans pay for prescription drugs relative to the rest of the industrialized world; and the gentleman from Texas (Mr. NEUGEBAUER) was good enough to join us in what really is an overwhelming majority of Members of the House who voted on this issue earlier this year.

It all started several years ago for me when I went to a town hall meeting in Faribault, Minnesota, and there were a lot of seniors there; and they were talking about their trips up to Canada to save some money on prescription drugs. It was a little like a Nolan Ryan fastball. It just blew right by me, and I guess I decided if they wanted to go to Canada to buy their drugs, that is fine by me; and I never thought much about the issue.

They continued to pester me about this, saying things like, why is it we as seniors are treated like common criminal, just because we are trying to save a few bucks on prescription drugs; and still I did not pay much attention to the issue until something totally unrelated happened.

The price of pigs collapsed. Live hogs dropped from about $37 per hundred weight down to about $7, and we produce a lot of hogs in my part of the world. My pork producers kept calling me saying, Congressman, can you not do something about this; and so I called the Secretary of Commerce, and I called the Secretary of Agriculture. I got essentially the same answer. I should finish the story. What they really complained about was all of these Canadian hogs coming across our borders making our supply-and-demand situation even worse, and they said can you not do something at least about all these Canadian hogs.

I called the Secretary of Agriculture, called the Secretary of Commerce, got essentially the same answer. They said, well, that is NAFTA. That is free trade. We cannot stop the Canadian hogs from coming in, and all of a sudden a lightbulb went on over my head, and I said, wait a minute, you mean we have free markets and free trades when it comes to pork bellies, but not when it comes to Prilosec? I think the Secretary of Commerce sort of chuckled and said, well, I guess that is right.

That is when I began this little crusade of mine, and I began to study this issue even more, and Mr. Speaker, the more I have learned, the more I realized we in Congress need to do something about this because we created this environment. Unlike some of my friends on the left, I usually do not spend a whole lot of time saying shame on the pharmaceutical companies. I say shame on us because essentially we have created an environment that they are taking advantage of. We protect them like no other product from foreign competition, but let me talk first about the differences between what we pay in the United States versus what they pay in the rest of the industrialized world.

Let me give my colleagues some examples. We were in Munich, Germany, earlier this year; and we purchased 10 of the most commonly prescribed prescription drugs off the shelf at the Munich airport pharmacy, and here are some of the prices we paid.

We bought 10 tablets of Cipro, 250 milligrams for $35.12 American. That same product here in Washington, D.C., is $55. We bought Coumadin. That is a drug my father takes. It is a blood thinner that was developed at the University of Wisconsin. The generic version is called Warfarin. It actually is a rat poison. We bought it in Germany, 100 tablets, 5 milligrams for $21. That same package of drugs here in the United States, same product, made by the same company, under the same FDA approval, sells here in the United States not for $21 but for $89.95.

Glucophage, a miracle drug for diabetes, a drug that we purchased in Germany, 30 tablets, 850 milligrams, $5 in Germany, $29.95.

Pravachol, Prozac, Synthroid, all the same story. Come down here to this one, and this is the one that really gets to my gizzard, and that is the issue of the anticancer drugs, where we, American taxpayers, have paid so much to develop these drugs. Tamoxifen, we bought, in fact the actual number, we rounded it off here. It was $59.05 for 60 tablets, 20 milligrams of Tamoxifen. An amazing drug, a miracle drug in terms of the treatment of breast cancer. That same drug we checked here in Washington, D.C., local pharmacy, $360, six times more in the United States. Here is what really chaps my hide.

American taxpayers paid to develop that drug. As a matter of fact, through the NIH we paid to take that drug all the way through phrase two trials. The American taxpayer paid to take that drug through phase two trials, and then we licensed it to one of the pharmaceutical companies, and they sell it back to us.

Clearly, we ought to pay our fair share of the cost of research. I think we ought to subsidize the people in sub-Saharan Africa, but I do not think the American taxpayers and the American consumers should have to subsidize the starving Swiss or the starving Germans. It really is time for them to pay their fair share.

Mr. Speaker, we have to ask is it really fair to make American consumers pay six times more for a drug that they paid to develop and take through phase two trials? This story goes on.

If we look down here at Zoloft, $82.52 in Germany, $132.95 for American consumers and the story goes on; and some people say, well, that is because in some countries they fix the prices. They have price controls. In some respects that is true, but it is not always true.

For example, in Great Britain, the pharmaceutical companies can sell their drugs for whatever they want. There are no price controls in Great Britain. That is according to a report that was done and paid for by the Pharmaceutical Association in Europe, done, we have a copy of it in my office; and if any Member would like a copy, they can just call and we will send them a copy. Essentially what they do in Great Britain is they can charge whatever they want, but the British medical plan will only reimburse so much for these drugs, and they found that consumers in Great Britain have a tremendous amount of resistance to paying huge co-pays.

I have a drug here, Cipro, a marvelous drug. We bought this in Germany, $35 in Germany, $55 here in the

United States, and my colleagues do not have to take my word for it. They do not have to just take my word for it now. More and more of the media are actually doing their own research, and here is another copy and Members can get a copy of this by going to my office, calling my office. I think we may even have this on our Web site. There is one done by USA Today. This was done by the Associated Press; and I will not bore my colleagues with all the numbers, but they are exactly the same, and they compare the prices.

For example, Lipitor in the United States, the best price they could find online in the U.S., 10 milligrams, 90 tablets each, Lipitor, $207.99. One can buy that drug in Canada, the online price, $132.07. Paxil, $80.99 in the United States, $40.80 in Canada; and those stories go on and on. Vioxx, an amazing drug. I guess it is an antirheumatoid-type drug. Fortunately, I do not have to take it yet, but it is $85.99 in the United States. It is only $36.17 in Canada.

But the real issue is, why is it that the world's best customers pay the world's highest prices? That is a fair question. It seems to me we as policymakers for the United States of America ought to ask that question, and we ought to demand better answers.

I want to come back to something I mentioned earlier; and I had the Congressional Research Service do a little research for me, and I asked is there any other product class that you can think of where we provide so much protection from competition from the same product from abroad? They went through and they did some research, and in fact, I will just read from what the CRS says, and they are our official researcher. I will quote. It said: ''We have been unable to locate any statutory provisions similar in language and structure to the one in the Food and Drug Cosmetic Act.'' In other words, nobody enjoys that kind of protection.

Matter of fact, they went even further. They said: ''As indicated above, our research has uncovered no other statute that contains language similar to that in section 381(d),'' and this is the interesting thing. Even heavily regulated industries such as chemicals, pollutants and munitions are not apparently subject to the statutory provisions limiting reimportation of the product to its original manufacturer.

□ 2115

In other words, there is no other product class.

Now, some people say, well, safety. It is all about safety. We want to protect the consumers. Members, understand this, we keep incredibly good records in terms of how many people have become seriously ill or died from taking drugs from other countries. The FDA keeps those records and the CDC keeps those records. As far as we can determine, and this is under testimony that was given in front of a subcommittee of the Committee on Government Reform, and it is an easy number to remember, it is zero. It is a nice round number.

Now, you contrast that to how many people get very ill and die every year from food-borne pathogens. Now, it is the Food and Drug Administration, and yet for some unknown reason, some reason unknown to me, we have set, for things like Cipro, we have set the bar impossibly high. We have an absolutist standard. But when it comes to fruits and vegetables, we barely even look at them when they come into the country.

The bottom line is you can get just as sick, as a matter of fact you can die, from food-borne pathogens. By their own studies, the FDA acknowledges that 2 percent of the fruits and vegetables that come into the United States every day, 2 percent of them, are contaminated with food-borne pathogens, including things like salmonella. My colleagues, if you get salmonella, and particularly if you have any other kind of medical problem going on in your system at that time, you can die.

We know, for example, in the last 2 years, that 2,264 Americans have become seriously ill from eating raspberries from Guatemala. Do we stop raspberries from Guatemala from coming in today? I do not think so. Forty percent of the orange juice that Americans consume comes from other countries, and yet it comes right in. They say, well, gee whiz, somebody might get in there and contaminate the drug supply. What about contaminating the orange juice supply? It seems to me we have this ridiculous measure when it comes to safety for prescription drugs and virtually no measure when it comes to our food supply.

Now, I am not saying we need to have a much stronger implementation of a security system for fruits and vegetables, but it seems to me if you are going to have one standard for fruits and vegetables and another standard for prescription drugs, at least we, as public policymakers, ought to demand some kind of a rationale from the Food and Drug Administration.

Now, the bill we are going to probably consider here at the end of the week does nothing about allowing Americans to have access to world-class drugs at world-market prices, and I think that is a terrible mistake. Because I think, here in Washington, we have spent so much time talking about coverage, we have to find ways to get people coverage for prescription drug benefits, that we have missed the big picture. The issue is not so much about coverage. Every senior in America qualifies to buy prescription drug coverage. They can buy it through the AARP. Prescription drug coverage is available in lots of ways from lots of sources. The issue is not coverage, the issue is affordability. And that is the tragic problem with the bill that we will consider later this week, and that is that it does precious little to deal with affordability.

Now, the sponsors are going to say, well, wait a second, Congressman GUTKNECHT, we are going to create these systems, sort of like the Federal Employees Health Benefit Plan, and that is going to bring down and hold down the price of prescription drugs. Well, we have some evidence of just how well the Federal Employees Health Benefit Plan does in terms of lowering the cost of prescription drugs. Let me give some examples.

For example, the Blue Cross/Blue Shield plan that services Federal employees, they do get a discount on Coumadin. I mentioned here that Coumadin, at the retail price in the United States, can be $90, or $89.95. Well, the Blue Cross/Blue Shield plan does not pay $89.95. They get a discount. They buy it for $55.31. The Mail Handlers Plan, however, does not get their drugs for $55, they pay $72.24. My colleagues, you can buy that same drug off the shelf in Munich, Germany, at the Munich Airport pharmacy, for $21. In other words, the Blue Cross/Blue Shield plan pays more than double what the Blue Cross/Blue Shield Federal Employees Benefit Plan does.

And it goes on. Take Glucophage. We talked about Glucophage. Well, this is in a different quantity. We are talking about a larger prescription. But the Glucophage they are buying using the Federal Employees Benefit Plan, they buy it for $90 for the Blue Cross/Blue Shield plan. The Mail Handlers pay $118. The HMO plan, they get a heck of a deal, they buy it for $18.30. But you can buy it right off the shelf in Germany for $22 for that exact same drug.

And the story goes on with all of the plans. And Members, do not take my word for it. This is information that was done by the gentleman from Oklahoma (Mr. ISTOOK) and his subcommittee staff, where they did some comparisons about what we pay even through the Federal Employees Benefit Plan versus prices off the shelf in Canada, in Europe, and other industrialized countries. And the answer is that in every category we pay a lot more, even with the discounts that we get for the Federal employees.

As I say, I think we ought to pay our fair share, and I believe research is important. I am vice president of the Committee on Science, and I am proud of the fact we Americans represent 6 percent of the world's population, but we represent over half of the basic research done in the world. That is important. And I think it is important that the pharmaceutical companies continue to do that kind of research. But I think Members have to understand that we subsidize that research here in the United States in three separate ways.

First of all, we subsidize it through the Tax Code. Now, when these pharmaceutical companies say, well, we spend so much on research, well, you might just ask them how much are you able to write-off on your Federal tax forms? And if you do business in Puerto Rico, how much Federal income tax do you pay? And in addition to that, is

it not true over the last 10 years you have taken over $28 billion in investment tax credits for the research that you do; for research and development tax credits? So you add it up, and the net real cost to the pharmaceutical industry is much less than they sometimes say.

And, incidentally, more and more independent groups, bipartisan groups, nonpartisan groups are coming to the same conclusion, and that is that the pharmaceutical industry is now spending more money on marketing and advertising, in fact, in some cases some companies dramatically more on marketing and advertising than they are for research. So research is important, but we pay for it through the Tax Code. We subsidize it through the Tax Code.

We subsidize it also in the amount that we spend on research. I mentioned that I am proud of the fact that we finance an awful lot of research with taxpayers' dollars here in Washington. This year we will spend upwards of $27 billion through the NIH, the CDC, even the Department of Defense on research projects which will directly or indirectly benefit the pharmaceutical industry.

And then, finally, of course, the way we subsidize them is in the prices we pay. I think once is enough. I think once we help to develop Taxoxiphen, we ought to at least be able to buy it at world market prices for American consumers.

This is a huge issue, my colleagues. And it is one that more and more seniors, and not only seniors but American consumers in general understand this issue. And I think there is a feeling here that if we just pass this prescription drug benefit plan that somehow this will go away. Well, Members, you need to understand a few things about, ultimately, the facts about this prescription drug benefit. And I am not here to criticize the Medicare reforms, I think most of the Medicare reforms we are talking about in this bill are very good, very necessary, and perhaps even overdue. But when you start talking about the prescription drug benefit, I hope you will understand, at least from my perspective, the facts:

First of all, this bill, they purport, is going to cost $400 billion. I think it is going to be a lot more than $400 billion, because we do not have effective ways of dealing with the cost, we are going to pay in the affordability of these drugs. But let us say it is $400 billion. Well, the CBO tells us virtually every dollar of that is going to have to be borrowed. To pay for this new entitlement, we are literally going to have to borrow the money from our kids and grandkids. In some respects, I think that is a terrible tragedy.

But as we look at the overall issue, what is going to happen is next year, by the time people begin to understand this, they are going to say, now, wait a second, and whether it is going to be 16 percent or 36 percent, no one really knows, but we do know this, there will be people who have prescription drug coverage today, through their former employers, who are going to be pushed off of the system and all of a sudden they are going to be thrown into this new government plan, and what they are going to find out is it is not as generous as the plan that they had through their former employer, for the most part. And they are not going to be happy.

I think a lot of conservatives and taxpayers are not going to be happy when they see the cost of this. And I think as they look at the final issue, if next year they look at the system and say, wait a second, you mean even after this, we are still going to be spending $360, or some number, let us say we get a 15 percent discount or a 20 percent discount off $360, that is roughly a $72 discount, that gets the prices down to about $290. That still is a lot more than they are paying in Europe for the same drugs.

No, I think Americans should pay their fair share. I think we are paying our fair share. But I think if we pass this bill later this week without dealing with the fundamental cause, or one of the fundamental drivers of this whole debate in affordability, it seems to me we are making a huge mistake. And it is one I think the voters will not be appreciative of once they begin to realize.

Yes, we need to reform Medicare. We have 50 million baby boomers moving on their way towards retirement. And it is inevitable that as we go forward, we have to do something about reforming the Medicare system. We have to make it fairer. We have to give consumers and seniors more choices. But if we are going to add a prescription drug benefit to the package, this new $400 billion entitlement, and going up in my opinion, then it seems to me we have an obligation to make sure American consumers, American taxpayers are getting their monies worth.

So I would hope that Members would at least pause and ask the question what are we going to do about opening up markets? What are we going to do to control the cost of these prescription drugs? What are we going to do to make them more affordable for American consumers? I think the answer ultimately to me is quite simple, and that is give the market access. Do what we do with those pig producers, require some competition across the border. Allow prescription drugs to work as virtually every other market does.

When markets work, when competition works, prices will level. And the net result is that we will pay considerably less in the United States. And some of the people in other industrialized countries are going to probably have to pay a little more. But that is the way markets work. They tend to level.

Mr. Speaker, again I want to thank the gentleman from Texas (Mr. NEUGEBAUER) for giving me the chance to present some of these things tonight. I know that not everyone agrees with me. I try to be respectful when I debate and discuss these, but it is such an important issue. And if I could just close with one other point, because some people say this cannot be done safely.

Members, I would encourage you to take a look at the newest technology that exists today. This is not pie in the sky. I have the technology right here in this little vial literally about 100 computer clips. And within 2 years, most of the products being sold at Wal-Mart stores will have these on them. This is the new UPC codes. And these little computer chips in this vial, there are about 100 of them, they are so small you cannot see them, but they will be able to track that product literally so that you will know when it runs through the scanner that this Cipro was produced at the Munich, Germany, plant on September 3, 2001 at 1 p.m. in the afternoon and it is in fact Cipro.

So the idea that we do not have the technology to do this today is really laughable. It exists. It is being used on other products. It will expand and be used even more. But, Mr. Speaker, and particularly the gentleman from Texas (Mr. NEUGEBAUER), I appreciate having the opportunity to present some of these things. If Members would like more information from my office or want to go to my Web site, simply go to gil.house.gov. We have some great charts which explain this.

As John Adams said, ''Facts are stubborn things.'' This is a stubborn thing. This chart is not going to go away. And under the bill we are considering this week, it will not change much. Ultimately, we have the power to change it. The FDA works for us, not the other way around. It is not shame on the pharmaceutical industry, it is shame on us.

DECLINING MEDICARE REIMBURSEMENT FOR PHYSICIANS

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

Mr. GINGREY. Mr. Speaker, I rise again today, as I have a number of times before, to call attention to declining Medicare reimbursements for physicians.

Effective January 1, 2004, physicians and other providers paid pursuant to the Medicare physician fee schedule, face at least a 4.5 percent cut in reimbursements.

□ 2130

Mr. Speaker, I have been outspoken on this issue and have described several instances in which the citizens of Georgia and our Nation will be negatively affected by this cut. There is a staffing issue within the trauma center at Grady Memorial Hospital in Atlanta.

Dr. Harry Sherman in Augusta is contemplating retirement due to a lack of adequate Medicare reimbursement and the high cost of liability premiums. And more specifically, I demonstrated the decreasing reimbursement for, and thus the eventual reduction in access to very common procedures provided to Medicare recipients.

I would like to bring the attention of my colleagues to a survey conducted by the American Academy of Family Physicians. This survey is not necessarily scientific, but I believe it is indicative of the problem we are facing. AAFP found that 24 percent of family physicians no longer accept new Medicare patients. After the 4.5 percent cut was announced, AAFP surveyed again to find out what its members would do if the cut takes effect. As detailed in a release from the American Academy of Family Physicians, only 36 percent said they would take new Medicare patients if these new cuts occur.

Mr. Speaker, come January, doctors are going to take a cut in their reimbursement for treating our Nation's most needy individuals. There is an old saying, however, that the night is always darkest just before the dawn. With a physician-reimbursement disaster looming, Congress is on the verge of a breakthrough. Housed within the Medicare modernization bill is temporary relief for the medical community. House and Senate negotiators have announced an agreement that will potentially bring this legislation before the Congress this week. I thank the gentleman from California (Mr. THOMAS) and the subcommittee chair, the gentlewoman from Connecticut (Mrs. JOHNSON), and those from the other Chamber, such as Senators FRIST, GRASSLEY, BAUCUS and BREAUX, who have worked so hard to get us to where we are today.

I encourage all of those involved in this process to continue to act in the best interests of the American people, but especially our seniors and the medical community on which they so desperately depend. Let me be clear, as a physician Member of the United States House of Representatives, I believe that we must pass the Medicare conference report now. For nearly 40 years, Medicare has provided necessary health care to millions of patients across this country. Another steep cut in reimbursement rates would have been devastating for the physicians who care for Medicare patients; but with the language that has been crafted, the physician-reimbursement update would be a positive 1.5 percent.

This chart is representative of the positive impact the current Medicare legislation will have on Medicare providers throughout the country. For example, New York will see a benefit of $865 million; Washington State benefits $155 million; Texas, $641 million; and most important to me and my colleagues from Georgia, our State will benefit $254 million. All 50 States will see a positive impact from the current version of the Medicare conference report.

I cannot overstate the importance of just this one piece of the overall Medicare bill. It is my hope this will allow for the continued access to quality health care for our seniors. I am proud that as the door was slamming shut on our seniors' health care, this Congress stood up, and will stand up, in a bipartisan fashion and hold this door open.

Mr. Speaker, one of the greatest achievements of the Medicare program is the access to high-quality care it has brought to our Nation's seniors and disabled patients. This level of access is more likely to continue in light of this temporary fix. This legislation will allow Congress and the Center for Medicare Services the time to work together to finally find a more permanent solution by revamping the Medicare payment formula.

Doctors are the linchpin of the Medicare program. Let me say that a prescription drug plan is no benefit at all unless there are physicians willing to accept Medicare patients and to write those prescriptions. We need to pass this conference report and pass it now.

IRAQ WATCH

The SPEAKER pro tempore (Mr. TANCREDO). Under the Speaker's announced policy of January 7, 2003, the gentleman from Pennsylvania (Mr. HOEFFEL) is recognized for 60 minutes as the designee of the minority leader.

Mr. HOEFFEL. Mr. Speaker, I am here tonight with my colleagues to resume the Iraq Watch we have been conducting almost every week on the floor since sometime last spring. I believe it was April that we started speaking every week on the floor about our concerns about our policies in Iraq, trying to ask questions, trying to seek answers from the administration regarding the policies that we have been pursuing. Also, we have been suggesting changes that we would like to see in those policies. Of course, a lot has happened in Iraq since last spring, since the very impressive and brave work of our military men and women, the impressive victory that they won over Saddam Hussein, a victory no one thought was in doubt, but everyone was happy to see with minimal loss of life. We thought that the military performed with great courage and great skill.

Since that time, of course, it has become clear as the military battle was conducted, the planning for and the actual reconstruction and security of Iraq has been very poor. We have all been disappointed in the difficulties. The continuing casualties have been heartbreaking. The inability to get the American-appointed Governing Council to work effectively to try to bring the Iraqi society together has been disappointing. I think the Bush administration finally understands they need to change their plan for the ultimate creation of a new government and a representative democracy and hopefully a pluralistic society in Iraq.

Recently the administration has announced a change. They will no longer ask that the Governing Council in Iraq be responsible for writing a new constitution and holding new elections before America gives up authority for the reconstruction and the occupation of Iraq.

Instead, Mr. Speaker, we are now putting time limits on our occupation. We have apparently announced that we will give to the Iraqis the responsibility for their reconstruction next summer, although the President has been clear, and I agree with the President that we must continue to keep our forces there to make sure the tyrants and the murderers do not come back if the Iraqi democrats-to-be fail to move forward and secure their country.

The question is what is the best policy for this country? How do we best achieve a stable and secure Iraq, which is a goal all of us share? How do we best achieve the creation of a pluralistic society? How do we best establish a representative government based upon principles of self-government and tolerance and cooperation with the rights of women protected, with sharing of responsibility between the three great ethnic groups in Iraq, the Sunnis, the Shiites and the Kurds? How do we best achieve this in the face of a security threat in Iraq where our troops are not safe, where the guerilla attacks against our troops continue, where there is no Iraqi Army yet ready to step forward to provide for its own security, where the Iraqi police are not yet capable of providing for security domestically? How do we best proceed?

Some fear that the President after holding on to power and not allowing the Iraqi Governing Council or any other group to have any decision-making power, some fear that the President now is moving too quickly to give up power to the Iraqis; and I think it is a very legitimate question because if we leave too early, if we leave a vacuum in any way in Iraq, only bad things can happen, whether Saddam Hussein or his followers attempt to come back, whether a new group of lawless thugs attempt to take over, whether forces from other countries attempt to infiltrate and take over Iraq, none of that would be good. None of that would be good for the Western democracies; none of that would honor the sacrifices that brave young Americans have made, including those who have made the ultimate sacrifice and have died serving their country.

A premature departure from Iraq by this country could lead to a less stable country in Iraq. It could lead to a less stable Middle East. It could allow Iraq to become a haven for terrorists, which is a process, unfortunately, already under way, a haven which did not exist when Saddam Hussein was in power. As murderous a tyrant as he was, he operated in a secular fashion and did not

apparently have relationships with the religious fundamentalists and extremists that form al Qaeda and other terrorist groups. But now with the instability in Iraq, it has become a magnet for those who want to attack Americans and disrupt the search for peace in the Middle East.

It is my view, Mr. Speaker, the way to best achieve our national goals in Iraq is to recognize that while this country is uniquely capable of winning military victories and facing down tyrants and working for the liberation of oppressed people, we are perhaps not best suited for nation-building; that we are probably not using our resources and our skills to our highest potential when we get bogged down in having to administer a country. It is admirable that we are willing to pay for the reconstruction or some of the reconstruction of a nation, and that is a great and wonderful American tradition of rebuilding vanquished foes and those less fortunate. But how do we best achieve this stabilized society, representative government and the creation of a pluralistic society where tolerance and economic freedom and personal liberty can flourish?

I am here tonight to say that I continue to believe that we should turn to our multinational organizations such as the United Nations, NATO, and others, to help us with nation-building in Iraq. I would point out that the United Nations is perhaps uniquely qualified through experience and organization to be responsible for reconstruction and nation-building.

In fact, this is what the United Nations was created to do in 1945. I fear that an almost irrational opposition to the notion and the concept of the United Nations from some on the other side of the aisle is preventing this country from calling upon the United Nations to assume this burden. There are many reasons why I would like to see this happen. It is not only to get out from under the financial burden of reconstructing Iraq on our own. It is partly that; it is also partly to share the responsibility for the reconstruction of Iraq. It is to share the credibility that is needed, to call upon other nations and multilateral organizations like the United Nations to provide the stability and take away from the equation some of the animosity that has wrongfully built up against America, but nonetheless exists in some part of the world.

□ 2145

Frankly, the United Nations is designed to do this kind of work. It is designed to relieve the United States from taking on all of the burden of reconstructing a country and building a new Nation. If we turn to the United Nations, we will still be the senior partner. We pay 25 percent of the bills of the United Nations. We will still have tremendous influence over what happens, but we would be in a position where the responsibility and accountability and the burden of reconstruction would be shared with an organization that is created to do that very thing.

Secondly, I do not believe, Mr. Speaker, that anyone, the United States, the United Nations, or anyone else, will have success in the stabilization of Iraq, not the least of which I would include the Iraqi Governing Council itself, unless we establish security in Iraq, and that has not been done. Again, I think it is asking too much of our American military to become a long-term occupying power, to have our young men and women serving in what, in parts of Iraq, seems to be, literally, a shooting gallery, with 20 or 25 daily attacks on American Forces and our Coalition Forces. We are not in a position to have secured Iraq. We clearly need more troops to do that. Yet, in my view, it should not be America's burden to send more troops.

So I would say that it is by far the best strategy to turn to NATO, the North Atlantic Treaty Organization, which is a military organization, to provide security in Iraq. NATO, of course, historically never fired a shot, was designed as a defensive alliance to keep the world safe from any hostility from the Soviet Union. In the conflict in Kosovo, the NATO forces were used for the first time out of the traditional confines of Europe, or at least on the southern stretches of Europe, used for the first time in a proactive way to defeat another tyrant, another dictator, Milosevic, in Kosovo. And NATO performed brilliantly and was able to liberate that country from the abuses of that dictator and has also now moved into Afghanistan to take over some of the security functions in that country. I believe that NATO would be the appropriate international organization to provide security in Iraq while we turn to the United Nations to take primary responsibility for the reconstruction of Iraq.

Now, none of this will happen, Mr. Speaker, none of this will happen until the United States is willing to give up some authority in Iraq. We cannot continue to call all of the shots in Iraq and expect our traditional allies to send troops or money or advice or anything else. It is time for us not just to put Iraqis back in charge, because it is not yet clear Iraqis are able to be back in charge, particularly, with the insecure conditions that exist there; but it is time for us, in concert with our traditional allies, in concert with international organizations that we created at the end of the Second World War, that we established for the very purpose of Nation-building. Nation-building was not a phrase then, it is a newer phrase, but the concept is exactly why NATO was established, and, particularly, why the United Nations was established. It is time for us to use our diplomatic skill to give up the necessary authority and responsibility, to share the obligations with these two international organizations, so that we can more quickly and more effectively and more safely stabilize Iraq, establish a pluralistic society, and move them towards self-government.

Now, Mr. Speaker, I would like to turn to my colleague, the gentleman from Massachusetts (Mr. DELAHUNT), one of the senior members of the House Committee on International Relations and a founding member of Iraq Watch, my good friend.

Mr. DELAHUNT. Mr. Speaker, I thank the gentleman. It is good to be here with my colleague tonight and share a few observations regarding this situation in Iraq. Also, I think at some point in time, I think it is necessary to present some information to the American people and to those who are listening here tonight relative to what is transpiring in Afghanistan.

I think to sum up what the gentleman said, one only has to look at the cover of the November 3 edition of Newsweek magazine, and it is entitled, ''Bush's $87 Billion Mess. Waste, Chaos, and Cronyism. The Real Cost of Rebuilding Iraq.''

It has become a matter of concern, as the gentleman well knows, not only to Members on this side of the aisle, Democrats, but clearly to our colleagues on the Republican side, particularly in the United States Senate, because if there is any term that best characterizes what is occurring, it is chaos.

Mr. Speaker, in our previous efforts in terms of Iraq Watch, we discussed the lack of post-major combat phase planning. And again, that opinion was shared by many, most specifically, the chairman of the Senate Foreign Relations Committee, RICHARD LUGAR who, in fact, had written an article that I thought was very incisive and appeared in the Washington Post. But not only do we not have a plan, but the plan seems to change almost on a daily basis.

If my colleagues remember, I think it was, in fact, a colleague of ours here in the House, a senior Republican Member of the House Committee on International Relations, the gentleman from Iowa (Mr. LEACH), highly-regarded and well-respected by all Members, who implored the President to establish, once and for all, who is in charge of whatever plan may or may not exist out there. Initially, Jay Garner, a former general, was dispatched to Iraq to work with Iraqis that were favorably disposed to the United States to begin the process of rebuilding. And, after a relatively short period of time, there was a change there. And L. Paul Bremer became, if you will, the viceroy of Iraq. Mr. Bremer indicated that his boss to whom he reported directly was the Secretary of Defense Mr. Rumsfeld. Yet, several months thereafter, there was an announcement from the White House that in fact it was the National Security Adviser, Condoleezza Rice, who was vested with the responsibility of coordinating the plan for Iraq. Of course, recently we learn that Mr.

Bremer, because of the deteriorating situation in Iraq, either reached out or was summonsed by the White House for a special meeting directly with the President.

Mr. Speaker, I think it is important that there be one individual that can be held accountable, other than the President, for the shaping of this policy that means so much to the American people with our sons and daughters tragically dying there on an all-too-frequent basis, and to the American taxpayers who were asked by this White House to appropriate some $87 billion on top of the $79 billion that we have already spent in Iraq to create security in Iraq and to rebuild Iraq, if you will, to reconstruct Iraq. Many of us on this side of the aisle were adamantly opposed, primarily based on the fact that this money was not in the form of a loan, but was a gift to Iraq, a nation with incredible resources, some of the largest reserves in terms of energy anywhere in the world, second only to Saudi Arabia. And hopefully, at some time in the not-too-distant future, would clearly be able to repay the American taxpayers for the sacrifices that they are making now while we are dealing with these burgeoning deficits that will at some point in time be a severe drag on our economy.

But not only do we have a confusion in terms of who is in charge, but we have had a series of different plans. It would appear now that the most recent plan is what I would describe as the French plan, the plan that France suggested would be the most fruitful initiative in terms of bringing stability and rebuilding Iraq. I find that rather ironic, given our recent rather divisive relationship with France.

Mr. HOEFFEL. Mr. Speaker, the gentleman refers to the latest plan as the French plan. The New York Times on Sunday, in looking at the plan that they characterize as throwing the problem to the Iraqis, called it the ''hot potato plan.'' French, hot potato french fries perhaps, whatever.

Mr. DELAHUNT. Mr. Speaker, maybe this was a hot french fries plan; I honestly do not know.

I notice we have been joined by the gentleman from Ohio (Mr. STRICKLAND), our friend, who is also a member of our Iraq Watch group. But I think what is difficult to accept is that what we have now achieved is the expenditure of billions of dollars of American taxpayers' money. Of course, the White House made note of the fact that there were other international donors in a conference in Madrid. But what I thought was particularly noticeable in Madrid was that not a single donor there, with the exception of the Japanese, provided gifts, outright grants like this institution did and like this White House did, but no, they decided they would loan the money so that their people would be repaid rather than our people who are carrying the entire burden.

But here we are, we have suffered, and let us be very candid and frank: We have suffered a loss of prestige all over the world. One only has to turn to nightly news shows. Leading the news now are the preparations in Great Britain for the visit of our President, President Bush who, according to the most recent polls is viewed negatively by our ally, the English people, by 60 percent. Sixty percent of the English people disapprove of President Bush. Whether one is a Democrat or whether one is a Republican, that is painful to us. That is painful to us. We do not wish our President to be viewed as negative by our ally. And recently during the course of a hearing on the Subcommittee on Latin America, data was put forward that 87 percent of our neighbors here in this hemisphere disapprove of our President. Again, that pains us all.

□ 2200

That pains us all.

Mr. HOEFFEL. Mr. Speaker, may I interrupt the gentleman from Massachusetts (Mr. DELAHUNT) again?

There was additional polling information made available over the weekend from a European pollster, I do not know the name, saying that a majority of citizens in virtually every European country except, I believe, Italy, view the United States as the most likely country to start a war or to create instability. Now, I reject that view completely. We are the peacemakers and we are not the war makers; but I wanted to emphasize the gentleman's point that something has gone wrong with the way we are viewed by our friends around the world, let alone how we are viewed by our enemies. I am not so concerned about how the enemies look at us, but when the Western European democracies have a negative view of our President and our country, a negative view that I do not share, but that they have come to that conclusion, something is dramatically wrong.

Mr. Speaker, would the gentleman from Massachusetts (Mr. DELAHUNT) mind if we bring our colleague into the conversation?

Mr. DELAHUNT. Mr. Speaker, I would welcome our friend, the gentleman from Ohio (Mr. STRICKLAND).

Mr. STRICKLAND. Mr. Speaker, it is good to be with you this evening. I was asked a few days ago by a reporter in my district why the emphasis on what has gone wrong in Iraq. The question was phrased in this way: Should you not be concerned about the future and what we do next? And my response was this: The same people who are in charge of planning for the future are the people who have gotten us to the point where we are now. And unless we look at how we got into this situation, unless we scrutinize the decision-makers who brought us to this point, we cannot have confidence that we are being taken in the right direction as far as the future is concerned.

If I could just say a word about the $87 billion that my friend referred to earlier. I think the American people need to know that if we were to take the 435 congressional districts in this country, and we were to divide $87 billion by the 435 congressional districts, what we would come out with is $200 million that could be spent in every congressional district in this country for the needs that exist back home, for the jobless people, for the children who do not have health care, for the older people who do not have prescription drugs.

Mr. DELAHUNT. And, Mr. Speaker, for our veterans.

Mr. STRICKLAND. For our veterans. And that leads me to the fact that we are underfunding veterans health care by $1.8 billion. $1.8 billion. We are sending $87 billion to Iraq in addition to what we have already spent this year, and we are being so stingy with our veterans that we are underfunding their health care by $1.8 billion.

And the American people need to know that over in the Senate they passed an amendment to add an additional $1.3 billion of that $1.8 billion shortfall. And the very day that amendment passed the Senate, the White House put out a statement opposing it. Now, think of that. Here we have a President, we have a President who has asked for $87 billion for Iraq and takes active opposition toward the efforts in this Congress to give an additional $1.8 billion to our veterans. I mean, I think that is shocking; I think it is something the American people would object to. And they need to know about that.

But I want to talk about one other thing, if I can, in regard to this war effort, and it is something that I have talked about and I think others have talked about on this floor before. But it is something that the American people need to know about. As our soldiers continue to die on a daily basis in Iraq, I think Americans have a right to ask for answers from the President, from our Secretary of Defense, from the Pentagon: Why do all of our troops who are fighting for us this very moment in Iraq not have the best protective armor available? When will this armor be available to all of our soldiers? Why were soldiers sent into battle with these cheap, Vietnam-era flak jackets that are not capable of stopping bullets?

I have asked the Secretary of Defense, Mr. Rumsfeld, to provide answers as to how many American soldiers have been killed or have been seriously wounded in part because they were not adequately protected. And I have asked the Secretary to commit that we will not provide this protection to foreign troops until every, every American soldier in harm's way is so protected.

Somebody needs to be held accountable for this. We had months to prepare for this war, months during which we knew we were likely to be sending young Americans into harm's way. And yet we did so without giving them this protection. Somebody ought to be held

responsible. Either the President or Secretary Rumsfeld or some lower-level individual apparently made the decision that this was not a priority. And I believe American soldiers have lost their lives because of this failure to plan, failure to set appropriate priorities. And who is going to be helped accountable, and when is the situation going to be altered?

Americans need to know that as we sit in our homes and watch TV, and those of us who work in this Chamber are here, we carry out our daily lives, that there are young Americans over there in tanks and in Humvees and walking patrols that do not have the most basic protection, this body armor that is capable of stopping bullets. Why do they not have that protection?

Mr. DELAHUNT. Mr. Speaker, would the gentleman from Ohio (Mr. STRICKLAND) yield for just a moment.

I met with families of Reservists and National Guard, military that are serving in Iraq currently. They have been trained as a transportation unit. They are now serving in a different role that exposes them to great danger. They are using their own equipment, trucks that have no armor protection, that are open, that leave these men and women on the back of what I would call a large pickup vehicle as a sitting target. These families were outraged. One actually had to go to a military hardware store, presumably, to purchase for their son a $900 kevlar suit because the parents simply could not sleep at night. And it cost that family $400 to send it via the United States Post Office.

Mr. STRICKLAND. General Myers and others have been widely quoted in the press as saying this is not a money problem; it is a supply problem. Well, it is a supply problem because this war was under way for almost 7 months before the first request came to this Congress for resources to provide this protection. But even beyond that, I got a call in my office, week before last, from a company that told me they had 30,000 of these plates in stock, plates that meet specifications. Because they say they also provide them to our Army Rangers.

I do not know how those responsible can sleep at night. They ought to stay up until they solve this problem.

I just met with a young soldier back in my district who was wounded by shrapnel. He told me that he sees no way that this Pentagon commitment to have these vests delivered to all of our troops by December is going to be possible. He says there are thousands of troops over there without this most basic protection.

Now, how can we trust these people to tell us what is the best course of action for the future of this war in Iraq when they have been so incompetent and negligent in providing our troops with this most basic protection?

Mr. DELAHUNT. And yet, Mr. Speaker, they would criticize those who ask those questions and instead put forth, if you will, a PR campaign to say what is right in Iraq. But it is time, I believe, to listen to the troops who give us insight. We all know, for example, because we travel abroad and oftentimes we visit our troops, that these trips are very carefully structured so that only those things the civilian leadership of the Department of Defense wants us to hear is provided us.

If I could just indulge my two friends for a moment. Back in mid-October there was a report in The Washington Post and it is entitled, ''Many Troops Dissatisfied, Iraq Poll Finds.'' A broad survey of U.S. troops in Iraq found that half of those questioned described their unit's morale as low and their training as insufficient and said they do not plan to reenlist. Now, this was not a poll conducted by The Washington Post or the New York Times, or the Los Angeles Times or the Boston Globe. It was a poll that was conducted by the Stars and Stripes newspaper, a newspaper funded by our Pentagon, our Department of Defense.

The findings, if I can just go on, the findings drawn from 1,900 questionnaires presented to U.S. servicemembers throughout Iraq conflict with statements by military commanders and Bush administration officials that portray the deployed troops as highly spirited and generally well prepared. Though not obtained through scientific methods, the survey results indicate that prolonged tours in Iraq are wearing down a significant portion of the U.S. force and threatening to provoke a sizable exodus from military service. And yet the paper quotes General Sanchez, commander of the U.S. forces in Iraq, saying in a September 9 interview for this particular series, ''There is no moral problem.''

Of course, as we know, the Bush administration has launched this campaign. But the Stars and Stripes, the military's paper, raised questions about what visiting dignitaries, such as us and our other colleagues who have visited Iraq, get to see. Let me quote again from the Stars and Stripes: ''Many soldiers, including several officers, allege that VIP visits from the Pentagon and Capitol Hill are only given hand-picked troops to meet with during their tours of Iraq,'' the newspaper said in its interview with General Sanchez.

The phrase ''dog and pony show'' is usually used. Some troops even go so far as to say they have been ordered not to talk to VIPs because leaders are afraid of what they might say.

Let me say it is about time for the unvarnished truth to be presented to the American people. And that is what we attempt to do during the course of this hour, of which we have had many.

Mr. STRICKLAND. Mr. Speaker, if I could just say a word about the troops. I spent some time last weekend with two young soldiers from my district, both of whom have been wounded, and they have come back for medical treatment. They are good, loyal, patriotic soldiers. They are going to do their duty. They care about Iraq. They care about the Iraqi people. They care about the final outcome in that country. The problem is not with our troops. These are wonderful young Americans who are simply doing what they are called upon to do. And they are doing it well.

The problem, as I see it, exists with the decision-makers, those who sit here in the safety of the offices in Washington D.C. and elsewhere and make decisions which affect real lives. I had breakfast in a restaurant in Ohio a couple of weekends ago. As I was finishing my breakfast, I struck up a conversation with a young woman sitting in a booth next to me. She was leaving Ohio as soon as she finished her breakfast and driving to Baltimore to meet her husband, who is stationed in Africa and who is coming home, who is coming home for a 2-week leave. And then she told me that she had just gotten her orders and she is being deployed to Iraq. The children are going to be taken care of by the grandparents.

□ 2215

I just share that with you to emphasize the fact that we are talking about real people, real mothers and dads, real sweethearts, real sons and daughters. These are real Americans, and decisions are being made to expose them to the most incredible danger.

The question is, is this war being pursued in a way that is rationale and reasonable? I still wish that this President, this administration would go to the world community, would seek out the help that we need, would internationalize the effort in Iraq, would stop our soldiers being the only targets basically.

We hear talk about a coalition. Let us face it. There are a handful basically of coalition forces in Iraq. Most of the young people there are being killed and injured and shot at are American troops; and we need to internationalize our effort, spread this responsibility and not just simply allow our kids, our children for the next, no one knows for sure. The most recent estimate I have heard is that at least for 5 years our troops are likely to be there, and I just do not think the American people want this to continue as it is unfolding before our eyes. Every day we see it happening.

Mr. HOEFFEL. Mr. Speaker, I agree with the gentleman. The problem is not with our troops. It is with the policymakers and our planners here in Washington.

I referred earlier to the New York Times article this Sunday. They entitled it ''Iraq Goes Sour.'' And I take issue, actually, with one of the claims they make here. They blame the intelligence agencies for the failures to understand what was actually happening in Iraq. The editorial said, for example, the Central Intelligence Agency we now realize had no idea what was going on inside Iraq. They continue, the CIA's estimate regarding weapons of

mass destruction were basically worst-case scenarios of what the Hussein regime might have been up to in the interim, in 1998 when inspections were cut off.

They continue, that was apparently a mistake, if an understandable one. The reality I think is different. I think that while the intelligence agencies clearly did not get it right, they were telling the policymakers last fall before Congress voted on whether or not to authorize the war, they were telling the White House that there was great uncertainty about what Hussein had and what he did not have. We know that now. We did not know it then.

This past Spring, 6 months after we voted, and after the war was fought and won, at least according to the President's proclamation on May 1, at least the military's battle was won, if not the guerilla battle. The House Permanent Select Committee on Intelligence made available to rank and file members 18 or 20 boxes of intelligence information, most notably the Defense Intelligence Agency report of September 2002. And then the great summary report the national intelligence estimate of October of 2002. And I have read the executive summaries of those documents. It is very long, and I spent a couple of hours reading it. It would take days to read all of those boxes, but those summaries which are still classified are replete with uncertainties, with the agencies saying, well, we believe he has got this. We believe he has got that but we are not sure. He had this amount of weapons in the past and we are not quite sure where they are today.

They have made the case, as the Vice President has said, that Hussein was trying to do certain things, but they were full of uncertainty. And my objection is none of that uncertainty was communicated to Congress and to the American people. The President and all of his people, and I want to give an example in a second, told us with complete clarity and certainty that Hussein had these weapons. We knew where they were. We knew how much they weighed. We knew everything about them. We were going to get them and we could not trust him for another moment. And it is my view that it is not the intelligence agencies that failed, but the politicians.

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

I cannot agree more. Ironically, in this week's edition of Newsweek magazine, there is an article that I would commend to all of our colleagues here in the House and to the viewing audience here tonight. This is very important to read. As one can see, there is a picture of the Vice President on the cover. It is entitled, ''How Dick Cheney Sold the War. Why He Fell for Bad Intelligence and Pitched It to the President.''

The Central Intelligence Agency, I daresay, made a solid effort from what information now appears to be back in the public domain. I think it is safe to conclude that key players led by the Vice President, supported by Secretary Rumsfeld, and Under Secretary Wolfowitz, and Under Secretary Fife, cherry-picked, if you will, those pieces of information that buttress their case and made unequivocal statement to the American people.

It is very fascinating when the American people and the United States Congress learn that there is a special covert group within the Department of Defense. And this is within the civilian leadership, called the Office for Special Plans that was running a parallel operation in terms of intelligence analysis. It was that group that was doing the cherry-picking. It was that group that got us into this war. They made unequivocal statements, like Secretary Rumsfeld, that those weapons of mass destruction, we know where they are. They are in Tikrit, in the west here and in the east here. And, of course, we have discovered after expending close to a billion dollars to just simply looking for them that they do not exist, much to our embarrassment and again our loss of prestige.

So I think it is important that those who attack the CIA often do it in a way that I think reveals their own political agenda. Again, demeaning the professionalism of the men and women that serve in the CIA is not the way to have a constructive debate about what we ought to occur, what we ought to be doing right now.

Mr. STRICKLAND. Mr. Speaker, I would just concur with the gentleman that that is a very interesting Newsweek article. I read it a few hours ago. It is very disturbing because it does lay out how under the Vice President's leadership, this Office of Special Plans collected their own information and drew their own conclusions, and then they use those conclusions to encourage the kind of action that occurred.

Now, the fact is that the President has finally admitted quite publicly, in spite of the Vice President's statement to the contrary, that there is no evidence that Iraq or Saddam Hussein was responsible for the attack upon our Nation on September 11, 2001. That is a very critical conclusion, I think, for us to have come to. Because given that and given the fact that we had weapons inspectors in Iraq and they were asking for more time, would not you think that if there is uncertainty about exactly what Saddam Hussein has or may have, that there is no evidence that he was involved in the direct attack upon our country, that we would have approached this situation a little more cautiously, a little more thoughtfully, that we would have expended the time that the inspectors were asking for.

If we had done that, it may have been possible. It may have been possible.

Mr. DELAHUNT. Again, this is a situation that is continuing today where a conclusion or an opinion or a predisposed policy is searching for facts.

Talking about the CIA, what prompted Paul Bremer to come to Washington, DC, was a new top secret CIA report from Iraq that growing numbers of Iraqis are concluding that the U.S.-led coalition can be defeated and a supporting the insurgents.

Again, I am quoting from a newspaper report, ''The report paints a bleak picture of the political and security situation in Iraq and cautions that the U.S.-led drive to rebuild a country as a democracy could collapse.''

The report's bleak tone and Bremer's private endorsement differ sharply with the upbeat public assessments that President Bush, his chief aids, and even Bremer are giving as part of an aggressive publicity campaign aimed at countering rising anxieties over increasing U.S. causalities in Iraq. Let us be honest with the American people. Remember in Vietnam what, I daresay, forced Lyndon Johnson to reassess his plans for reelection, was the fact that there was such a great divergence and disparity between the reality that was being presented to the American people and the reality on the ground.

Mr. HOEFFEL. Mr. Speaker, let me introduce our colleague who has been waiting patiently. The gentleman from Washington (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Speaker, I thank the gentleman for putting this special order together.

I think that it is very clear we now know that they wanted to go to war immediately after 9/11 in Iraq. They went to Afghanistan really because that was more obvious to people at that point, but they were clearly planning for a long time and they simply misled us about what was there.

Everybody understands that now. There is no mystery in this country or anywhere else in the world. The question is, What are we going to do now?

I picked up the Sunday morning newspaper and last Thursday I came back to Washington, DC and went out to MCI Center to a hockey game with a bunch of amputees from Walter Reed. The next day I went up there and walked through several of the wards. There are two pictures of the front page of young men who have been severely injured that I know. I have met them. These are young kids who did what their country asked them, and we honored them.

I told them I was there because I wanted to say thank you. But the fact is that that is exactly what happened in Vietnam. Young people went and died doing exactly what they were asked to do. It is the leadership that ought to have to pay the price and they ought to start paying it right now.

We have a President who simply will not get off the fact that he made a mistake. He simply went the wrong place. He should never have stopped the war on terror. He should have finished what was going on in Afghanistan and then perhaps you look later at something, but Afghanistan is as bad or worse than it was when we went in there.

We still have people dying there. One died yesterday from the State of Washington. And we continued to allow our young people, men and women, now to be killed in a war that makes no sense in the way it is being run. And the President will not admit it. The whole world has told him that. They told him on the 25th of February, ten million people marched in the streets this in this country. The President said, It is just a focus group. We are going to war.

Now, my belief is that we have to figure out how we get out and how we, with honor, get out of this thing. It is going to be very difficult to do that.

□ 2230

When they called Bremer back here in the other day, it was simply because they said, gee, it is 1 year to the election. How in the heck are we going to explain this mess at election time? We have got to end it. So we are now, in every decision that will be made, it will be made not about what is good for our troops or what is good for the Reservists or the Guard people or anybody else, but what is seen to be good for the President's reelection campaign.

I am afraid that unless the Congress raises some noise about this, we are going to see more people sacrificed in this process because they will not get the international community in. If the President would say tomorrow, I want Kofi Annan to take over the reconstruction and Kofi Annan to take over the military peacekeeping in the country, we will make a contribution as we have but we are not going to run it, things would begin to change dramatically.

This is viewed as an occupation. The actual choice of where do they go with their headquarters when they came into Baghdad, they went to the palaces that Saddam Hussein had built and they moved in, and they said to the people, this is where we belong; we are running the place. No Iraqi missed the message.

Mr. STRICKLAND. Mr. Speaker, if the good doctor will allow me to interject a thought here, the President tries to set this up as a two choice paradigm. We either do exactly what we are doing now or, as he says, we cut and run, as if there are no other options, but the gentleman is describing a third option. There may be a fourth or a fifth option. We ought to be looking at the situation, not just simply blindly pursuing a course of action that is resulting in more and more death.

Quite frankly, I resent it when the President refers to those of us who question his policies as those who want to cut and run. The last thing I want to do in Iraq is cut and run. We cannot cut and run, and I know not a single Democrat who is suggesting that course of action, but that does not mean that we endorse his plan because his plan is getting us deeper and deeper and deeper into a quagmire. More and more young Americans are being killed, and even more are being seriously wounded. We cannot allow this situation to continue.

Mr. MCDERMOTT. The hardest part about this is that the American people are not being told the truth. If we read the American newspapers, they are told there are only 5,000 in al Qaeda over in Iraq. If we read the European papers, they say 50,000. We do not see any bodies coming back. They have absolutely prohibited the press and the media from going out to Dover when the troops come back or to go to cemeteries when people are being buried. They are simply blinding the American people's eyes. In my view, the American people have to demand that they know what is going on, and I think there is really no excuse for what they have done except that they have to make the political campaign look better.

This is a mess. Everywhere in the world we look at the press, any country in the world we see the press. They have all analyzed the President made a big mistake. The French, in fact, were right. If people really want to understand what is going on here, go watch the movie The Battle of Algiers. The French went through exactly the same thing in Algeria. There has not been a country in the 20th century that invaded a sovereign country and came out whole. Everybody loses.

Whether we are talking about Vietnam or we are talking about Algeria or we are talking about Lebanon or we are talking about any of those countries, the people who invaded always back out with their tail between their legs, and that is where we are today. Those kids, we have still got them out on the line; hold on, kid; keep fighting; try and save yourself. The people behind them are making bad decisions, again and again and again. It is a terrifying thing, and I think the American people cannot let them be blinded from it. They have to begin to demand that they see what the truth is.

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

I believe our hour is up. I thank all of my colleagues for taking part in Iraq Watch tonight, and we will be back next week.

RECESS

The SPEAKER pro tempore (Mr. TANCREDO). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 35 minutes p.m.), the House stood in recess subject to the call of the Chair.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

5401. A letter from the Secretary, Department of the Treasury, transmitting as required by Executive Order 13313 of July 31, 2003, a 6-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979, pursuant to 50 U.S.C. 1641(c) 50 U.S.C. 1703(c); to the Committee on International Relations.

5402. A communication from the President of the United States, transmitting a supplemental report, consistent with the War Powers Resolution, to help ensure that the Congress is kept fully informed on continued U.S. contributions in support of peacekeeping efforts in Kosovo; (H. Doc. No. 108—142); to the Committee on International Relations and ordered to be printed.

5403. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting Report for 2002 on IAEA Activities in Countries Described in Section 307 (a) of the Foreign Assistance Act, pursuant to Public Law 105—277, section 2809(c)(2); to the Committee on International Relations.

5404. A letter from the Director, Office of Human Resources Management, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5405. A letter from the Chairman, Postal Rate Commission, transmitting a report submitted in accordance with the Inspector General Act of 1978, as amended, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5406. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting As required by Section 417(b) of the USA Patriot Act of 2001 (as enacted in Public Law 107-56), the second annual report on the status of the implementation of machine-readable passports (MRPs) in countries participating in the Visa Waiver Program (VWP); to the Committee on the Judiciary.

5407. A letter from the Assistant Secretary of the Army (Civil Works), Department of the Army, transmitting a Feasibility Study and Final Supplemental Environmental Impact Statement on the Port of Los Angeles Channel Deepening Project; to the Committee on Transportation and Infrastructure.

5408. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lower Mississippi River, Miles 94.0 to 96.0, Above Head of Passes, New Orleans, LA [COTP New Orleans-03-003] (RIN: 2115 — AA97) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5409. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Arlington Channel Turning Basin, Mobile, AL [COTP Mobile-03-010] (RIN: 1625 — AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5410. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zones; Lower Mississippi River, Above Head of Passes, LA [COTP New Orleans — 03-007] (RIN: 1625 — AA-00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5411. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Port Arthur Ship Canal, Port Arthur, TX [COTP Port Arthur-03-008] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5412. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Red River, Miles 88.0 to 89.0, Pineville, LA [COTP New Orleans-03-013] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5413. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone: Protection of High Capacity Passenger Vessels in Prince William Sound, Alaska [COTP-PWS-03-003] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5414. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; San Juan, Puerto Rico [COTP San Juan 03-062] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5415. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lower Mississippi River, Miles 85.0 to 91.0, Chalmette, LA [COTP New Orleans-03-016] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5416. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Tennessee River, Mile Marker 446.0 to 454.6, Chattanooga, TN [COTP Paducah, KY 03-004] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5417. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Tennessee River, Mile Marker 446.0 to 454.6, Chattanooga, TN [COTP Paducah-03-013] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5418. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Allegheny River Mile Marker 0.3 to Mile Marker 0.7, Pittsburgh, PA [COTP Pittsburgh-03-002] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5419. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Allegheny River Mile Marker 0.3 to Mile Marker 0.7, Pittsburgh, Pennsylvania. [COTP Pittsburgh-03-006] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5420. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Harley Owners Group (H.O.G.) Rally, Ohio River Mile Marker 0.7 to Mile Marker 0.3 on the Allegheny River Pittsburgh, PA [COTP Pittsburgh 03-008] (RIN: 1625-AA00) received November 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the clerk for printing and reference to the proper calendar, as follows:

Mr. POMBO: Committee on Resources. H.R. 154. A bill to exclude certain properties from the John H. Chafee Coastal Barrier Resources System; with an amendment (Rept. 108–359). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 521. A bill to establish the Steel Industry National Historic Site in the Commonwealth of Pennsylvania; with an amendment (Rept. 108–360). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 1594. A bill to direct the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the St. Croix National Heritage Area in St. Croix, United States Virgin Islands, and for other purposes; with an amendment (Rept. 108–361). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 1618. A bill to establish the Arabia Mountain National Heritage Area in the State of Georgia, and for other purposes; with an amendment (Rept. 108–362). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 1648. A bill to authorize the Secretary of the Interior to convey certain water distribution systems of the Cachuma Project, California, to the Carpinteria Valley Water District and the Montecito Water District (Rept. 108–363). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 1732. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Williamson County, Texas, Water Recycling and Reuse Project, and for other purposes (Rept. 108–364). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 1798. A bill to establish the Upper Housatonic Valley National Heritage Area in the State of Connecticut and the Commonwealth of Massachusetts, and for other purposes; with an amendment (Rept. 108–365). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 1862. A bill to establish the Oil Region National Heritage Area; with an amendment (Rept. 108–366). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 2425. A bill to provide for the use and distribution of the funds awarded to the Quinault Indian Nation under United States Claims Court Dockets 772–71, 773–71, 774–71, and 775–71, and for other purposes; with an amendment (Rept. 108–367). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 2489. A bill to provide for the distribution of judgment funds to the Cowlitz Indian Tribe; with an amendment (Rept. 108–368). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. S. 625. An act to authorize the Bureau of Reclamation to conduct certain feasibility studies in the Tualatin River Basin in Oregon, and for other purposes (Rept. 108–369). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 280. A bill to establish the National Aviation Heritage Area, and for other purposes; with an amendment (Rept. 108–370). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 421. A bill to reauthorize the United States Institute for Environmental Conflict Resolution and for other purposes; (Rept. 108–371 Pt. 1). Ordered to be printed.

Mr. POMBO: Committee on Resources. S. 1233. An act to authorize assistance for the National Great Blacks in Wax Museum and Justice Learning Center (Rept. 108–372 Pt. 1). Ordered to be printed.

Mr. POMBO: Committee on Resources. H.R. 1964. A bill to establish the Highlands Stewardship Area in the States of Connecticut, New Jersey, New York, and Pennsylvania, and for other purposes; with an amendment (Rept. 108–373 Pt. 1). Ordered to be printed.

REPORTED BILL SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. POMBO: Committee on Resources. S. 523. An act to make technical corrections to law relating to Native Americans, and for other purposes (Rept. 108–374, Pt. 1); referred to the Committee on Agriculture for a period ending not later than November 21, 2003, for consideration of such provisions of the bill as fall within the jurisdiction of that committee pursuant to clause 1(a), rule X.

NOTICE

Incomplete record of House proceedings.

Today's House proceedings will be continued in the next issue of the Record.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 108th CONGRESS, FIRST SESSION

Vol. 149 WASHINGTON, MONDAY, NOVEMBER 17, 2003 No. 166

Senate

The Senate met at 12 noon and was called to order by the President pro tempore [Mr. STEVENS].

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, Your righteousness is like the mighty mountains, Your justice like the ocean depths. You clothe the meadows and provide carpet for the valleys.

Lord, You have given us the new chapter of another week with opportunities and challenges. We have opportunities to build bridges and to mend the defective. But we face the challenges of a world filled with divisive forces that desecrate and destroy. May the things that unite us overcome the powers that divide us.

Today, bless Your servants in this place with patience. Remind them that laudable goals usually take time. Slow us down, Lord, that we may take time to appreciate Your many blessings. Keep us from feelings of futility and may we feel the uplift of Your everlasting arms. We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. MCCONNELL. Mr. President, today the Senate will resume consideration of the VA–HUD appropriations measure. We were unable to reach an agreement for finishing the bill, and it is unclear how much further progress we can make on this bill. At this time, we will continue with the bill this afternoon and make a determination later today as to whether the Senate can complete action on this important measure.

NOTICE

If the 108th Congress, 1st Session, adjourns sine die on or before November 21, 2003, a final issue of the Congressional Record for the 108th Congress, 1st Session, will be published on Monday, December 15, 2003, in order to permit Members to revise and extend their remarks.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT–60 or S–410A of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Friday, December 12, 2003. The final issue will be dated Monday, December 15, 2003, and will be delivered on Tuesday, December 16, 2003.

None of the material printed in the final issue of the Congressional Record may contain subject matter, or relate to any event that occurred after the sine die date.

Senators' statements should also be submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at "Record@Sec.Senate.gov".

Members of the House of Representatives' statements may also be submitted electronically by e-mail, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at http://clerkhouse.house.gov/forms. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, and signed manuscript. Deliver statements to the Official Reporters in Room HT–60 of the Capitol.

Members of Congress desiring to purchase reprints of material submitted for inclusion in the Congressional Record may do so by contacting the Office of Congressional Publishing Services, at the Government Printing Office, on 512–0224, between the hours of 8:00 a.m. and 4:00 p.m. daily.

By order of the Joint Committee on Printing.

ROBERT W. NEY, *Chairman.*

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

Printed on recycled paper.

Under a previous order, beginning at 4:30 p.m. today, the Senate will begin 1 hour of debate prior to the vote on invoking cloture on the FAA reauthorization bill. It is hoped that cloture will be invoked and that the Senate can complete its work on the conference report today. Again, that vote is expected around 5:30 this afternoon.

Also later today, the Senate will conduct a 1-hour debate on the issue of jobs and the economy. There will be two Members from each side of the aisle engaged in that debate, and all Senators are encouraged to be present for the discussion.

As a reminder, two cloture motions were filed with respect to the nomination of Thomas Dorr to be Under Secretary of Agriculture for Rural Development. Those cloture votes will occur tomorrow morning, and Senators will be notified of the exact timing of those votes.

Finally, on behalf of the majority leader, I remind everyone this is expected to be a busy workweek in the Senate. There are a number of important conferences that have been completed and others that will be finished shortly. These legislative matters will be scheduled as soon as they are available so the Senate may adjourn at the earliest possible time. All Senators should adjust their schedules for a busy session as we approach what will very likely be the final week of this session.

RECOGNITION OF THE ACTING MINORITY LEADER

The PRESIDENT pro tempore. The acting minority leader is recognized.

Mr. REID. Mr. President, through the Chair to the distinguished majority whip, is there some estimate as to when we would get to the conference reports on Energy and Medicare?

Mr. MCCONNELL. Mr. President, I say to my friend from Nevada, it is a little bit difficult to ascertain exactly when, but we hope the Energy bill might be ready by Wednesday. We are going to work as hard as we can to get those measures ready for consideration in the Senate certainly this week. Hopefully, we can get to Energy by Wednesday.

The PRESIDING OFFICER (Mr. BURNS). The Senator from Nevada.

Mr. REID. Mr. President, I hate to broach the subject because last time it didn't work out as well as I had contemplated, but I hope if something comes up that we can't finish our work on Friday, we will go over into the weekend because everyone believes they would rather work—I don't know about everyone—most people believe they would rather work this weekend knowing we don't have to come back until after the first of the year. I hope the leadership on the other side will keep that in mind and alert Senators that we may have to work Saturday and maybe even Sunday to get out of here for the Thanksgiving holiday and the year generally.

Mr. MCCONNELL. Mr. President, I say to my friend from Nevada, I think that is a widely held sentiment on this side of the aisle as well. It will be vastly more desirable to wrap it up this week, even if this week means a longer week than normal, than to carry it over to next week or certainly December. We are going to be pushing to complete the business of the Senate this week. This week ideally would be Friday, but it could end up being Saturday or later. It is our goal to wrap up this session of the 108th Congress this week.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. JEFFORDS. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business until 1:30 p.m. with Senators permitted to speak therein.

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

Mr. JEFFORDS. Mr. President, like every loyal Red Sox fan, I believe that next season my team will be victorious. I bring this same level of optimism to my efforts to reduce the amount of wasted resources and litter caused by discarded beverage containers.

I rise today to speak again to the National Beverage Producer Responsibility Act of 2003, the bottle bill, convinced that this is our year.

I have long been an advocate for increased recycling. Vermont passed its bottle bill in 1972 when I was state attorney general. In 1975, during my first session as a Representative in the U.S. House, I introduced a national bottle bill, closely resembling Vermont's very successful example. Last Congress, as chairman of the Environment and Public Works Committee, I convened the first Congressional hearing in many years on recycling, in which the committee heard expert testimony on the merits of a national program to recycle beverage containers.

The reason that I continue to push this issue is simple—it makes sense. Beverage container recycling is one of the simplest ways to see a dramatic improvement in our environment. As this chart shows, 120 billion—let me repeat, 120 billion with a ''b''—beverage containers were wasted by not being recycled in 2001.

If we could raise the Nation's recycling rate to 80 percent, we would save the equivalent of 300 million barrels of oil over the next 10 years and eliminate 4 million tons of greenhouse gas emissions annually. States that have enacted bottle bills also have benefited by reducing road side litter by up to 84 percent.

These savings may sound unrealistic. But in Vermont alone, recycling efforts in 2001 reduced greenhouse gas emissions by 94,000 metric tons of carbon equivalent. That's equal to approximately two-thirds of all industrial carbon dioxide emissions from fossil fuel combustion in Vermont and 4.5 percent of greenhouse gas emissions. To me, those savings sound remarkable.

Why a refundable deposit program? Thirty years of experience demonstrates that refundable deposit bottle bills are dramatically more effective than voluntary efforts. As this chart illustrates, the ten States that have implemented deposit laws recycle more containers than all of the other 40 States combined.

While I applaud curbside and other voluntary recycling efforts, the 71 percent of Americans who live in non-bottle bill States account for only 28 percent of recycled beverage containers. My bill, the National Beverage Producer Responsibility Act of 2003, strikes a balance between the wishes of industry, the authority of individual States, and the needs of a healthy environment.

Unlike traditional bottle bills, this legislation would fully harness market incentives by setting an 80 percent recovery performance standard and allowing industry the freedom to design the most efficient deposit-return program to reach the standard. States that already have bottle bills will retain their authority to continue their programs in their own individual ways as long as they meet the national performance standard.

This past Saturday, November 15, 2003, was America Recycles Day in Vermont and across the country. Two years ago, to help commemorate the 2001 America Recycles Day, I participated in a public service announcement to raise awareness regarding the need to buy recycled goods.

The importance of recycling deserves, however, more than a 30-second public service announcement and more than its own day on the calendar. For it to work, recycling must be a commitment of all of ours each and every day of the year.

Vermont's commitment to recycling has provided some impressive statistics. For example, in 2001, 31 percent of Vermont's municipal waste was diverted from landfills. That year, 13,260 tons of containers were recycled through soft drink and beer distributors and materials recovery facilities.

The benefit of these programs is, of course, that they help keep our Green Mountains green.

I commend and thank Governor Jim Douglas for his many recent initiatives to encourage and improve the efficiency of recycling across Vermont. For example, under Governor Douglas' leadership, Vermont has implemented beverage container recycling programs at 20 State information centers.

In the first phase, in less than 2 months, over 200 pounds of aluminum, glass, and plastic were recovered from 51,00 visitors passing through one such information center in Willison, VT. And today, the U.S. Senate's other Vermonter, PATRICK LEAHY, joins me and Senators JOSEPH LIEBERMAN, DANIEL AKAKA, and JOHN KERRY as original cosponsors as I introduce the National Beverage Producer Responsibility Act of 2003.

I recommend that all take advantage of this wonderful system we have in Vermont and in other States. I ask everyone to take a close look and see if we wouldn't be much better off if the rest of the country follows suit.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JEFFORDS. 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. JEFFORDS. I ask unanimous consent to speak in morning business for up to 10 minutes.

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

ENVIRONMENTAL PROVISIONS IN THE CONFERENCE REPORT ON H.R. 6

Mr. JEFFORDS. Mr. President, the conference report on H.R. 6, the comprehensive energy legislation, was released over the weekend. As the ranking member of the Environment and Public Works Committee, I have come to the floor today to share my deep concern that this bill will endanger our environment and unfairly benefit special interests.

The final conference report contains provisions that significantly change environmental law and undermine long-standing environmental protections. It is my sincere hope that the conference will remove many of these provisions during their meeting today.

The Environment and Public Works Committee, on which I serve, has jurisdiction over environmental matters, and we were not consulted in the development of any of these provisions.

This bill drastically rewrites existing clean air law. It postpones ozone attainment standards across the country. This is a matter never considered in either House or Senate bill that has been inserted into the conference report. By inserting this language, the conference will expose the public to dangerous air pollution emissions for far more time than under existing law. Several Federal courts have already struck down regulatory proposals similar to the provisions in the conference report as violations of the Clean Air Act.

The gasoline additive MTBE, which is known to contaminate groundwater, would have been phased out in 4 years in the Senate bill. This conference report extends the phaseout for a decade and includes provisions that would allow the President to decide to continue the MTBE use.

This bill provides legal immunity to large petrochemical companies from ''defective product'' liability arising from the contamination of groundwater supplies by the gasoline additive MTBE.

It also terminates a lawsuit filed by the State of New Hampshire by reaching back to provide immunity as of September 5, 2003. This language allows a contaminating product to be used, possibly indefinitely, and provides communities with no fiscal remedies to clean it up.

As a further subsidy to the industry, the bill exempts all construction activities at oil and gas drilling sites from coverage under the runoff requirements of the Clean Water Act.

This means that contaminants, such as toxic chemicals, grease, and other pollutants from oil and gas drilling, will end up in our waterways.

Conferees have also removed hydraulic fracturing, an underground oil and gas recovery technique, from coverage under the Safe Drinking Water Act. This is a process in which water, sand, and toxic chemicals are injected under high pressure into oil- and gas-bearing rocks, potentially polluting drinking water supplies.

This bill suspends these existing drinking water protections, even though courts have found that hydraulic fracturing should be regulated to protect the public health.

Also, the conferees have included language to speed up energy exploration and development at the expense of environmental review and public participation on both Federal and non-Federal lands. The public will have less time to review and consider the impact of these projects.

When these reviews occur, oil, gas and geothermal energy companies can be reimbursed through credits against future royalties payable to the taxpayer for the costs of undertaking environmental assessments. These provisions subsidize energy development on our public lands.

The conferees have also included provisions that mandate specific timeframes and deadlines for agency decisions on Federal oil and gas leases. This would establish oil and gas development as the dominant use of our Federal public lands.

Our other Federal lands are at risk of becoming electric transmission corridors with this bill as well. The Department of Energy can open new areas for transmission line construction, harming the wildlife, water quality, recreational and other values we have sought to protect for years.

My colleagues should know that this is not an exhaustive list of the environmental provisions of concern in this bill.

In almost every title, there are significant changes to long standing environmental law and policy. In addition, important issues which received majority support in the Senate, such as a Renewable Portfolio Standard for electricity, requirements to reduce our dependency on foreign oil, and adoption of sensible climate change policy, have been dropped.

While I support the establishment of a comprehensive energy policy for the United States, we should not use the final energy bill as a means to roll back important environmental protections.

This bill will not promote energy self-sufficiency, will not promote it, and will cause environmental damage. It is my sincere hope that these unwise provisions will be removed, and I urge my colleagues to consider seriously the environmental effects of this legislation in making their final decisions regarding whether or not to support this measure when it come before the Senate.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. 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. KENNEDY. Mr. President, I ask unanimous consent to speak as if in morning business.

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

MEDICARE PRESCRIPTION DRUG BENEFIT

Mr. KENNEDY. Mr. President, I wanted to take a short time this afternoon to talk about some of the concerns that I have on the recently agreed to proposition on the Medicare prescription drug agreement that was reached over the course of the weekend.

As we are anticipating this measure which is now being examined in terms of the Congressional Budget Office estimates and the legislative language that is being prepared, I expect that we will be addressing it at the end of this week or sometime in the very near future. I want to at least bring some focus and attention to some of the provisions in the legislation that haven't gotten the focus and attention they deserve, which they should have, and which I hope our Members will give study.

There is no truer indication of a nation's priorities than the investment it makes, and the legislation the Senate considers today I believe squanders a historic opportunity with a disregard for the Nation's health, particularly for our seniors. There is a provision in this bill dealing with a $12 billion slush fund to lure HMOs into Medicare.

Let's see if I have the reasoning behind this fund right. The supporters of

the legislation are so concerned that HMOs can provide health care to seniors more efficiently than Medicare that they give HMOs a $12 billion payoff so they can compete. If they are so efficient, why do they need the handout? I guess the sponsors of the legislation believe a 9 percent reimbursement bonus for HMOs is not enough. In this legislation there is the assurance the HMOs will get a 9 percent increase over Medicare in reimbursement rates.

In addition, there is what they call a stabilization fund which is effectively a $12 billion slush fund which will also be available to subsidize the HMOs.

That package adds up to a rather extraordinary benefit to the HMOs. The bill calls for competition between Medicare and the HMOs. Yet in this agreement private plans are going to get paid 109 percent of traditional Medicare reimbursements. And, those enrolled in HMOs are 16 percent healthier. That cumulatively is a 25 percent bonus to the private sector to compete with Medicare, without even considering the $12 billion slush fund. Our friends on the other side say we want competition in this system. Yet they are giving them the 25 percent advantage in order to compete with Medicare.

The bill that passed the Senate was a prescription drug bill that had bipartisan support, with 76 Members for it. I was proud to stand here and support it. But now we basically have the restructuring of our Medicare system. We do it in a way that provides a fundamental risk to the Medicare system. That is why I am opposed to this agreement and the proposal.

I have given one illustration of why this proposal that is strongly supported by our friends in the House is going to weight this agreement so heavily for the HMOs and the PPOs. They talk about a fair playing field between the private sector and the Medicare. That is hogwash. In the Senate bill we passed a prescription bill. It had real competition for all parts of the country with a backup system of Medicare, but not in the proposal that comes out of the conference.

I remind our seniors the 25 percent bonus that is going to the HMOs is effectively being paid by our seniors today in the Medicare premiums. They are the ones, on the one hand, who are paying into this fund; on the other hand, it is the conference report that is effectively taking the 25 percent and giving it over to the private sector.

And we wonder why seniors might be somewhat concerned about that arrangement. Do Members think the seniors at home will not ask: Why aren't we using all that money to either make sure the benefit package is a stronger benefit package to help me, to help my family, or to help my grandparents? The decision made in the conference was no, we insist on ''competition.'' But they are going to take the 25 percent, which has been paid in dollar by dollar by dollar by hard-working Americans over a lifetime that they thought was going to be put into the Medicare system, and we are going to use that to subsidize the private sector. I hope we will have a chance for explanations.

Second, there is a provision included in this conference that was not included in the Senate proposal, premium support. I never heard the President indicate strong support for it, or those who speak for the President. I don't think a great many of our colleagues are able to define what premium support is, but they will learn about it soon enough if they vote for this legislation. Premium support is a proposal that is primarily sponsored by those who are opposed to the Medicare system.

Let's make no bones about it. There are a number of other colleagues who are still strongly opposed to Medicare. That is no mystery, no secret. This proposal puts forward one of their strongest beliefs—that we need to change the Medicare system—I say undermine the Medicare system—with premium support. What that means is the averaging of various premium bids to determine the Medicare system reimbursement rate. The difference between what the Medicare system reimburses and what real cost is going to be paid by the individual. The premium support proposal does what the insurance companies do best, and that is cherry pick the healthiest senior citizens for their plans so they are able to make money, and leave those who are sicker and older in the Medicare system where the premiums will rise.

I will demonstrate with this chart. This is the Medicare actuarial estimates of the disparity of the premium support, what the premium would be under the proposed legislation. The national average of the current law is $1,200. Several years ago, the estimate under the premium support was $1,771. The new average this year is $1,501. How do we know what the true estimates will be? Premium support is untested, untried, unworkable. We are playing roulette with premium costs for our senior citizens. This is a social experiment that uses our seniors as guinea pigs. That is what premium support is.

Look at the difference, say, if you are in Florida. The agreement reached said by the year 2010 the Secretary will be able to designate six metropolitan statistical areas that qualify. Currently, half the States have those areas. With the kind of subsidies we are providing in this legislation, by the year 2010, I doubt whether there is any State that will not have the opportunity to qualify. I hope our colleagues listen carefully to that because this diversity in premiums is going to come to your State and you are going to have to explain why a senior in one county, who pays same taxes, worked just as hard all his life, and who deserves Medicare, has to pay twice as much as his neighbor in the next county over in premiums for medicare.

Medicare is a universal system that guarantees everyone will be treated equally, according to their medical needs. This legislation turns that proposition on its head and makes your medicare benefits dependent on where you live and what will help private insurance companies the most.

This is the House Budget Committee, the Medicare actuarial data. The difference if we have premium support in Florida, what the premiums would be 1 year in Dade County and another year in Osceola, Fl: Double the premium for the Medicare patients living in Dade; half that for those in Osceola. Now that is in Florida.

Take premium support in California. If you live in Los Angeles, $1,700; in Yolo, CA, $775.

It is just based on where you live. You have lived there all your life. You have your home. You have paid your taxes. You have brought up your children, and you have retired, and you find you are going to pay $1,700 for your premium; and someone in Yolo County, CA, is going to pay $775. Why? Because of this new concept of premium support.

It will happen in every State. For New York City, the Medicare actuaries' estimate that in Queens, seniors would pay $2,000, but only $975 in Erie, NY, because that is the estimate of what the premiums will be with competition in New York.

Try to explain that to your seniors who have lived their life, who have served this country, brought the Nation out of the Depression, fought in the wars, are living back home, and find out their premiums have increased 100 percent or 200 percent or 300 percent.

This is not just what I am saying about premium support, these are the Medicare actuaries. This information comes to us from testimony given before the Finance Committee.

Here we have figures from my home State of Massachusetts: $1,450 in Barnstable, $1,000 in Hampden, MA. So, $400 more if you live down in Barnstable County, in Cape Cod, than the center part of the State.

So if you support this proposal, and you support the premium support, then you are going to have to explain to your constituents and to your elderly people that if they live in one community, they may be paying double what their neighbors are paying in another community.

What this proposal puts forward has never been tried. It has never been tested. And it is mandated—mandated—in this compromise from the House of Representatives. It is mandated in this bill.

You will hear the other side saying: Senator KENNEDY has not got it quite right. You will hear them say: We put a restriction in there, they can only go up 5 percent this year. Five percent this year, 10 percent the next year, 50 percent the year after.

Let's get real. Look at the direction in which we are going. This proposal

has heavy subsidies for the HMOs and a roll of the dice on the premiums for our senior citizens. And that is not even the beginning.

Currently, of our 40 million seniors, there are 6 million who have Medicare but also who have what they call Medicaid to those who are very poor, we are talking about 100 percent of poverty or below. Those beneficiaries have to pay copayments for medical care. Most of the States pick up those copayments. That is what is existing today.

Do you think that is going to continue under this bill? No. No, no. No, no, that does not continue under this proposal. That is actually prohibited under this legislation.

There will be 6 million of our seniors who are getting help and assistance from their States today who will be prohibited from getting it under this proposal. Why? This all saves the money—probably $9 to $12 billion—to use for other purposes.

If you come from a State with large numbers of very poor, and where the State is paying that $1, $3, $5, in terms of the prescription drugs, it does not sound like a lot of money. But if seniors need that drug two or three times a week, it piles up every week, it piles up every month, and it piles up every year.

Why does the conference bill do that? Why in the world did they do that? It was not in the Senate bill. It was in the House bill, and it was accepted in the conference.

Now we come back to those who are the very needy and the very poor, and we see many of our elderly who are excluded from this program with what we call an asset test.

The asset test is basically the following: If you own a car that is worth more than $4,500, you have a wedding ring worth $2,300, you have $6,200 in savings, and you have a burial plot that is worth more than $1,500, all that is considered in terms of your assets to exclude you from being eligible for benefits targeted to the poorest of the poor.

The Senate bill said that low-income people could get the assistance they needed without going through a cruel and demeaning assets test.

Senators from New Mexico, Mr. BINGAMAN and Mr. DOMENICI offered an amendment, which passed by 67 votes, to reaffirmed the Senate's desire not to penalize people because they managed to save a small amount of money during their working lives. I was proud of the Senate, of Republicans and Democrats alike, for recognizing that if we were going to pass a prescription drug bill, it ought to be targeted on the neediest of the needy. But the bill put forward by this conference went in the opposite direction and restored that cruel and demeaning assets test.

We had a good bill. We did not provide these large subsidies to the PPOs and the HMOs. We did not have premium support program that so threatens, undermines and endangers Medicare. No, no, we did not have those. Ours was basically a prescription drug program focused on the neediest seniors built on private sector delivery with a backup in terms of the Medicare system. That was the compromise.

But not here. The conference needed more money to pay for what they call health savings account, the medical savings account, which they have put in this particular conference report, at the cost of anywhere from $6 to $7 billion, draining our national deficit even more and adds to the total cost of the legislation.

Health savings accounts are designed for the healthiest and wealthiest people in our society leaving the sickest and poorest of the workers in this country in the private sector where their premiums could be increased by 20 to 30 to 40 percent. As the debate unfolds, we will be presenting further estimates on this. It was best estimated, from the Urban Institute, at 60 percent increases.

This conference report gives us a whole new kind of a system. We have the heavy subsidizing of private plans with 25 percent more being paid for by seniors. We have the experimental system where you are going to have those enormous swings in premiums all over the country without any predictability, and it is untested and untried. We have the cutting back of 3 million of the neediest people because of the reimposition of the asset test. We have the introduction of the health savings account which is going to skew the health delivery system for millions of workers and the young people in this country.

Many people are going to bail out of their traditional system, and leave their coworkers, who may have greater kinds of health threats, to pay a very enhanced premium and also enhance the premium of the companies themselves.

What are we talking about with this legislation? Let's add it up. Of the about 10 to 12 million American workers who now have retiree accounts, under this proposal, the best estimate is that 2 to 3 million of those who are covered today will lose that, according to CBO.

We heard the estimate—this was a real good one—that up to 30 percent of those who were getting coverage were going to lose it. And then some of our Republican friends said that is too much, that is too many, so let's expand the base, which they did. Let's include all the Federal employees. Let's include other groups in there to lower the percentage. Now they come out and say: I know it was 33 percent before; now it is only 12 or 14 percent.

The total numbers are the same. You are going to lose the 3 million.

This is what we have: 6 million Medicaid beneficiaries who now have wraparound coverage; they are going to be paying more. You have 2 to 3 million retirees who lose their coverage. They are going to be hurt by this legislation.

We have 6 million people in the untested, untried premium support demonstration. Add that up, 15 million of the elderly and disabled are going to be impacted or affected by this program. At the same time we are talking about billions of dollars in the slush fund for the PPOs. We are talking about the health savings accounts, which are billions of dollars, that the taxpayers are going to end up paying. Then we have the asset test which is going to exclude many of our seniors.

This legislation has been altered and changed. It was a prescription drug program when it passed the Senate with strong bipartisan support. Now it is a Medicare Program. At the heart of this program are the kinds of instruments that can undermine Medicare and threaten our seniors now and in the years to come. It doesn't deserve to pass.

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

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

MORNING BUSINESS

Mr. BOND. Mr. President, I ask unanimous consent that the Senate proceed to a period for morning business with Members permitted to speak up to 10 minutes.

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

MEASURES PLACED ON THE CALENDAR—S. 1862, S. 1863, S. 1864, S. 1865, S. 1877

Mr. BOND. Mr. President, I understand there are five bills at the desk, and they are due for a second reading. I ask unanimous consent that the clerk read the titles of the bills en bloc for a second time.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will read the bills by title.

The assistant legislative clerk read as follows:

A bill (S. 1862) to provide certain exceptions from requirements for bilateral agreements with Australia and the United Kingdom for exemptions from the International Traffic in Arms Regulations.

A bill (S. 1863) to authorize the transfer of certain Naval vessels.

A bill (S. 1864) to enhance the security of the United States and United States allies.

A bill (S. 1865) to enhance the security of the United States and United States allies.

A bill (S. 1866) to enhance the security of the United States and United States allies.

Mr. BOND. I would object to further proceedings en bloc.

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

Mr. BOND. 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.

Mrs. FEINSTEIN. 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. FEINSTEIN. Mr. President, is the Senate in morning business?

The PRESIDING OFFICER. The Senate is in morning business.

SMALL ENGINE POLLUTION

Mrs. FEINSTEIN. Mr. President, I will make my remarks as if in morning business, but my remarks pertain to the HUD–VA bill, and in particular to the small engine provision of that bill.

If Members will remember, the Senator from Missouri, in the Appropriations Committee, placed an environmental rider into the HUD–VA bill which would prevent California from moving forward with its regulation to regulate off-road engines under 175 horsepower. The State has developed a regulatory scheme to do so because these engines were a substantial part—17 percent—of the mobile source pollution in the State, and it was believed by the California Air Resources Board that regulation of these engines could be achieved and, in fact, could reduce pollutants considerably.

On the floor of the Senate, the Senator from Missouri offered an amendment to his amendment from committee. The new language which changed the amendment, in my view, making it better, by only affecting engines under 50 horsepower. I spoke against his amendment in the Appropriations Committee. I did not press for a vote on the small engine amendment which he offered on the floor largely because I thought we would lose it and that we had a better chance of trying to remove the language from the bill in conference.

The bill has been preconferenced. Sadly, we have not been able to remove that language from the bill. I am told today that if I were to submit the amendment we had prepared which would eliminate the Bond amendment in its entirety, I would not be allowed a vote on that amendment. I believe the rationale is because I agreed to go to conference. I had only because I didn't want to lose on the floor and I thought I didn't have the votes.

Since that time, a number of States have realized that their regulatory schemes would also be impacted by this provision. Other States would be affected because the 1990 amendments to the Clean Air Act essentially said that California has the ability to regulate these engines, and other States may then take various components of that regulation and enact them as their own State law if they so choose. Since last week, a number of States have weighed in indicating they have regulatory regimes underway that would be affected and that they are opposed to the Bond amendment. Nonetheless, we are where we are.

I have come to the floor today simply to speak about why I think this is so egregious—and I do think it is egregious. I believe it is the first major setback from the clean air amendments of 1990, and specifically from the amendments allowing States to regulate air quality for the protection of their own people. By eliminating this, we are taking important rights away from the States certain rights and diminishing the States' ability to take care of their own people.

As the fire chiefs have said to me in a letter, if they waited for the Federal Government to regulate bedding and upholstery, they would be still be waiting for that regulation. Instead, the States have taken it on their own to make those regulations. The people of California are much safer because of it.

Let there be no doubt. I believe very strongly that this small engine provision should be removed from the bill and that we should restore the States' rights to protect public health under the Clean Air Act.

On the surface, the amendment that was adopted on Wednesday looked like a substantial improvement. At the time I thought it was an improvement simply because it dropped from 175 horsepower to 50 horsepower. However, the amendment still blocks all States from regulating some of the dirtiest engines out there.

The States will lose the ability to reduce pollution from all spark-ignition engines smaller than 50 horsepower. This includes lawn and garden equipment, some forklifts, recreational boats, off-road motorcycles, and all-terrain vehicles. The original small engine provision would not have affected boats or off-road motorcycles. But the amendment adopted on Wednesday is broad enough to affect a whole new group of engines.

This provision will take four California regulations off the books. My State will lose regulations on lawn and garden equipment, recreational boats, and off-road motorcycles.

I don't know whether the effects on additional engines were intentional or not. We told the Senator from Missouri about them and the language did not change.

But I want to point out another important fact about the amendment adopted on Wednesday. The language requires the U.S. Environmental Protection Agency to propose a new national regulation by December 1, 2004. It does not require the EPA to finalize that regulation, ever. They could propose a regulation and never finalize it. The one promising part of this amendment guarantees nothing. The States need to reduce these emissions now.

I want to remind my colleagues just how dirty these engines are. You will see here that mowing the lawn produces as much pollution as driving a car for 13 hours. I didn't know that before. I didn't know that if you mow your lawn for 1 hour it is like driving the automobile for 13 hours.

This chart shows how long you would have to drive a car to produce as much pollution as when you operate various types of equipment for one hour.

In other words, using a weed trimmer for 1 hour produces as much pollution as driving a car for 8 hours, mowing a lawn for 1 hour produces as much pollution as driving a car for 13 hours, and operating a forklift for 1 hour produces as much pollution as driving a car for a full 17 hours.

Clearly, this is a problem. In 8 hours a person can drive from Washington to Charleston, SC. Or he can mow the lawn for an hour and produce just as much pollution. The States need to be able to clean up these engines.

The small engine provision is bad for the States and for public health. The compromise from last week did not change the substantive issues.

The small engine provision is still using an appropriations bill to make fundamental changes to the Clean Air Act. It is an environmental rider on the HUD–VA bill. It has had no authorization. It has had no hearing. It does not belong in this bill.

The amendment from Wednesday still takes a longstanding right away from the States. States with serious air pollution need to be able to reduce emissions from these engines. The 1990 amendments to the Clean Air Act guarantee the States the right to do so. This provision overturns that right without even going through the proper channels.

Under the compromise, my State alone will lose the right to regulate over 4 million cars' worth of pollution. That is what is being taken away—access to 4 million cars' worth of pollution. That means the State is most likely going to have to tighten regulations on stationary sources, which is going to mean more expense to major industries in the State of California. That means job loss in other industries.

I cannot see how building cleaner engines should cost jobs to individuals at one company when every other company has said they will be able to build the engines without job loss. Because Briggs & Stratton does not like one California regulation, every State in the Union is going to permanently lose the right to reduce pollution from these engines. States with serious pollution problems need to be able to reduce these emissions or risk harming public health and losing transportation funds.

This provision affects every single State, not just California. For example, I understand that New York has already adopted the California regulation affecting recreational boat motors. New York will lose that regulation because of this provision.

Eight southeastern States—Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee—have all written a

letter opposing this provision. The letter clearly states that any compromise that does not fully restore the State's rights is unacceptable to those States.

Mr. President, I ask unanimous consent that the November 10 letter from the Southeastern States Air Resources Managers be printed in the RECORD following my remarks.

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

(See exhibit No. 1.)

Mrs. FEINSTEIN. Thirdly, States still need flexibility to improve air quality. One size-fits-all solutions just do not work. We should not force every State to rely on national regulations. National regulations move too slowly and are often just not strong enough for States with a lot of pollution.

We have heard a lot about unfunded mandates lately in the Senate. We have given the States a duty to protect public health. The small engine provision does not change the States' responsibility but it takes away a mechanism by which they might comply with this mandate. This provision, in a sense, creates another unfunded mandate.

The amended provision still creates a very bad precedent. I don't think one company should be allowed to overturn States' rights under the Clean Air Act, especially when that company said on their annual report to the Securities and Exchange Commission on September 11, 2003, that the disputed regulation would not ''have a material effect on their financial condition or results of operations, given that California represents a relatively small percentage of Briggs & Stratton's engine sales and increased costs will be passed on to California consumers.''

This is their 10–K, their report to the Securities and Exchange Commission, from just 2 months ago. Where does the truth really lie? If California is just a small part of the company's market and the company will just pass on the costs, why does Briggs and Stratton object to the California regulation and insist on changing the Clean Air Act? It makes no sense.

I believe people will pay the necessary costs for cleaner engines. I believe that people will pay for cleaner lawnmowers when they learn that you have to drive your car for 13 hours to produce as much pollution as your lawn mower does in 1 hour.

Every company and every industry needs to do their part to protect public health. Briggs & Stratton should be no different. We should not allow them to pass the buck to other industries.

Once again I will quote from a letter from Allen Lloyd, the Chairman of the California Air Resources Board, about this provision. According to Mr. Lloyd,

> . . . the aggregate impact of the 50 hp [horsepower] preemption will be 70 tons per day of smog by 2010, the date by which California's various offroad regulations would have been fully effective. This tonnage impact is over and above Federal regulations for the same emission sources and reflects California's more health-protective rules. For context, 70 tons per day is equivalent to adding 2.4 million cars to California roadways . . .

So when the conference committee includes this provision in their conference report, they are effectively adding 70 tons of pollutants to California's air each day. The California Air Resources Board has also said that this provision could well result in the death of more than 300 people per year in California alone.

California already has seven nonattainment areas, more than any other State. My State has the worst air quality in the country, and now this provision is taking away the State's right to regulate some of the dirtiest engines available. It is a strike at the core of States' rights under the Clean Air Act.

The small engine provision also threatens our economy. California has to reduce emissions from these engines to comply with air quality requirements under the Clean Air Act. Taking away the State's right to reduce emissions threatens our State Implementation Plan, with serious economic consequences.

Violating the State's plan will jeopardize $1 billion in transportation funds per year in Southern California alone. The South Coast could lose those funds next summer. The South Coast has the worst air quality in the nation and cannot afford to lose $1 billion per year in transportation funds.

Statewide, this provision threatens $2.4 billion in transportation funds. And this is just in California.

So this has huge ramifications for my State and every other State facing serious pollution. They will all be in a serious situation in the future when the time comes and they find their hands are tied because one company did not want to build cleaner engines.

It has become clear that the supporters of the small engine provision have confused two very different ideas. Just because a group is concerned about the California regulation on lawn and garden equipment does not mean they support the small engine provision.

The California Association of Fire Chiefs has expressed important safety concerns about a specific regulation. But the chiefs have also clearly said they oppose the small engine provision because of its affect on States' rights. The Fire Chiefs understand the importance of state leadership on these issues. To quote the chiefs' November 11 letter in reference to the small engine provision:

> We were never asked to comment on this matter, but for the record, we do not support legislation that would interfere with a state's ability to protect its own citizens.

Mr. President, I ask unanimous consent that the Fire Chiefs' letter from November 11 be printed in the RECORD following my remarks.

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

(See exhibit 2.)

Mrs. FEINSTEIN. Mr. President, I do not quite know what to do. I would very much like to have a vote on this matter. I have tried to importune the conferees. I am told the Governor of California, Mr. Schwarzenegger, now inducted as Governor, has indicated his support for the removal of this amendment. It is my understanding that a whole panoply of States oppose this provision.

It is clear to me this is a bad thing. It is clear to me this is going to set back the cause of clean air. It is clear to me this is going to impact youngsters and the elderly with asthma and other lung diseases. It is clear to me that it is going to impact our transportation dollars. It is clear to me that by 2010, because of one company, California is going to have deal with 70 additional tons of smog per day. None of this needs to happen.

I regret that I cannot send an amendment to the desk. I regret I am not being allowed a vote on the amendment. But this is the wrong thing to do.

I yield the floor, Mr. President.

EXHIBIT 1

SOUTHEASTERN STATES AIR RESOURCE MANAGERS, INC.,
November 10, 2003.

Hon. ZELL MILLER,
Dirksen Senate Office Bldg.,
Washington, DC.

DEAR SEN. MILLER: Southeastern States Air Resource Managers, Inc. (SESARM), representing the directors of the southeastern state air pollution control agencies in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee, is writing this letter to encourage your support of the removal of a position introduced by Senator Bond in S. 1584, the Fiscal Year 2004 VA, HUD and Independent Agencies Appropriations Bill. The provision would amend Section 209(e)(1)(A) of the Clean Air Act to curtail a state's authority to reduce emissions from diesel and gasoline off-road equipment and engines.

While Senator Bond's proposed provision regarding the off-road engines apparently was intended to address rules adopted only in California, it will limit the ability of all states to solve serious public health-related air quality problems. Senator Bond's proposal revises a very important provision of the Clean Air Act which allows states to adopt engine emission standards more stringent than the federal standards as long as appropriate federal review processes are followed. Congress wisely put this provision into the Act to give states the ability to deal with serious air quality problems across the country. SESARM opposes the impact of the Bond proposal on this important provision.

Please note that other compromise amendments which fall short of fully restoring Section 209(e)(1)(A) are, in our opinion, unacceptable and will constrain states as discussed above. SESARM and your state air pollution control agency would appreciate your support of removal of the Bond Amendment from S. 1584.

Sincerely,

JOHN E. HORNBACK,
Executive Director.

EXHIBIT 2

CALIFORNIA FIRE CHIEFS ASSOCIATION,
November 11, 2003.

Sen. DIANNE FEINSTEIN,
Hart Senate Office Building,
Washington, DC.

DEAR SEN. FEINSTEIN: The California Fire Chiefs Association (CFCA) has been expressing concerns about the potential fire hazard posed by catalytic converters that may be required for certain lawnmowers and other outdoor power equipment. In just the past few days, out concerns seem to be receiving significant attention.

After further investigation we have determined that there were some misunderstandings between CFCA representatives and the California Air Resources Board (CARB) as it relates to the regulations.

The fire safety issues we raised need more attention and require independent assessment before engineering and production decisions are made. In our most recent discussions with CARB, they support the idea of an independent study, and have proposed moving forward with a study, much the same as what is now underway with catalytic converters being used in marine applications. We enthusiastically support this idea, and will be working closely with CARB, the Sate Fire Marshal, and the US Environmental Protection Agency to ensure that all fire safety concerns are addressed. We wish to make clear that we regard fire safety and environmental quality as being equally important, and wish to make it clear that we support without reservation the air quality goals of the proposed requirements. We support the regulation moving forward as we have received assurances from CARB that our safety concerns will be addressed through the independent study.

Finally, we understand that as a separate matter, the Senate is debating the question of whether states are free to develop safety and environmental standards. We were never asked to comment on this matter, but for the record, we do not support legislation that would interfere with a state's ability to protect its own citizens. To the contrary, we have had to count on the Sate of California to develop fire safety standards for upholstered furniture, mattresses and bedding because the federal government has failed to do so. The issues of fire safety and air quality as they relate to outdoor power equipment can be addressed, and I believe that working closely with CARB we will find a solution that will provide a high degree of fire safety while maintaining CARB's goals for air quality.

In closing, allow me to express my personal apologies to you. We were not aware that you had an interest in this matter or that we were engaged in anything beyond fire safety. As you know, we have had our hands full in the past month. Even so, if we had been aware of your interest, we would have asked for your help in sorting through these issues. You have always been there when we've needed your help. We look forward to moving beyond the current issues and working with you on higher levels of air quality and fire safety for the communities of California.

Sincerely,

WILLIAM J. MCCAMMON,
President,
California Fire Chiefs Association.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I have had numerous discussions with the Senator from California. Obviously, we see these issues very differently.

Let me point out to my colleagues, this is not something that has just come up. When we had the committee markup of this bill, the Senator and I had an opportunity to debate it at that point. An amendment, not modified, such as the one I presented on the floor last week, was kept in the bill. Her motion to strike failed 17 to 12.

After that time, we met with the Senator from California and other concerned Senators to make sure we did not do the things that the current California Air Resources Board regulation would do; that is, cost 22,000 American jobs and put at risk of fire, burn, and explosion people using small engines, whether they be in a lawnmower, a leaf blower, a weed eater, or a chain saw. These were the real problems in the California Air Regulation Board proposal.

Now, when I listened to the Senators, they wanted to make sure, No. 1, they did not affect diesels. I said good point; make sure we cut diesels. They wanted to make sure it only applied to smaller engines, and that is why we put the 50 horsepower and smaller engine limitation in it. They wanted to make sure you could require retrofitting, and we made it clear it was only for new engines.

Most of all, almost every State wanted to get some form of reduction of pollution from these small engines, so we crafted an amendment that made all those changes and specifically directed the EPA to move forward with a rule. The fastest they can do that rule is that it is to be proposed by December 1, 2004; and then the EPA is required to move forward on it. That would be a quicker reduction in emissions than under CARB, the California Air Resources Board, proposal.

Now, when this measure came to the floor, I had a number of cosponsors, people who felt very strongly, as do I, about this amendment, and we debated it on the floor. The Democratic leadership came to us and said: We do not want to vote on this. We want to accept it by voice vote. We said: All right, we will cut off the debate, accept it by voice vote, if that is the last we are going to deal with it.

Now, today, my colleague from California says she was not a party to that agreement and she wants a vote on it. Well, I view it as a failure to live up to that agreement.

Nevertheless, there are a very significant number of Senators on my side, and I assume on the other side, who would want to weigh in on it, and some of those Senators are not back. As I said, we have a deadline this afternoon when we are going to try to take other amendments on this bill. I said we would not be debating this amendment today because other Senators have amendments that must come up.

But there is so much misunderstanding about what the Clean Air Act provides, what CARB has done, and what my amendment would do.

First, the Senator has said, on a number of instances, that every State loses the right to fight pollution. States can take bits and pieces of the California ruling and use it in their State.

Well, No. 1, California is the only State that has a narrow exemption for engines under 175 horsepower that do not affect agriculture and construction. Obviously, many of these engines that are affected would affect agriculture and construction. No State can pick and choose and develop its own regulations from part of the California regulation or take bits and pieces of the California regulation. No State, on its own, can go out and regulate these small engines. There was a presumption in the Clean Air Act that we would have a national standard.

Now, the EPA has moved forward on regulations on a wide variety of engines. We are directing them specifically to go after these small engines and get the proposed rule out within 1 year, to consider job loss, and to consider the fire hazard of these catalytic converters.

I understand the CARB regulation would not go into effect until 2007. My colleague from California said we cannot force all States to rely on national standards. Well, that is what the Clean Air Act does. We want to make sure the national standards are imposed to give every State the reduction in air pollution which comes about from implementing the kinds of changes that were made for ATVs and snowmobiles that do not require catalytic converters.

At the end of the day, if they cannot get the reductions, then EPA, which has a national responsibility, can listen to all of these arguments. Frankly, many of the arguments made by the Senator from California reflect a completely different understanding than I have on the science and on the technology involved.

Under these circumstances, I do not think we ought to be exporting 22,000 jobs to the Far East, perhaps China, and posing a significant fire risk to anybody using small engines.

As I have said before, I use those small engines. When I am using a chainsaw, I am very aware of the danger of that saw blade. If it had a catalytic converter-heated engine, at 1,100 degrees, I do not know how I would do it. I would probably, if I cut down a tree, set the tree on fire with the catalytic converter.

When we are talking about fire hazards, as I would think anybody in California would be very much concerned about, a catalytic converter is a tremendous fire hazard. I will go into that in a moment.

But my colleague said one company, referring to Briggs and Stratton, should not be allowed to change our air quality rules. Frankly, California wrote a rule that favors one company, Honda, which manufactures small engines and has very significant production in the Far East already.

They could start up just like that because the American companies would

not be able to retool immediately. Honda would capture the market. I am arguing for the jobs of 5,000 workers in Missouri, 5,101 workers for Briggs & Stratton, and about 2,000 of them work for Briggs & Stratton; 3,000 of them work for other companies that have part of this: In Wisconsin, 5,158 jobs; Georgia, 2,542 jobs; Kentucky, 2,198 jobs; Illinois, 2,116 jobs; Alabama, 1,288 jobs.

I am worried about the workers. I have visited those workers. I did not know the Senator from California was coming to the floor today. Otherwise, I would have brought out a scroll signed by the workers who would lose their jobs if this amendment were adopted.

The Senator points out that Briggs & Stratton said it wouldn't cause them much trouble. Well, they are a multi-billion-dollar company. They can move their production to China as well. I fully expect that they would. It wouldn't make much of a difference to the shareholders. They said it wouldn't affect the shareholders, no. But it will affect 22,000 jobs in the United States. That is why this amendment is important.

These arguments and the totally differing view of how this problem can be addressed should rightly be debated at the national level. The EPA is directed to move forward, take all the technological information, take the arguments, listen to the safety concerns, listen to the cost benefit arguments, and figure out how the Nation can get cleaner air by further limiting the pollution from these small engines. If they come down with a modified catalytic converter proposal at the end of the day, so be it.

But the California fire chiefs were excluded from the negotiations. The negotiation went on between CARB and Honda. The California fire chiefs were stunned because they had been assured that there would not be a problem with the regulation causing fire.

After they saw the CARB rule, the California State fire marshals wrote a letter saying:

> We categorically do not support the CARB proposed regulation because we believe it will lead to a substantial increase in residential and wildland fires.

The Senator and the chief of staff from California have had very direct conversations with representatives of the California fire chiefs. They must have been very persuasive because now their letter says:

> We are sure that the safety concerns can be addressed.

I think that suggests that there was a great deal of effective persuasion applied. But they were not the only ones who believed there was a problem, when you look at the other people who have raised questions about it. The National Association of State Fire Marshals remains very concerned that the CARB rule cannot be safely met. The U.S. Consumer Product Safety Commission expressed concerns over the potential for burn, fire, or material hazards that remain unaddressed. The Missouri State fire marshals remain concerned that the CARB rule creates a significant threat to the safety of the people, property, and the environment. The National Marine Manufacturing Association is concerned that California's activities create marine safety issues that must be evaluated further before they are imposed on industry.

There is one place where they can evaluate those concerns and evaluate the technology and make sure we clean up the air without an undue cost, a cost in risk of fire and explosion. I was talking with a fellow in Missouri this weekend at a football game. His neighbor drove a car with a catalytic converter out into the field, caught the field on fire. A lot of people are very much concerned, in addition to these groups, as to the dangerousness of catalytic converters, which can get up to 1,151 degrees.

In the November 6 letter I received before there was this very persuasive meeting with the eloquent Senator from California, the California fire chiefs said:

> Earlier this year, in oral and written communications to the California Air Resources Board, our association expressed serious concerns about the CARB's plan to require catalytic converters on lawn mowers and other lawn and garden power equipment. Firefighters have far too much experience suppressing fires caused by catalytic converters on automobiles carelessly parked on combustible grass and leaves. After this past month of fighting wildland fires, we are almost too tired to think about catalytic converters on lawn mowers which, after all, are intended for use on grass. California does not need yet another way of igniting fires.

That was the November 6 letter sent to me.

Grass ignites at about 500 degrees. Grass clippings ignite at 518 degrees. High efficiency catalytic converters from CARB's own testing reach temperatures of 1,126 degrees Fahrenheit. We wrote to CARB. I asked them if they had any safety data, if they had done any studies, had they looked at alternative methods, had they tried out any of these small engines with catalytic converters, had they done any tests. We asked them a whole list of questions that any responsible agency would be expected to answer. I fully expect the Environmental Protection Agency to make sure we have a rule that cleans up the environment but doesn't cost jobs and doesn't increase significantly the risk of fire.

There are many issues we are not going to be able to resolve here today. I want to see these technology issues debated, worked out on a prompt schedule, and produced in a resolution by the EPA.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

Mr. BOND. I object.

The PRESIDING OFFICER. Objection is heard.

The clerk will continue the call of the roll.

The legislative clerk continued with the call of the roll.

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

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

Mr. REID. Mr. President, I have been working with the distinguished Senator from California for more than a day. I am trying to work out this very sensitive issue dealing with small engines, which has been talked about at some length.

I am very disappointed that the majority is not going to allow the Senator from California to have a vote on this amendment. It is too bad. It happens. It happens too much around here. When there is some decision made that they may not be able to win the vote, they just don't give us a vote. I think that is unfortunate.

I have spoken to the Senator from California and, of course, everybody needs to hear it from her. We are going to take our chances in conference on this matter. The House has said this should not be in the bill. The Senator from California, if she wanted to be like too many people are around here and say if she doesn't get what she wants, nobody will get anything, could hold up action on this important legislation that Senator MIKULSKI has worked on for many months with the majority.

The only thing I can say is I applaud the Senator from California for what she has indicated she reasonably might do, and that is not go forward on this amendment. I think it is too bad.

I have said it before, and I will say it again. I personally think she is on the right side of this issue. If this matter were brought to a vote, I think she would win it on the Senate floor. Obviously, we have been here now for 3½ hours, and the majority has indicated they are not going to allow a vote. When this amendment goes down, it will allow us to move forward with other pieces of this legislation.

I say to my friend from California, it is my understanding that she has heard the statements that I have made. And as I have indicated through the Chair to the Senator from California, this happens far too often here. When it appears there is a chance that we can win a vote, they don't give us a vote. As a result of that, we are not going to be able to have a vote. But for the Senator from California, being the team player she is, we would not be able to go forward on the bill. I still think the Senator from California and the Senator from Nevada are members of the conference, and we will do our best in full conference to see that justice prevails. I will do what I can.

I express my appreciation to the Senator from California for her not moving

forward with the amendment at this time.

Mrs. FEINSTEIN. Mr. President, I thank the Democratic whip for his concern and his words.

I want to correct a couple of things. The Senator from Missouri pointed out that catalytic converters are fire hazards. That may be true with some. But virtually every automobile, every pickup truck, every sport utility vehicle driving on the roads and highways of California today is equipped with a catalytic converter. It has been that way for a substantial period of time. Catalytic converters are nothing new.

Secondly, I want you to know that Honda has said that they would increase their U.S. production of these engines even with the California regulation. So, in other words, there are other companies manufacturing these engines in the United States that have said they would adhere to these new regulations and produce cleaner engines.

Thirdly, I want you to know that Briggs & Stratton has already moved some of its operations to China. I very much doubt that this California regulation has much to do with it. I am told they have been manufacturing in China since 1986, and in April of this year they increased their ownership share of two factories in China from 52 percent to a controlling 90 percent. I am also told that California regulators have incorporated Briggs & Stratton's own recommendations into its final rule issued in September. The Air Resources Board relaxed the regulation's exhaust emissions standard, relying instead on controlling evaporative emissions, as recommended by Briggs & Stratton.

So I don't know why this is being done. But I will tell you one thing: everybody who votes to sustain this will be also voting to put 70 more tons of smog into California's skies in 2010. That is how important this issue is to our State.

I yield the floor.

Mr. REID. Mr. President, it is my understanding that the Senator is going to withdraw the amendment.

Mrs. FEINSTEIN. I did not send it to the desk.

The PRESIDING OFFICER. The Senate is in morning business at this time.

Mr. REID. Could the bill be reported?

Mr. BOND. Mr. President, I ask that we go to the bill.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2004—Resumed

The PRESIDING OFFICER. The clerk will state the bill.

The legislative clerk read as follows:

A bill (H.R. 2861) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes.

Pending:

Bond/Mikulski amendment No. 2150, in the nature of a substitute.

Clinton amendment No. 2152 (to amendment No. 2150), to permit the use of funds for the Capital Asset Realignment for Enhanced Services (CARES) initiative of the Department of Veterans Affairs for purposes of enhanced services while limiting the use of funds for the initiative for purposes of the closure or reduction of services pending a modification of the initiative to take into account long-term care, domiciliary care, and mental health services and other matters.

Mr. REID. Mr. President, I ask unanimous consent that the only amendments in order on this bill be the Dayton amendment on the Wellstone Center; Durbin amendment on senior discount; Jeffords amendment on new source review study; Bingaman sense-of-the-Senate amendment on DOD smallpox vaccine; Schumer, EPA clean air amendment; Feingold, VA health care fairs/outreach; Reid-Graham, Iraq prisoners; Daschle, Agent Orange; and the managers' amendments that are approved by Senators MIKULSKI and BOND.

Mr. BOND. Mr. President, I have no objection on this side.

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

Mr. BOND. Mr. President, I appreciate the actions taken by the distinguished minority whip, the Senator from Nevada, and also the agreement by the Senator from California to withdraw her amendment.

All I can say about it is, No. 1, we had an agreement, we thought, with the floor staff when we debated this last week—requested by the minority floor staff—that there not be a vote because they did not want a vote. Our condition was we needed to move on to other things. We would have a brief time schedule. As you can see, there is no way that we can restart, in the 45 minutes we have left, this entire debate.

I will state that I categorically disagree with the views reached by the Senator from California. If we are successful in including the measure in the final VA–HUD amendment, all these issues will be resolved by the EPA.

Mr. President, we had an oversight. Senator MCCAIN has an amendment that he was promised the other day. I ask the minority leader if he would agree to adding that since we told Senator MCCAIN he could bring his amendment up.

Mr. REID. Yes, I agree that he should be able to do so.

I ask unanimous consent that the McCain amendment be added to the list.

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

Mr. BOND. Mr. President, we are open for business. 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. BOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 2194 TO AMENDMENT NO. 2150

Mr. BOND. Mr. President, I send an amendment to the desk on behalf of Senator REID of Nevada and Senator GRAHAM of Florida, and I ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to laying aside the pending amendment?

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

The legislative clerk read as follows:

The Senator from Missouri [Mr. BOND], for Mr. REID, for himself, and Mr. GRAHAM of Florida, proposes an amendment numbered 2194 to amendment No. 2150.

Mr. BOND. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To express the sense of Congress on damages caused by the regime of Saddam Hussein during the First Gulf War)

On page 125, between lines 7 and 8, insert the following new section:

SEC. 418. (a) Congress makes the following findings:

(1) During Operation Desert Shield and Operation Desert Storm (in this section, collectively referred to as the ''First Gulf War''), the regime of Saddam Hussein committed grave human rights abuses and acts of terrorism against the people of Iraq and citizens of the United States.

(2) United States citizens who were taken prisoner by the regime of Saddam Hussein during the First Gulf War were brutally tortured and forced to endure severe physical trauma and emotional abuse.

(3) The regime of Saddam Hussein used civilian citizens of the United States who were working in the Persian Gulf region before and during the First Gulf War as so-called human shields, threatening the personal safety and emotional well-being of such civilians.

(4) Congress has recognized and authorized the right of United States citizens, including prisoners of war, to hold terrorist states, such as Iraq during the regime of Saddam Hussein, liable for injuries caused by such states.

(5) The United States district courts are authorized to adjudicate cases brought by individuals injured by terrorist states.

(b) It is the sense of Congress that—

(1) notwithstanding section 1503 of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108–11; 117 Stat. 579) and any other provision of law, a citizen of the United States who was a prisoner of war or who was used by the regime of Saddam Hussein and by Iraq as a so-called human shield during the First Gulf War should have the opportunity to have any claim for damages caused by the regime of Saddam Hussein and by Iraq incurred by such citizen fully adjudicated in the appropriate United States district court;

(2) any judgment for such damages awarded to such citizen, or the family of such citizen, should be fully enforced; and

(3) the Attorney General should enter into negotiations with each such citizen, or the family of each such citizen, to develop a fair and reasonable method of providing compensation for the damages each such citizen

incurred, including using assets of the regime of Saddam Hussein held by the Government of the United States or any other appropriate sources to provide such compensation.

Mr. REID. Mr. President, I rise on behalf of myself and Senator GRAHAM of Florida, and on behalf of 17 brave Americans who were taken hostage and tortured by Saddam Hussein during the first Gulf War.

I have already spoken in this Chamber about the horrible treatment these Americans endured. Saddam's evil henchmen violated international law in the treatment of these war prisoners, and they violated every law of human decency.

After the war, these prisoners sought justice against Saddam. They did it not only because he had tortured them in violation of the law, but also to send a message that would protect other Americans in the future. And Congress supported their effort. In 1996, Congress amended the Foreign Sovereign Immunities Act so their case would be able to proceed.

They won their case in court on its merits because they had the truth and the law on their side. But now they are in danger of losing the judgment they legally obtained because they do not have the United States Government on their side.

The Justice Department intervened to prevent them from collecting their judgment from seized Iraqi assets. And when this Senate responded by passing this very same amendment a few weeks ago, the State Department intervened by seeking to strike the amendment from the special Iraq-Afghanistan appropriations bill.

In a letter dated October 27, Deputy Secretary of State Armitage wrote these words:

> Under the President's May 7, 2003 Determination . . . any provision of law that applies to countries that have supported terrorism was made inapplicable to Iraq.

This is the country we invaded as part of our war on terrorism . . . yet the President has said that Iraq will not be treated as a nation that supported terrorists.

I think that is wrong, and my amendment, which is exactly the same as the one the Senate earlier approved, makes perfectly clear the longstanding intent of Congress that terrorists who torture U.S. citizens must be held accountable.

Saddam Hussein was a tyrant who committee horrible atrocities against his own people and against Americans. In fact, many believe that he is behind the continuing attacks on our American solders. It is beyond my comprehension why these Federal bureaucrats are now siding with Saddam Hussein and against these former prisoners of war who suffered at his hands.

These brave heroes are merely seeking to hold Iraq accountable for its crimes, and deter the torture of any American citizen by a terrorist state in the future. A civilized world cannot let such crimes go unpunished. The perpetrators must be held to account.

I urge adoption of this amendment.

Mr. GRAHAM of Florida. Mr. President, I join Senator REID today in offering an amendment that would allow a group of 17 prisoners of war from the first war in Iraq and their families, to collect the damages that have been awarded to them in a court of law, that are being blocked by the Bush administration.

Historically, foreign nations and their diplomats have been protected from lawsuits in the United States, for their actions. However, that historical protection has been limited in certain instances. In 1996, Congress amended the Foreign Sovereign Immunities Act to allow American citizens and families of American citizens to sue nations that have been found to be ''terrorist states,'' for acts of terrorism such as torture or taking of hostages. Congress went on to enact the Terrorism Risk Insurance Act of 2002, which included a provision to allow frozen assets of terrorist states in U.S. banks to be used to pay court-awarded damages.

Relying upon this legal framework, 17 of 21 prisoners of war of the 1991 Persian Gulf War and 37 members of their immediate families filed suit against Iraq. I won't describe the horrific experiences of every one of these brave men or the unimaginable distress of their families. But I do want to tell you about the experience of three of these POWs: LTC Michael Robert; LTC Russell Sanborn; and LTC Craig Berryman, three service members from Florida. It is important for the Senate and the American people to understand what they suffered while they were held in captivity.

These soldiers endured horrendous treatment and are fortunate just to have survived. LTC H. Michael Roberts was shot down while flying over Iraq on January 19, 1991, He was able to eject but was immediately captured when he landed. In captivity, he suffered repeated beatings—his captors cut his head from repeated blows from their rifle butts and he was shocked with an electronic prod.

LTC Russell Sanborn's plane was shot down on February 9, 1991, and he was taken prisoner by a group of Iraqi soldiers. He was brutally beaten and suffered severe malnutrition. He lost 14 pounds in 26 days. Upon his release, Russell was diagnosed with parasitic anomalies and hearing loss.

LTC Craig Berryman's aircraft was shot down on January 28, 1991. In captivity he survived numerous beatings and torture. As a result of his abuse in Iraq, Craig has continued to experience health problems.

After having to relive these horrors in court, on July 7, 2003, a judgment was rendered in their favor and they were awarded compensatory and punitive damages. The problem is that when they went to collect their damages against the frozen Iraqi assets held in U.S. banks, the money was no longer there. That is because on March 20, 2003, immediately after start of military action against Iraq, President Bush issued an executive order confiscating Iraq's frozen assets in the United States and placing them in the Iraq Development Fund for use in its reconstruction.

The Bush administration has done every thing in its power to undermine the integrity of this judicial process and to protect the interests of Iraq over the interests of American former prisoners of war. On May 22, 2003, the President issued another executive order which prohibits any judicial action that would seek funds from the Development Fun for Iraq, or other Iraqi national assets. The Bush administration went on to interpret the language in the 2003 emergency war supplemental intended to remove restrictions to providing foreign assistance to Iraq as a bar attachment of Iraqi foreign asset.

When repeatedly asked about why the administration is standing in the way of these veterans being paid their court-awarded damages, the White House spokesman, never answered the question, but reiterated, three times, that ''there is no amount of money that can truly compensate these brave men and women for the suffering they went through at the hands of Saddam Hussein.'' If the Bush White House has their way, there will, in fact be no amount of money to compensate these brave men and women despite having proven their case in a court of law.

Earlier this month, Congress approved President Bush's $87 billion supplemental appropriation request for the occupation and rebuilding of Iraq. At that time, I raised some significant questions as to our national priorities. We are facing mounting national debt. While our roads, bridges, schools, water and sewer lines, and electric grids are deteriorating, we will be sending billions of dollars to rebuild Iraq.

This is another one of those questions. We are sending money to rebuild Iraq, but we are turning our back on a judicial decision that was achieved under laws this body created. We are turning our backs on the torture inflicted upon these 17 veterans who were taken as prisoners of war while serving our country.

Mr. President, the costs of war do not end at the borders of Iraq; veterans will continue to pay them for years to come. I urge my colleagues to join us in this effort to see this injustice is rectified. I thank Senator REID for his leadership on this issue.

Mr. BOND. Mr. President, we are willing to accept the amendment on this side.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, again this is an amendment that was offered and adopted earlier. It deals with Americans who were held prisoner of war in the first gulf war. This is legislation that is directly in keeping with the sense of the last amendment that was

adopted. Senator GRAHAM feels strongly about this issue, as do I. I ask that the Senate approve the amendment.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to amendment No. 2194.

The amendment (No. 2194) was agreed to.

Mr. REID. I move to reconsider the vote.

Mr. BOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. 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. MCCONNELL. I ask unanimous consent that I be permitted to speak as in morning business for 10 minutes.

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

(The remarks of Mr. MCCONNELL are printed in today's RECORD under ''Morning Business.'')

Mr. MCCONNELL. 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. DURBIN. 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. DURBIN. Mr. President, are we on the VA–HUD appropriations bill?

The PRESIDING OFFICER. We are.

Mr. DURBIN. It is my understanding that at 4:30 we are going to move to the FAA reauthorization bill. Understanding that deadline faces us, with the approval of the chairman of the subcommittee—I hope to have his attention before I make this request—if I might ask the Senator from Missouri, would it be acceptable for me to divide the time between now and 4:30 so that I would use 15 minutes and then yield to Senator DAYTON for 15 minutes, who also has an amendment to offer? That way, we would reach the 4:30 deadline by dividing the time equally. If that meets with the approval of the chairman of the subcommittee, I would like to make a unanimous consent request along those lines.

Mr. BOND. Mr. President, to respond to my good friend, No. 1, we are ready to accept his amendment. If we could have some more time to handle other business, I would like to. If, perhaps, the Senator—each Senator could take 5 minutes or 10 minutes?

Mr. DURBIN. Let me thank the chairman for accepting my amendment. I will take 5 minutes and that is all. I would like to give 15 minutes, if it is acceptable, to Senator DAYTON to offer his amendment, and then I think that leaves you a balance of 10 minutes before 4:30.

Let me say I accept the offer of the Senator from Missouri. I will speak for 5 minutes.

Mr. BOND. I thank the Chair.

AMENDMENT NO. 2195

Mr. DURBIN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER (Mr. CHAMBLISS). Without objection, the pending amendment is set aside. The clerk will report.

The legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN], for himself Ms. SNOWE, Mr. JEFFORDS, Mrs. BOXER, Mr. LAUTENBERG, Ms. CANTWELL, and Mr. LIEBERMAN, proposes an amendment numbered 2195.

Mr. DURBIN. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place insert the following:

None of the funds provided in this Act may be expended to apply, in a numerical estimate of the benefits of an agency action prepared pursuant to Executive Order 12866 or section 812 of the Clean Air Act, monetary values for adult premature mortality that differ based on the age of the adult.

Mr. DURBIN. Mr. President, I ask the following Senators be added as cosponsors of this amendment: Senators SNOWE, JEFFORDS, BOXER, LAUTENBERG, CANTWELL, and LIEBERMAN.

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

Mr. DURBIN. In 5 minutes, I will try to describe very briefly what this amendment does.

This amendment will stop the Environmental Protection Agency and other agencies funded in this bill from using the discriminatory method known as the senior death discount. Right now, heart disease, cancer, and strokes are the leading causes of death of people over 65. According to CDC, air pollution can be particularly devastating to the health of seniors.

The EPA should be creating regulations to protect everybody. However, now we are in the cost-benefit era, and that means each regulation has to be costed out. In other words, we must determine the burden regulations have on the private sector of our economy, including what will it cost them. We must also determine the benefit regulations have for all Americans.

In order to reach the proper evaluation of any regulation, you have to determine the cost of the harm that is being done. That is why this amendment is being offered.

Right now, the EPA is discounting the lives of senior citizens. You may have seen this ad in magazines and newspapers showing this forlorn senior. This lady has been told that since she is over the age of 70, she is only worth 63 percent of any other person, say someone age 69. You can understand her sadness, and a sadness that might be shared, incidentally, by some 19 Senators who are 70 years old or older. Try to tell these Senators they are worth only two-thirds of those younger, and you are in for a fight—and rightly so. Their lives are as important to them and to our Nation as anyone else's life.

We need to try to establish the cost to America in honest terms, to determine, for example, the real cost of the regulation relating to heavy diesel equipment, and not say senior citizens are worth less today than others.

I ask unanimous consent that a letter in support of my amendment from the AARP be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AARP,
Washington, DC, November 14, 2003.

Hon. RICHARD J. DURBIN,
Senate Dirksen Office Building,
U.S. Senate, Washington, DC.

DEAR SENATOR DURBIN: AARP commends you for your efforts to amend H.R. 2861, the Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations bill for Fiscal Year 2004, to prohibit the use of funds to ''apply numerical values for adult premature mortality that differ based on the age of the adult in a numerical estimate of the costs and benefits of an agency action. . . .'' We urge that you continue your efforts as the bill is folded into an omnibus appropriations measure.

AARP submitted comments in May to the Office of Management and Budget in response to its Draft 2003 Report to Congress on the Costs and Benefits of Federal Regulations. In them, we expressed our deep concerns regarding the arbitrary 37 percent discount to the life value of adults aged 70 and over incorporated by the Environmental Protection Agency in its cost-benefit analysis of the Administration's Clear Skies Initiative. We noted that the discount lacked a sound scientific basis, and we voiced concerns regarding its ultimate impact not only on older persons, but on the rest of the population as well.

OMB's Office of Information and Regulatory Affairs subsequently called upon EPA to discontinue use of the age adjustment factor cited above, and advised other federal agency analysts that they should not use it either. At the same time, the agency appeared to encourage other methodologies that might assign monetary values for adult premature mortality that differ based on the age of the adult. Application of age-related analytical methodologies or others involving population subgroupings—particularly when monetary assessments are assigned to life value—hold great risks. We are concerned that there may be insufficient science to justify such action.

Again, AARP strongly supports your efforts as well as those of Representative Thomas Allen, to ensure that the lives of older people not be devalued, and that needed protections not be shortchanged by the application of biased analytical approaches. We urge your colleagues in conference to do the same.

Should you have any questions, please contact me or have your staff contact Jo Reed or Tim Gearan in our Federal Affairs office at 202–434–3800.

Sincerely,

MICHAEL NAYLOR,
Director of Advocacy.

Mr. DURBIN. What we see, and I will summarize, is an effort by some to discount the lives of senior citizens in America when judging the impact of public health regulations. That has to come to an end. We have to make certain the policy we follow in this country, the policy that is being articulated by John Graham, the head of the OMB regulatory office, is one that counts senior citizens the same as any other citizen.

Some of the statements made by Mr. Graham are troubling. But with this statement, and the amendment we have offered today, which is identical to the one offered by the House of Representatives, this bill will say once and for all that senior death discounting has to come to an end.

I ask unanimous consent that a list of supporting groups be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. DURBIN. To reiterate, this amendment would stop the EPA and other agencies funded in this bill from using a discriminatory method of regulatory analysis known as the senior death discount.

Heart disease, cancer, and strokes are the leading causes of death for people age 65 and older. According to the CDC, air pollution can be devastating to the healthiest Americans, but can be deadly for senior citizens and other vulnerable populations with these diseases. The EPA should be creating regulations that maximize health protections for everyone, especially older Americans.

However, instead of maximizing the benefits for everyone, the regulatory analysis is being manipulated in a way that makes seniors' lives, and the lives of other vulnerable populations, worth less than the lives of other Americans. This practice, commonly known as the senior death discount, devalues the lives of almost 30 million Americans who are over the age of 70.

To give you a sense of how this works, when the EPA develops environmental regulations, it must evaluate the costs and benefits of multiple regulatory alternatives. As part of the calculation of benefits, the EPA places a dollar amount on each life that can be saved by implementing each alternative. The EPA often makes a determination about which regulatory alternative to adopt based on the comparison of the benefits and costs.

Historically, the EPA valued all lives equally by using the same dollar amount for every potential life saved. But now the OMB is encouraging agencies to base the value of a life on the age of a person. In many cases, when discounting was applied, the life of each person over the age of 70 was valued at 37 percent less than the life of a younger person. In other cases, each year people aged, their lives were considered to be worth less—leading to some lives being worth a de minimus amount. In still other cases, the lives of people with illnesses or other health conditions were further devalued.

The use of the senior death discount has played a significant role in some very important environmental policies. In a rule to cut emissions from heavy diesel equipment, the EPA not only lowered the value of saving the lives of seniors, but also for children and the disabled. In the end, discounting calculations shrank the benefits from over $81 billion to just over $12 billion.

In a regulatory proposal to control air pollution from snowmobiles, the benefits were originally calculated to be approximately $77 billion by 2030. However, the health benefits dropped to only $8.8 billion—half of this decrease was due to the senior death discount and half was due to selective use of scientific studies limiting the amount of people who were affected. Applying the senior death discount in this instance made certain regulatory alternatives less appealing, and the rule was ultimately weakened as a result.

Some of my colleagues may wonder whether this amendment is still necessary, given that former EPA administrator Christine Todd Whitman said the agency would no longer discount the lives of seniors by 37 percent when calculating the benefits of regulatory policies. However, there is no guarantee that the new administrator or other agencies will follow this policy.

In addition, Whitman's remarks did not apply to other forms of discounting, which continue to be used. These other forms of discounting also reduce the benefits of important regulatory policies. Besides seniors, vulnerable populations, such as children and those with chronic illnesses and disabilities, are affected when these forms of discounting are used.

John Graham, the head of the OMB regulatory office, has backed away from his support of the 37 percent discount rate for seniors. However, as recently as June 16, he is still insisting that the value of saving lives should depend on a person's age, and he is still pushing agencies to use forms of discounting.

It seems that the end goal is to whittle down the benefits, until they are so close to the costs that regulations will be difficult to justify. So unless we take action today, it appears that the lives of vulnerable Americans will continue to be devalued.

The House already passed Congressman ALLEN's amendment to the House VA–HUD bill, which is similar to my amendment. Members from both sides of the aisle spoke in favor of the amendment and it was accepted unanimously. It's now time for the Senate to act.

Twenty-two national organizations, including AARP and a host of environmental and faith-based organizations, support this amendment.

Our Nation's regulatory system must use methods of analysis that produce regulations that will fairly protect all Americans from the effects of air pollution, toxic waste and other dangerous substances in our environment. We cannot afford to back away from decades of environmental laws that have improved the quality of life for all of us.

EXHIBIT 1

The following organizations support stopping the Senior Death Discount: 20/20 Vision; American Association of Retired Persons; American Baptist Churches USA; American Lung Association; Breakthrough Technologies Institute; Christian Church Disciples of Christ; Church Women United; Clean Air Task Force; Clear The Air; Coalition on the Environment and Jewish Life (COEJL); League of Conservation Voters; Natural Resources Defense Council; National Environmental Trust; OMB Watch; Physicians for Social Responsibility; Presbyterian Church (USA), Washington Office; Sierra Club; Sisters of Mercy of the Americas, Institute Leadership Team; United Church of Christ Justice and Witness Ministries; United Methodist Church General Board of Church and Society; United States Public Interest Research Group; Unitarian Universalist Association of Congregations.

Mr. DURBIN. I thank the chairman for accepting the amendment. I ask the chairman if at this point we could move the adoption, but I defer to him first.

Mr. BOND. As I indicated, we are ready to accept the amendment by the Senator from Illinois by voice vote.

(At the request of Mr. DASCHLE, the following statement was ordered to be printed in the RECORD.)

• Mr. LIEBERMAN. Mr. President, I support this important amendment, to put a halt to the Bush administration's disrespectful and disturbing treatment of the lives of America's seniors in setting environmental policy. It is unconscionable that the administration continues to push agencies to evaluate pollution-control proposals on the basis of the age of the individuals who are protected. Judging people as less worth protecting based on their age—and to do so for the benefit of polluters—is preposterous and wrong.

Despite statements by administration officials aimed to quiet protest over the ''senior death discount'' factor —a factor used by the Environmental Protection Agency in recent regulatory cost-benefit analyses that literally devalues the lives of Americans 70 and older—the administration continues to push agencies to apply economic techniques for evaluating pollution-control proposals on the basis of the life expectancies of the individuals protected, slanting the analysis against the elderly who, of course, have fewer years left.

This effort by the administration reinforces the broader bias against the environment inherent in economic cost-benefit analysis, which can give short shrift to unquantifiable values of human health and a strong ecology, while overestimating the economic costs to polluters. By lowering the calculated economic benefit of protecting

the elderly, these techniques will understate the apparent benefits of environmental protection, because the old are among the most vulnerable to respiratory and other diseases caused by pollution. The intended result is to block tougher environmental protections.

Selling out America's grandparents at a discount for the benefit of polluters is discriminatory and wrong. I am pleased to support this amendment to put a halt to this repugnant practice.●

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 2195) was agreed to.

Mr. BOND. Mr. President, I move to reconsider the vote.

Mr. DURBIN. I move to lay that motion on the table.

The motion to lay on the table was agreed.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. DAYTON. What is the pending business, Mr. President?

The PRESIDING OFFICER. The pending business is the Clinton amendment.

AMENDMENT NO. 2193

Mr. DAYTON. I ask unanimous consent the amendment be set aside and that I be allowed to offer amendment No. 2193.

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

The legislative clerk read as follows:

The Senator from Minnesota [Mr. DAYTON] proposes an amendment numbered 2193.

Mr. DAYTON. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To fully fund the Paul and Sheila Wellstone Center for Community Building)

On page 58, line 21, strike ''$1,112,130,000'' and insert ''$1,111,030,000''.

On page 125, between lines 7 and 8, insert the following:

SEC. 418. There shall be made available $1,100,000 to the Secretary of Housing and Urban Development for the purposes of making the grant authorized under section 3 of the Paul and Sheila Wellstone Center for Community Building Act.

Mr. DAYTON. Mr. President, this amendment will provide $1.1 million in funding for the Paul and Sheila Wellstone Center for Community Building at the Neighborhood House in St. Paul, MN. It is funding for the completion of a commitment which Congress made last year as a memorial for the late Senator Paul Wellstone, my colleague and my friend, who lost his life in an airplane crash last October along with his wife Sheila, his daughter Marcia, and three staff members and two pilots.

This is a very emotional subject for me at an emotional time, so I ask my colleagues for their forbearance. We just passed the first anniversary of that terrible day Paul and Sheila and the others were lost forever. One of Minnesota's greatest Senators and most passionately loved and admired political leaders—not unanimous, but the most widely shared and deeply felt connection that I have ever seen in my lifetime between a political figure and the people of Minnesota.

He lost his life while flying to northern Minnesota for the funeral of the father of a State legislator, up on the Iron Range of Minnesota where a funeral is community. He knew, even though he had other commitments elsewhere, and even though Senator TED KENNEDY had graciously come to Minnesota to the metropolitan area on his behalf before the elections, which were just a few days away—those events were important, but Paul knew the family of the deceased would be helped in their grief by his presence. The community up there would be honored by his presence as a United States Senator, so he left his campaign schedule and the media market to go worship and pray and mourn with those others, friends and family and relatives, fellow citizens, as their U.S. Senator and as their friend.

That is what all of us do all the time in our jobs—Republicans, Democrats, liberals, conservatives, Senators here, Congressmen and Congresswomen, across the country—we drive, and if there is not time we charter small planes into small airports in our States. That day Paul's plane didn't land on the runway. It crashed perpendicular to it 2 miles away into a Minnesota forest and peat bog and caught on fire and burned eight people.

Tomorrow—another reason this is an emotional topic for all of Minnesota—we are told in the news reports today, the National Transportation Safety Board will hold a hearing to pass final judgment on the causes of that crash. Whatever they were, they will not bring Paul and Sheila and Marcia and the others back. The circumstances, as they are reported, are unofficial, so I will not comment on them here, but as they report them in the press, it will make it, if anything, more difficult, more painful, more awful an accident that didn't have to happen.

Paul Wellstone lost his life as a U.S. Senator in service of his country.

As the late Senator John Heinz, Republican from Pennsylvania, lost his life several years ago in a small plane crash in the service of his country; as other Senators, Members of the House, Governors, Cabinet Secretaries, and public officials have lost their lives in airplane crashes or other accidents in the performance of their official duties in the service of their country; and when brave men and women lose their lives in the service of their country, I call that man or woman a true American hero. If they are wearing the service uniform of our Armed Forces in Iraq, Afghanistan, or elsewhere around the world, they are true American heroes. If they are wounded or maimed when serving in those awful conditions, they are American heroes.

I have been to funerals for Minnesotans who lost their lives in training exercises in this country and overseas. They gave their lives and paid the ultimate price in the service of their country. They are true American heroes.

Paul Wellstone is a true American hero. He would have been under any circumstances losing his life, but he is even more so, and forever, in my judgment. That is why it is so fitting and appropriate—and I was glad that I thought it only appropriate—that the Senate last year did what I would want to do for any colleague of this body or of the House who lost his or her life under similar—or any—circumstances in the performance of his or her official duties—to find a suitable memorial, a fitting tribute to that American hero.

The surviving members of the Wellstone family—two sons, David and Mark Wellstone—through their own deliberations, identified this project and St. Paul, MN, where especially people from other countries—recent immigrants to the United States—in need of all sorts of assistance but who want to become part of this country, who want to have a chance to participate and raise their kids as American citizens and become the next Paul and Sheila Wellstone, so they can get the help they need and give a helping hand as Paul and Sheila would have given themselves.

We authorized $10 million. The House didn't have anything in there on that matter. But we went to the President of the United States. He was gracious enough to assist, and we got the funding provided in that bill—the authorization of $10 million. President Bush invited the Minnesota congressional delegation and members of the Wellstone family to the Oval Office last December for the signing ceremony. He just couldn't have been more extraordinary in his graciousness to the surviving members of Paul and Sheila's families. He took the time and extended his schedule to be with us, to share his condolences and make it a truly memorable occasion for the members of that family. I know they were enormously grateful, as I was to the President for his compassion and for his humanity.

When we got to the appropriations for this fiscal year, it was delayed. The bill that finally came forward provided $8.9 million for the $10 million project that was authorized. I am hopeful the balance of that commitment as a memorial to our former colleague will be part of the committee bill that is coming before us today.

I was disappointed there was nothing provided in it, and there is nothing provided in the House bill. I pursued this matter and indicated my intention to offer this amendment for $1.1 million—that is an ''m'' for million, not ''b'' for billion—$1.1 million to complete the commitment that was made—the authorization to commit the money the

President authorized by his own signature into law. I was told via my staff and in talking with committee staff that if this amendment were agreed to by the Senate, then it would be taken out of some other project for the people of Minnesota—from the people in Roseville, MN, in the northwestern part of the State who were victims of flooding last spring, who need help in relocating, who are still rebuilding and trying to reconfigure the locks and dams in that river so they don't flood again—and from all sorts of other projects around the State in counties that need sewer systems so people can have safe drinking water, so the kids don't get sick.

I have to share with the people of Minnesota a confession. They think when they send us out here, we each have a vote; since we are all taxpayers, and since Minnesotans' taxes as a relatively high income State are proportionate to others that send tax money to this great Federal Government, we get back at least our fair proportionate share. But it doesn't work that way in this legislation. It doesn't work that way. We get the appropriations and those who have more seniority, who have been here longer, have more influence, connections, whatever—it doesn't come out the same. If you were to rank Minnesota with other States, you would find that we give more than our share in contributions to this great center of our Nation and we get in return relatively less than most other States.

I find it deeply offending that I am essentially being told, forewarned, threatened, that if I bring this amendment forward and it passes the Senate, it is going to come out of some other Minnesota project. I appreciate at least being told that so I know what I am getting into here.

So much happens in these conference committees. It is just a sneak attack behind closed doors. In Minnesota, we have an open meeting law where you can't go behind closed doors with three or four members of the elected body and conduct public business in private somewhere. That law is a foreign concept here on Capitol Hill; it happens all the time. People go behind closed doors and members of conference committees can't even get into the conference room to find out what is going on.

They have a bill coming up next for reauthorizing the FAA. Somebody in that conference committee stuck something in the bill that hurts the people of Minnesota—thousands of people in and around airports in my State—no hearings, no deliberation, no vote in the Senate, no vote in the House, just put in by Senators who don't represent the people of Minnesota.

The conference committees are great places where you can put something in there and you can vote on it. I had an amendment to the Medicare bill which is coming up, and it is going to come out of committee, I am told and I am quite sure. I have an amendment that would require Members of Congress to receive prescription drug coverage that is the same and is no better than seniors of America and other Medicare beneficiaries receive. Boy, it passed the Senate by a vote of 93 to 3. That is pretty overwhelming support.

I thought: My goodness gracious, the Senate is going to back this one because the people of America would back that one. I know from my experience in Minnesota that we sure agree with that concept and principle—that Members of Congress should receive a prescription drug benefit no better than we vote for senior citizens. But then I read an article the next week stating that many of those who voted for it had been told they could do so because it was guaranteed to die in the conference committee and it would not become part of the law.

I respect those three who voted against my amendment because they weren't going to take that escape route and say, Oh, I voted for that amendment, and to my great dismay it is not going to get conference support.

So Members of Congress can continue to get drug coverage twice as good or more or better than those senior citizens of America.

In this case, before this bill goes into the conference committee, I urge my colleagues—and I will ask for the yeas and nays on this amendment—if they don't particularly think enough of the situation, and circumstances, and the memory of Paul Wellstone, then vote against it. I will ask the conferees, if it passes and goes to conference and is going to come out of some other Minnesota project, to drop the amendment because I know what Paul would say. I know what he would want us to do. That would be to do what is best for all the people of Minnesota. This project is true to the people of Minnesota. But the last thing Paul Wellstone would want to do is take $1.1 million away from people who are suffering and need help and give it to other people in Minnesota in his memory. That would be the antithesis of what is good, for what he believed in, and what he spoke for on this floor. It would be far preferable if the Senate said forthrightly, that is the view of the Members or the powers that be, that $1.1 million of the $10 million authorized last year is too much to bear, too much money, and it is just not available in the budget for the people of Minnesota, for the State of Minnesota. Unlike other States, we would not have this discussion on the Senate floor—it would be $1.1 million for anything any Member wanted.

If they cannot find it, won't find it, do not want to find it, forget it. But tell the American people that. Tell the people of Minnesota that. Don't take it out of somewhere else in Minnesota for a project that is underfunded to begin with, that is needed to save people's lives, that makes their communities stronger. They elected the two Senators to do just as much as any other State in this Nation. Tell them that straight, and then Paul will wait. He should not have to, but he will.

The Senate should do the right thing, pass this amendment, put it in the bill, and instruct the conferees to come out of the conference report with the money for the Wellstone Community Center and every project in Minnesota, and not sell anybody out behind closed doors, behind our backs, and I will once again respect this body, the Senate of the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I know the Senator from Minnesota feels strongly about this; both Senators do.

I ask that Senator COLEMAN be added as a cosponsor.

We are willing to accept the amendment. I ask that it be accepted by voice vote.

Mr. DAYTON. I object. I ask for the yeas and nays.

The PRESIDING OFFICER. Does the Senator object to the adding of a cosponsor?

Mr. DAYTON. The Senator does not object to that.

The PRESIDING OFFICER. Without objection, the Senator is added as a cosponsor.

Mr. DAYTON. I repeat my request for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

At this moment, there is not a sufficient second.

Mr. DAYTON. I will restate my request when there is a sufficient second. What number of Members constitute a sufficient number?

Mr. REID. 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. BOND. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BOND. Mr. President, I ask that the pending Dayton-Coleman amendment be set aside.

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

AMENDMENT NO. 2152 WITHDRAWN

Mr. BOND. Mr. President, I ask that the Clinton-Enzi amendment on which there is a colloquy be withdrawn.

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

The amendment (No. 2152) was withdrawn.

AMENDMENT NO. 2196 TO AMENDMENT NO. 2150

Mr. BOND. Mr. President, I send to the desk an amendment on behalf of Senator DASCHLE relating to an agreement with the Institute of Medicine and the National Academy of Sciences to develop epidemiological studies on Vietnam veterans with respect to Agent Orange, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Missouri [Mr. BOND], for Mr. DASCHLE, proposes an amendment numbered 2196 to amendment No. 2150.

Mr. BOND. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide for epidemiological studies on Vietnam veterans exposed to Agent Orange and other herbicides used in Vietnam)

At the end of title I, add the following:

SEC. 116. Not later than 120 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall enter into an agreement with the Institute of Medicine of the National Academy of Sciences under which agreement the Institute of Medicine shall develop and evaluate epidemiological studies on Vietnam veterans in accordance with the recommendations of the 2003 National Academy of Sciences report entitled ''Characterizing Exposure of Veterans to Agent Orange and Other Herbicides Used in Vietnam: Interim Findings and Recommendations''.

Mr. BOND. There are no objections on either side. I ask that it be agreed to by voice vote.

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

The question is on agreeing to the amendment.

The amendment (No. 2196) was agreed to.

Mr. BOND. I move to reconsider the vote.

Mr. LOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2197 TO AMENDMENT NO. 2150

Mr. BOND. I send an amendment to the desk on behalf of Senator FEINGOLD.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Missouri [Mr. BOND, for Mr. FEINGOLD, proposes an amendment numbered 2197 to amendment No. 2150.

Mr. BOND. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prohibit the use of funds by the Department of Veterans Affairs to implement policies that prohibit the Veterans Integrated Service Networks from conducting outreach or marketing to enroll new veterans in such Networks)

At the end of title I, insert the following:

SEC. 116. No funds appropriated or otherwise made available for the Department of Veterans Affairs by this Act or any other Act may be obligated or expended to implement the policy contained in the memorandum of the Department of Veterans Affairs dated July 18, 2002, from the Deputy Under Secretary for Health for Operations and Management with the subject ''Status of VHA Enrollment and Associated Issues'' or any other policy prohibiting the Directors of the Veterans Integrated Service Networks (VISNs) from conducting outreach or marketing to enroll new veterans within their Networks.

Mr. FEINGOLD. Mr. President, I want to thank the chairman and the ranking member of the subcommittee for agreeing to accept my amendment pertaining to veterans outreach programs. My amendment would restore a valuable—and statutorily mandated—service to our nation's veterans and their families.

In July 2002, the Department of Veterans Affairs Deputy Under Secretary for Health for Operations and Management sent a memo to Veterans Integrated Service Network Directors ordering them to ''ensure that no marketing activities to enroll new veterans occur within [their] networks.''

This memo cited an increased demand for VA health care services as the reason for this change in policy. While it is clear that more funding should be provided for VA health care and other programs and I strongly support doing so it is inappropriate for the VA to institute a policy to stop making veterans aware of the health care services for which they may be eligible.

I joined with a number of our colleagues last year in sending a letter to the President asking that this policy be immediately reversed. I regret that the VA's reply indicated that the Secretary of Veterans Affairs stands by this policy, which remains in effect.

My amendment would prohibit the VA from using Federal funds to enforce this policy, or any other policy prohibiting regional health care directors from conducting outreach to enroll new veterans into the VA health care system. A similar amendment offered earlier this year by Congressmen SANDERS and KANJORSKI was accepted to the House version of the underlying VA–HUD appropriations bill.

I have long been concerned that tens of thousands of our veterans are unaware of Federal health care and other benefits for which they may be eligible. We can and should do more to educate our veterans and their families about these benefits, and to provide adequate funding to ensure that all veterans who wish to take advantage of their benefits are able to do so. Halting health care marketing activities is not the answer. Our brave veterans have earned these benefits. The Federal department that is charged with advocating for and providing benefits to our veterans should not be allowed to continue to restrict health care outreach activities.

This is especially important as we welcome home a new generation of veterans who are serving in Iraq and in the fight against terrorism. Today's soldiers, sailors, airmen, and marines are tomorrow's veterans. These men and women selflessly put their lives on the line to protect our freedoms, as have countless military personnel before them. We must ensure that their service and sacrifice, which is much lauded during times of conflict, is not forgotten once the battles have ended and our troops have come home.

Our veterans and their families have made great personal sacrifices to protect our freedoms. We owe them a great debt of gratitude. Making sure that our veterans know about the benefits that they have earned is an important first step in starting to repay this debt.

Again, I thank the chairman and the ranking member of the subcommittee for working with me on this important issue.

Mr. BOND. Mr. President, this is an amendment with respect to VA marketing. It is acceptable on both sides. I ask that be it be agreed to on a voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2197) was agreed to.

Mr. BOND. I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2198 TO AMENDMENT NO. 2150

Mr. BOND. Mr. President, because we had done a list of amendments and we neglected to include an amendment by Senators CANTWELL, CARPER, BROWNBACK, HAGEL, and others with respect to section 8 public housing, moving to work demonstration agreements, I ask unanimous consent that this be acceptable and I send the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Missouri [Mr. BOND], for Ms. CANTWELL, for herself, Mr. CARPER, Mr. BROWNBACK, Mr. HAGEL, Mr. ROBERTS, Mr. NELSON of Nebraska, Mrs. MURRAY, and Mr. DEWINE, proposes an amendment numbered 2198 to amendment No. 2150.

Mr. BOND. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require a study of the Moving to Work demonstration program, and for other purposes)

On page 125, between lines 7 and 8, insert the following:

SEC. 418. EXTENSION OF CERTAIN PUBLIC HOUSING/SECTION 8 MOVING TO WORK DEMONSTRATION AGREEMENTS.

(a) EXTENSION.—The Secretary of Housing and Urban Development shall extend the term of the Moving to Work Demonstration Agreement entered into between a public housing agency and the Secretary under section 204, title V, of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Pub. L. 104–134, April 26, 1996) if—

(1) the public housing agency requests such extension in writing;

(2) the public housing agency is not at the time of such request for extension in default under its Moving to Work Demonstration Agreement; and

(3) the Moving to Work Demonstration Agreement to be extended would otherwise expire on or before December 31, 2004.

(b) TERMS.—Unless the Secretary of Housing and Urban Development and the public housing agency otherwise agree, the extension under subsection (a) shall be upon the identical terms and conditions set forth in the extending agency's existing Moving to Work Demonstration Agreement, except that for each public housing agency that has been or will be granted an extension to its original Moving to Work agreement, the Secretary shall require that data be collected so that the effect of Moving to Work policy changes on residents can be measured.

(c) EXTENSION PERIOD.—The extension under subsection (a) shall be for such period as is requested by the public housing agency, not to exceed 3 years from the date of expiration of the extending agency's existing Moving to Work Demonstration Agreement.

(d) BREACH OF AGREEMENT.—Nothing contained in this section shall limit the authority of the Secretary of Housing and Urban Development to terminate any Moving to Work Demonstration Agreement of a public housing agency if the public housing agency is in breach of the provisions of such agreement.

SEC. 419. STUDY OF MOVING TO WORK PROGRAM.

(a) IN GENERAL.—The General Accounting Office shall conduct a study of the Moving to Work demonstration program to evaluate—

(1) whether the statutory goals of the Moving to Work demonstration program are being met;

(2) the effects policy changes related to the Moving to Work demonstration program have had on residents; and

(3) whether public housing agencies participating in the Moving to Work program are meeting the requirements of the Moving to Work demonstration program under law and any agreements with the Department of Housing and Urban Development.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the General Accounting Office shall submit to Congress a report on the study conducted under subsection (a).

Mr. BOND. Mr. President, this is acceptable on our side.

Mr. REID. There is no objection on this side.

Mr. BOND. I suggest we agree to it by voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2198) was agreed to.

Mr. BOND. I move to reconsider the vote.

Ms. MIKULSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, I ask unanimous consent that we delay the FAA bill for 5 minutes and the debate would be from 4:35 to 5:35 and a vote occur at that time.

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

CONGRESSIONAL AWARD PROGRAM

Mr. CRAIG. Mr. President, several Senators were prepared to offer an amendment today to provide for support for the Congressional Award Program, through a collaboration with the Corporation for National and Community Service. I understand from the Subcommittee the difficulties that this would present and will not press forward with such an amendment at this time. I did want to engage the Chairman of the VA–HUD–Independent Agencies Subcommittee in a colloquy about this valuable program.

Congress established the highly successful Congressional Award in 1979 to recognize initiative, achievement, and service in young people. The Congressional Award is the U.S. Congress' award for young Americans. It is nonpartisan, voluntary, and noncompetitive. The award enjoys broad bipartisan support. This excellent program has grown by more than 3,000 participants during fiscal year 2003, and currently, there are some 14,750 active participants from across the nation.

In the past, the Congressional Award Program has been able to sustain itself. Because of the tremendous growth of this program, its resources have been stretched to the breaking point. After the events of 9/11 and the recent recession, patterns of charitable giving have changed and this program, like many worthy causes, has had an extremely difficult time maintaining earlier levels of contributions, much less accommodating its rapid growth. The congressional award needs a modest amount in a funding base to regain its footing and momentum and continue its growth for the future. Congressional support is needed to leverage renewed and increased private donations.

Supporters of this program had looked to this bill because the Congressional Award Program already is being cited by the Corporation for National and Community service as the kind of program it supports and encourages and already is listed as an official partner of America's Promise, another related program. Congress already has explicitly provided in the Congressional Award Act that, while this program may not receive a direct appropriation, it may receive financial support through collaborations with other programs receiving appropriated funds.

I note that the Appropriations Committee, in the report accompanying this bill, has expressed its concern with current costs per participant in volunteer service programs. In particular, the report mentioned the $16,000 cost per AmeriCorps members for program and education award costs and called upon the Corporation to reduce costs. In contrast, the Congressional Award Program costs only about $68 per participant. It is more than just a great program, it is a bargain.

The Congressional Award is one of only two standing awards given by Congress. The other is the Congressional Medal of Honor. It is time that Congress became a partner of the congressional award in more than just name.

Mr. BAUCUS. I add my comments in support of the Congressional Award Program. This excellent program is open to all 14- to 23-year-olds. Participants earn bronze, silver, and gold congressional award certificates and bronze, silver, and gold congressional award medals. Each level involves setting goals in four program areas: volunteer/public service, personal development, physical fitness, and expedition/exploration. Earning the award is a fun and interesting way to get more involved in something young men and women already enjoy or something they might like to try for the first time.

Regardless of an individual's situation, he or she can earn this award. The congressional award has no minimum grade point average requirements. It accommodates young people with special needs or disabilities who are willing to take the challenge. The award is open to all. We consider this to be a valuable priority within a fiscally responsible appropriations bill.

Mr. President, this is a program that all of us want to see grow and flourish. It is not just another program. It is not just another foundation pursuing a worthy cause. It is our award—a unique program created by the Congress to recognize and encourage leadership and voluntary service to the community by our young people. It requires and deserves our support.

Mr. BOND. I thank my colleagues for their attention to this matter.

It is certainly our intent, in continuing congressional support for the corporation, that it look for additional ways for actively partnering and collaborating with organizations such as the Congressional Award Program. I look forward to working with my colleagues on appropriate ways to carry that goal forward.

CAPITAL ASSET REALIGNMENT FOR ENHANCED SERVICES (CARES) INITIATIVE

Mrs. CLINTON. Mr. President, I thank the managers for working with Senator ENZI, Senator SCHUMER and myself on a compromise to ensure that our concerns are addressed. We understand that they have committed to pursue language in the conference report that expresses the committee's concerns about the Draft National CARES Plan recommendations of closure and reduction of services in long-term care, domiciliary care, and mental health services at VA facilities. The language urges that no closures or reduction in long-term care, domiciliary care, and mental health care services take place until the full analysis is completed. The language would also require the VA to submit updates on their progress in this analysis to the appropriate committees. Finally, the managers have agreed to send a letter to VA Secretary Principi outlining these concerns on our behalf.

Mr. ENZI. I would like to add to my colleague's discussion. I got involved in this process to bring attention to the concerns of veterans in rural and frontier areas. Based on these concerns, I hope in any further analysis on the future needs of veterans health care the

VA will consider all access issues related to travel, such as road conditions, the number of lanes on roads, and seasonal changes and other factors relating to the weather. I know many of my colleagues share these concerns and I appreciate their taking this opportunity to address them.

Mr. SCHUMER. I thank my friends from Missouri and Maryland for engaging us in this colloquy, and appreciate their efforts to work with us on addressing our concerns with the CARES process. Among these concerns, I am particularly pleased that the managers of this bill have agreed to work with us in addressing the participation of veterans at hearings held by the CARES Commission. The participation of veterans is critical to a process that so directly impacts the quality of healthcare they receive from the VA. It is my understanding that the managers have committed to addressing this specific issue by presenting language to the conference that would recognize the benefits of and the need to have CARES related hearings within 30 miles of all facilities facing closure or a reduction in services, as well as the importance of veteran participation at these hearings. I also understand that the managers have committed to presenting language to the conference that encourages the VA to hold additional hearings in all affected communities following the Secretary's final recommendation.

Mr. BOND. Mr. President I thank the Senators from New York and the Senator from Wyoming for their thoughtful comments. Their understanding is correct, and we will pursue such language in the conference report. Senator MIKULSKI and I will also be sending a letter on their behalf to Secretary Principi with these concerns.

Ms. MIKULSKI. I acknowledge the validity of my colleagues' concerns and look forward to working with them to try to address these concerns in conference and with Secretary Principi.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BOND. 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. BOND. Mr. President, I think we have reached the point where we are ready to get a final list and a means of proceeding. So if it is agreeable on both sides, I ask unanimous consent that the only other amendments in order to the VA–HUD bill, other than the substitute, be the following: Dayton No. 2193 with 5 minutes equally divided; Senator MCCAIN, amendment on NASA; Senator INHOFE, amendment on air quality; Senator JEFFORDS, National Academy of Sciences study; further that following the scheduled cloture votes on Tuesday, the Senate resume consideration of the VA–HUD appropriations bill for the consideration of the remaining amendments.

Ms. MIKULSKI. No objection.

Mr. REID. Mr. President, I ask unanimous consent that the time for debate on cloture dealing with FAA be for a full 1 hour, with the time equally divided pursuant to the previous order.

The PRESIDING OFFICER. Is there objection to any of the foregoing requests?

Mr. REID. I express my appreciation to Senator LAUTENBERG and Senator LOTT for allowing us to go forward.

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

VISION 100—CENTURY OF AVIATION REAUTHORIZATION ACT—CONFERENCE REPORT—Resumed

The PRESIDING OFFICER. Under the previous order, the hour of 4:40 having arrived, the Senate will proceed to consideration of the conference report to accompany H.R. 2115, which the clerk will report.

The assistant legislative clerk read as follows:

Conference report to accompany H.R. 2115, an act to amend title 49, United States Code, to reauthorize programs for the Federal Aviation Administration, and for other purposes.

The PRESIDING OFFICER. Under the previous order, there will be 1 hour equally divided for debate prior to a vote. The Senator from Mississippi will control one-half hour, the Senator from New Jersey will control one-half hour.

The Senator from Mississippi.

Mr. LOTT. Mr. President, this is an important piece of legislation that has been in the process all year now. As we know, the aviation industry has had its difficulties since the events of 9/11 and the Iraq war. Aviation across the board has struggled to comply with additional security requirements and to become economically viable again. A lot of changes are happening in the industry.

But Congress certainly has not been insensitive to the needs of this industry. We passed legislation to be of assistance in, I guess, 6 weeks after the 9/11 events, and then earlier this year additional assistance was provided to the airline industry as a result of losses they were experiencing and expected to experience as a result of the war in Iraq.

But they need the broader long-term Federal Aviation Administration reauthorization. I consider this legislation to be the third leg of the stool to give the aviation industry, as a whole, an opportunity to get up and running, to provide service to the American people, and to, frankly, see blue skies again. That is why this legislation is very important.

If we do not extend this FAA reauthorization, there are certain parts of the program that will either be deferred or will have to shut down. So it is not insignificant that we are up against the wall in terms of extending the Federal Aviation Administration legislation.

I emphasize, too, that this is not just about the agency. This is about an important part of our economy. We are very mobile in America. Transportation is such an important part of our economy. Americans are flying all over the country, as we speak, on airlines and in general aviation. They are in our airports. It is an important part of our economy. It creates hundreds of thousands of jobs, when it is allowed to function as it should. So we need to get this legislation passed.

It is, in my opinion, about safety in the aviation industry at our airports, in general aviation, with the airlines. We need to make sure the money is there for the aviation program, for the security that needs to be put in place on the airplanes, in the airports, on the perimeters. This is very important legislation. It is part of our overall homeland security program.

I remind my colleagues that H.R. 2115, the FAA reauthorization bill, is a 4-year $60 billion bill. This is a huge piece of legislation. We need to get it done.

I would like to point out to my colleagues some of the impacts we see as a result of this industry and what it means. First, aviation generates more than $900 billion in GDP every year. Over the life of this bill, the legislation is expected to create approximately 665,000 jobs; $14.2 billion in airport grant funding would create these 665,000 jobs. There would be 162,000 jobs in 2004 alone; $14.2 billion will be used for security, safety, and capacity projects at airports; $13.3 billion would be to modernize the air traffic control system, and $500 million for the Essential Air Service program.

This is an important piece of legislation. A lot of money is involved. It is not just about the big airports; this is about the smaller airports. We do have good programs included here, including the Essential Air Service, and also a program that allows communities to be involved and participate with some funding of their own.

We have had an experimental program in place now for the last couple years. This would extend that small community Essential Air Service program. A number of communities around the country are very much interested in having that opportunity.

It also provides new opportunities for flights out of Reagan National Airport, 8 new flights inside and 12 new flights outside the perimeter. So this is very important legislation in terms of the airports.

For the first time we actually make sure the regional airlines get some assistance. When we passed the big legislation back in 2001, the regional airlines were sort of left out. So we would get that done.

It provides for cost-effective programs that could save the taxpayers

$173 million per year. It has a huge impact on States all over the country. I would like to show a chart to give you some idea of the amount of money and the amount of jobs that would be affected by this legislation. I have the list here. It is too small probably for most of you to see, but I will just pick a couple of them: Alaska, $522 million, 24,000-plus jobs.

I see the Senator from Georgia, a very important terminal in Atlanta, one of the most important in the country, $162.6 million; 7,722 jobs; a smaller State, North Dakota, $59.2 million, 2,814 jobs.

The list is here. If you want to see how your State would be affected with dollars and jobs, we have the information for you.

The question would be, Why has this taken so long? We passed it back in May in the Senate. It passed the House. We went to conference. We worked out an agreement on good legislation. But it did include some language that became controversial. It did say there would not be privatization of the air traffic control system, but it identified 69 sites in medium and small communities where contract hours could be considered or could be actually put into place. So there was a criticism about that.

After trying to work it out in a variety of ways, we went back to conference and took that language out. So we basically went back to the status quo. We don't say there won't be privatization of the air traffic control system, and there won't be. We didn't say that, well, these 69 contract areas might be considered for contract hours. We took both of those out, thinking, well, we are ready to go now.

Strangely enough, that was not acceptable, either. So we have been working in a bipartisan way to try to come up with some solution that would satisfy both parties, all parties, and how this could be handled.

Senator MCCAIN, Senator HOLLINGS, Senator ROCKEFELLER, Senator DORGAN, and I sent a letter to the FAA Administrator, Marion Blakey, last week saying we thought it would be appropriate to have a 1-year moratorium on any effort of privatization. We have been working with the administration on that issue since that time.

The administration, I believe, is willing to make a commitment to not go forward for 1 year, for a moratorium, while GAO does a study of the impact of privatization, and also so the Commerce Committee, chaired by the Senator from Arizona, can have hearings on that matter. But they want to be able to go forward with those things that are already underway.

The net result for the air traffic controllers and for other unions within the FAA would be a 1-year moratorium. However, where there is an ongoing A–76 study, that would not be stopped. Now I am being told maybe even that is not enough. I ask, how much is enough?

This is very important legislation that affects the economy of the country and this industry. Are we going to let 1 or 2 groups decide we will not have this $60 billion bill unless they get some guarantee on something that is not going to happen, anyway? I don't believe that is reasonable. I think we need to go forward and have this vote. Let the American people see who wants to be of assistance to aviation, who really wants to have safety in the skies.

Let me say to all of my colleagues on both sides of the aisle, be careful how you vote because this legislation provides funds for security at airports. It changes who pays for the security costs and where that money would go. The AIP, airport improvement program, which was used for $500 million in security costs over the last couple of years would not continue to be used for that purpose. It would go back to being used for what it was originally intended—improvements at terminals, runways, and aprons, but there would be a dedicated line of money that would go to security. If you vote against this legislation, and it continues to drag out indefinitely, and we don't get these security funds to the proper place they are supposed to go—particularly the airports—if we have another instance at an airport, or with the airline industry, I would not want to be on record voting against this very important legislation that has been developed over a long period of time, in a bipartisan way.

Mr. MCCAIN. Will the Senator yield for a question?

Mr. LOTT. Yes.

Mr. MCCAIN. Mr. President, I thank Senator LOTT for all the work he did as chairman of the subcommittee on this issue. I know we don't have a great deal of time. Is the Senator aware in this bill we have $14.2 billion for security and safety for AIP, $13 billion to modernize the air traffic control system, $31 billion to operate—the list goes on and on. There are billions of dollars, including drastically needed improvements in security and essential air service.

I note the Senator from West Virginia, as long as I have been on the committee, has sought money for essential air service. We also have environmental provisions. These are all being held up on one issue on which we have tried to reach some kind of compromise.

My question to the Senator from Mississippi is this: Let's suppose we don't achieve cloture and we don't have 60 votes on this bill. What do the opponents gain by that? It seems to me what they gain is sooner or later we are going to extend the existing programs, which allows further privatization of the towers and other aspects of our air traffic control system, which is what they are fighting against. Yet they will lose. Is this some kind of a statement being made or is this reality? Is there anybody who believes we are going to shut down the air traffic control system, shut down aviation in America if we don't pass this bill? Either existing law will be extended or we are going to pass this bill. Is that the Senator's assessment? I think our colleagues ought to know what the consequences of this vote will be if we fail to achieve cloture.

Mr. LOTT. Mr. President, I say to the distinguished chairman of the subcommittee he has put his finger right on the heart of the problem. There are funds that would not go out for security and airport improvement if we don't pass this legislation. The alternative would just be to extend the current law for, I don't know, 6 months. The Senator is right that in that case the status quo is in place. As a matter of fact, any privatization efforts that might be underway or they want to do in that period could go forward. We had worked it out where we had language both in the conference report and in a letter that would say there would not be privatization of the air traffic control system.

Finally, even other parts of the FAA would get a 1-year moratorium. This is the classic example of where my colleagues in the Senate—Democrats—seem to be hopelessly pursuing where the last rose lingers. We have a whole bouquet in this bill. It is good for the American people. It is going to be good for the industry and it will create jobs. We are looking for this one last thorny rose we can claim and say, well, we got it done. I note the House has already passed this legislation and we are, I assume, sometime in the next month going to complete our session of this year. We need to get this done. It would be very positive for the industry and for the Congress for us to go ahead and complete this action.

The Senator is absolutely right. The alternative, if we don't pass this legislation, is the status quo, which would allow the administration to do whatever they please in terms of privatization under legislation Congress has previously passed.

I will make one other note. On this idea of contract towers, there are mixed emotions on both sides of the aisle. It is not a Republican or Democrat thing. But there have been hundreds of these contractors put into place. Usually, they are supported by local congressmen and senators—and, by the way, it is an idea that really exploded and was used extensively during the Clinton administration. I am not being critical. In many cases, it makes common sense. In many communities, if you don't have the contract towers, you would not have anything.

For the life of me, I cannot understand why we haven't been able to bring this to conclusion. I think it is time to vote and see who is for getting this legislation done and who wants to preserve the status quo, I guess, or have nothing, which would hold up funds to the tune of billions for security and improvements at our airports.

Since the chairman is here, and I know Senator LAUTENBERG is waiting

to speak, I will reserve the remainder of my time. We will claim more time after Senator LAUTENBERG has had a chance to speak.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. On my time, I ask the Senator from Mississippi just one question, if the Senator is available. I want to put a question to him.

Can the Senator tell me why Congressman YOUNG from Alaska fought so hard to take two of his airports off of the privatization possibility?

Mr. LOTT. Mr. President, on the time of the Senator, I am glad to respond.

Mr. LAUTENBERG. Take a short minute, if you will.

Mr. LOTT. I will give the Senator a direct answer. Senator STEVENS indicated that is what he wanted. I understand there are extenuating circumstances with those two areas in Alaska. That varies from State to State. In some States, they want contract towers for a particular site, and in others not. I agree with the Senator on that. I think we should not have excluded them.

Mr. LAUTENBERG. Mr. President, it is apparent the Congressman from Alaska wants to make sure his people are safe when they are in and out of that airport. He doesn't want to be privatized, and neither do I, or most of the people in the Chamber.

I have great respect for the Senator from Mississippi. He and I will agree on lots of things. When we don't, they are usually deep disagreements. We all want the system to function. The Senator from Arizona certainly understands aviation and how the system operates, but he said something in his remarks that really struck me. No matter what happens, this program is going to get funded. It is going to get funded regardless of the action we take tonight. Why it is that the President of the United States and his people decided to delay implementation of this reauthorization, I will never know. This is kind of like a Custer's last stand: We are going to teach you Democrats something.

Don't teach us; teach the American people how you care about them, about their safety. Why, suddenly, are we so concerned about going commercial? We took roughly 28,000 baggage handlers and said, you know what. The private sector can't handle them. They mess up all the inspections. They are terrible. We have to get them in Government hands where we know things can be properly operated. But when it comes to the FAA, the people who responded so heroically when the tragedy of 9/11 struck our country, no, then we want to put security on the cheap. We want them to be operated by Acme Air, or whoever else it is.

The aviation industry has had a lot of difficulty. Much of that is because our country had an overwhelming tragedy strike us on 9/11, and so our citizens were afraid to travel. They were afraid to get up in an airplane. Now they don't have to worry so much, except for shoulder-guided missile launchers and except for terrorists constantly trying to break through. And now, to make life easier, we are going to take the FAA, the most well-trained group in the country, people who are on the job 24/7, constantly, they are always there when we need them, regardless of weather, regardless of what else happens—when those airplanes struck the Trade Towers, we are now talking about my neighborhood.

I saw the Trade Towers from my apartment house. I didn't see them that day because I happened not to be there, but I notice their absence. It is very clear. The people in the tower at Newark—I know those guys and the ladies. I know them well. I have been up in that tower many times. I used to be commissioner of the Port Authority of New York and New Jersey. I know what goes on in towers. I know we used to gauge rainfall with a pail outside. It wasn't that long ago. The fact is, they could see the buildings burning, and when the order came to take safer action, they did.

We are going to soon be voting cloture on the FAA conference report, and it would have passed except for the fact there was an insert put in after neither House had a Democrat in the conference—neither the Senate nor the House of Representatives, neither had a Democrat in the conference. Nevertheless, we are now suddenly delivered a program that includes a recommendation from the White House, which neither body acted upon, and when we voted overwhelmingly to preserve the no-privatization view.

On June 24, 2002, just in the aftermath of 9/11, the President signed an Executive order. So this issue has been in the works for some time. We don't have to talk about who is delaying the movement of the reauthorization bill. There it is. June 4, 2002: Section 1 of this Executive order:

> The first sentence of that order is amended by deleting " . . . an inherently governmental function."

That is what the President of the United States said on June 4, 2002, not too many months after 9/11 took place.

We took up the FAA bill in June. The Senate spoke loudly and clearly: No privatization. The House also spoke loudly: No privatization. But in the conference, the prohibitions disappeared. Conference leaders simply dropped all the language dealing with privatization.

Why did the Members of the conference, sitting behind closed doors, ignore the mandates for safety and security of our aviation system? If you ask them, they say the White House said we had to; so the order. Both Houses of Congress were clear. Both Houses spoke on the issue. Both Houses said no privatization of air traffic controllers. But in the conference, that commitment disappears. Why? Apparently in this Congress, we pass bills in both Houses, and then the White House writes the conference report.

It is presented graphically on this chart. House bill: No privatization. Senate bill: No privatization of air traffic controllers. White House position: Silence on privatization. Conference bill: Silence on privatization. That is a coverup. What that means is they can go ahead and do it any time they want to.

In this Congress, if the House and Senate agree on something and you throw it out and allow the White House to write whatever they want, we don't usually respond favorably to that happening. The stakes are high because the safety and security of our families, our friends, and our neighbors are at stake. The clearest evidence of this is how our air traffic control system performed on September 11, 2001.

The first airplane struck one of the Trade Towers at 8:45 a.m. This chart shows what the skies looked like at that time. The little light green areas represent airplanes. You can barely see the ground. This was 1 hour, and it was even more crowded than that. The order came out to get the airplanes out of the sky, get them on the ground, get people safely to someplace where they could call their families and let them know what was happening.

One hour later, 5,000 airplanes were taken out of the sky, directed to land at destinations that were not originally planned, and the picture looks like this chart. It is a lot safer. If my family was flying, I would have been very happy to hear they landed someplace, whether it was in Wyoming or Arizona—anyplace else besides New Jersey. I would have just been happy to know they were on the ground.

My State suffered major losses. Almost 700 people—691, to be exact—from New Jersey lost their lives that day in the World Trade Center attack. We are very sensitive to safety. We know this hits home. This is no academic exercise for us. We know there are families tortured by the loss of a father or mother or brother or sister. My oldest daughter lost her best friend in that World Trade Center. They worked together at one financial firm. My daughter went to law school, and this lady went to a place called Kantor Fitzgerald. They lost 700 of their 1,000 employees.

These acts of terror utilizing our aviation system introduced a new era of fear for the U.S. travelers.

September 11 also highlighted the heroic act of many public employees who did their jobs, as they do every day, with skill, courage, and professionalism. Emergency responders, rescuers, firefighters, police officers, and other government employees aided people out of the burning buildings. We heard of a historic incident where a couple of policemen and firemen went into the buildings knowing very well their lives were at stake. Unfortunately, they were right; their lives were at stake, but they tried to save others.

As our aviation system was both under attack and being used as a means of attack, it was the air traffic controllers who protected the tens of thousands of Americans aboard aircraft at that time. The snapshots we have seen tell us the picture quite precisely. Within an hour of the time that the flights were ordered to the ground, the Nation's air traffic controllers made unbelievable progress. We saw that in the chart. Within an hour, numbers of those planes—huge numbers—were successfully grounded.

I repeat, almost 5,000 aircraft were guided safely to the ground in a matter of hours, a tremendous feat. All parts of the system worked well, worked together, and worked safely to bring home those traveling by plane that day. This included roughly 15,000 air controllers, 6,000 technicians, and 2,800 flight service station employees.

These people acted bravely and professionally. So why does President Bush want to honor these heroes of 9/11 by firing them? I do not get that at all. The administration plans to privatize our air traffic control system.

I heard the distinguished Senator from Mississippi say there are no plans, no, but just take away the safeguards and anything one wants can be done. This conference report allows them to do exactly that. It is a bad idea, truly disrespectful to the thousands of September 11 heroes and disrespectful to all of those who worry about air travel when they read about shoulder-fired weapons and even worse.

It is no coincidence that this important section of the FAA bill was omitted without any Democratic input or debate. The American people do not want safety and security on the cheap. They want air traffic control to remain essentially a Government safety function, as it was before President Bush signed that Executive order in 2002. That is why the Senate voted on June 12 of this year—I remind my colleagues who are in the Chamber, talking about who should vote for what—I want everybody in this Chamber to feel like they can look in the mirror and answer the question: What was the best thing I did for the safety and the safeguarding of our airplanes and our passengers? That is to make sure this system stays intact.

The Senate voted on June 12, a vote of 56 to 41—we do not have 56 on this side—to ban this privatization. I remind my colleagues that safety and security are not partisan issues. Eleven of my Republican colleagues voted for safety and security. This conference report on the FAA is not the first conference report produced on this bill. Conferees produced an original conference report that was downright strange.

How much time do we have remaining on our side?

The PRESIDING OFFICER. Fifteen and a half minutes remaining.

Mr. LAUTENBERG. For starters, it exempted the State of Alaska. Of course, that has something to do with the fact the chairman of the House Transportation Committee is from Alaska. He did not want his airports privatized. He was very specific.

He said: Of course, the criticism of myself is that I exempted the State of Alaska, and here is the reason for that. One, he describes Juneau Field itself to be going under Capstone next year so it would not be eligible to be contracted out. The Merrill Field is a real complex issue. He winds up saying that the airplanes take off right toward my hotel room every morning. I look out and there is one coming right at me. It is an interesting experience and I want to make sure everything is done right in that field.

He does not want Acme air controllers to be there perhaps in the middle of a labor dispute or something like that. He wants to know that the tried and trusted hand of the FAA as it is presently composed continues. If he thinks that exempting Alaska is a good idea, let the other States have an exemption, too. The other 49 should just as well be exempt.

If the Chair would let me know when we have 10 minutes, I would like to turn that time over to the Senator from West Virginia.

The PRESIDING OFFICER (Mr. CORNYN). The Senator will be so notified.

Mr. LAUTENBERG. Privatizing the air traffic control system is a bad idea for many reasons. We should heed the lessons of other countries that tried this already: Canada, Australia, and the United Kingdom. All of these attempts resulted in failures.

We should heed the lessons of the blackouts we experienced in the Northeast this summer that shut down six major airports. Our air traffic control system guided stranded flights safely to the ground.

I do not think it can be any clearer that air traffic control is a vital Government safety and security function.

I sense my colleague from West Virginia would like to use his 10 minutes now.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. Mr. President, for the sake of a flow back and forth, I yield 5 minutes of our remaining time to the chairman of the full committee.

Mr. LAUTENBERG. I yield the time with unanimous consent that I regain it and turn it over to my friend from West Virginia.

Mr. LOTT. I yield 5 minutes to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. First, when Air Force One takes the President down to his ranch in Texas, guess what. Horrors, the plane lands at an airport with a contract tower. When the Vice President travels to Jackson Hole, WY, his plane lands at an airport with a contract tower. Perhaps the safety concerns that always surrounds a President and Vice President have been waived in this case.

One of the most respected men in Washington is Ken Mead. He is the inspector general of the Department of Transportation. He did a study on the issue of contract towers. I ask unanimous consent that his letter and that of the Professional Air Traffic Controllers Organization be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF TRANSPORTATION,
Washington, DC, July 22, 2003.

Hon. DON YOUNG,
Chairman, Committee on Transportation and Infrastructure, U.S. House of Representatives,
Washington, DC.

DEAR CHAIRMAN YOUNG: We understand that the House and Senate Conferees may be meeting this week to discuss the Federal Aviation Administration's (FAA) Reauthorization. One issue that will no doubt be included in those deliberations is the provision of the legislation that prohibits FAA from contracting out any Air Traffic Control functions. Specifically, we are concerned that this restriction would eliminate even the option of expanding FAA's Contract Tower Program to the 71 visual flight rule (VFR) towers still operated by the FAA, regardless of how safely and cost efficiently towers in the existing Contract Tower Program are operated.

Based on our work, we think the Conferees should take into account the track record of the 218 VFR towers in the Contract Tower Program. Since 1998, we have conducted audits of various aspects of the Contract Tower Program and have found consistently that the program works well. We found that contract towers provide cost-effective services that are comparable to the quality and safety of FAA-operated towers. For example, last year the level of operational errors at contract towers was comparable to the level of operational errors at FAA VFR towers. The Contract Tower Program also provides services at towers that FAA would otherwise not have staffed because they were too expensive to operate. In 2002, we estimated that contracting out the VFR tower still operated by FAA could save the agency about $780,000 per tower each year. That translates into about $55 million in annual savings if all 71 towers were contracted out.

Our point here is not that the 71 VFR towers still operated by FAA should be converted to the Contract Tower Program, but that the option should remain open. We do not support expanding this option beyond the remaining 71 VFR towers still operated by FAA. But in light of the sharp decline in Aviation Trust Fund revenues and the most recent projections of the Federal deficit, we think FAA needs the flexibility to evaluate alternatives for ensuring its operations at all VFR towers are conducted in the safest and most cost-effective manner possible.

We urge the Conferees to consider preserving at least the option of expanding the Contract Tower Program to the 71 VFR towers still operated by the FAA.

If I can answer any questions or be of further assistance in this or any other matter, please feel free to call me at (202) 366–1959, or my Deputy, Todd J. Zinser, at (202) 366–6767.

Sincerely,

KENNETH M. MEAD,
Inspector General.

PROFESSIONAL AIR TRAFFIC CONTROLLERS ORGANIZATION,
Douglasville, GA, November 6, 2003.

Hon. TRENT LOTT,
U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR SENATOR LOTT: I am writing to urge you to support the conference report accompanying H.R. 2115, Vision 100—The Century of Aviation Reauthorization Bill. Please make no mistake; Labor is divided on this issue.

I am the National Representative for the Professional Air Traffic Controllers Organization, PATCO/AFL–CIO, and represent the air traffic controllers in 50 FAA contract air traffic visual flight rule (VFR) control towers (ATC) across the United States. I take exception to the National Air Traffic Controllers Association position that the FAA contract controllers are unsafe. The DOT Inspector General's report released on September 5th states unequivocally the safety benefits to the aviation community and the cost savings to the American taxpayers of the Federal Contract Tower Program. The FAA contract controllers are all FAA certified, most have 15–20 years of experience and the large majority are retired military and former FAA controllers. FAA also closely monitors and oversees all FAA contract tower operations.

H.R. 2115 will enhance aviation safety, security and supports the Airport Improvement Program. The important issue of expanding capacity to aid congested airports is also addressed by the building of new runways and other projects, all of this resulting in the creation of new jobs.

There are those who oppose this bill because they believe it mandates privatization. It does not. The measure, as you know, is now silent on the issue of privatization, leaving the FAA with the management flexibility they have held for decades to evaluate staffing at individual facilities and to make appropriate decisions with regard to safety, efficiency, and fiscal responsibility. Please support the conference report accompanying H.R. 2115 and encourage your colleagues to pass this legislation as quickly as possible.

Sincerely,

JERRY TUSO,
PATCO National Representative.

Mr. McCAIN. He says:

Since 1998, we have conducted audits of various aspects of the Contract Tower Program and have found consistently that the program works well. We found that contract towers provide cost-effective services that are comparable in quality and safety to FAA-operated towers.

The difference is it saves $170 million a year for the taxpayers. By the way, I hope the Senator from New Jersey can get over the Alaska issue. This is a fairly big bill. In all deep sympathy, I hope he can get over two towers in Alaska as we consider this serious issue.

The process was not perfect. We probably should not have put this provision in in conference. We did so at the urging of the administration because there was the threat of a veto by the administration. Ever since then, we have tried to reach some kind of an agreement. We have agreed to have it language neutral. We have agreed there would be a year-long moratorium while GAO and other studies are conducted.

The Senator from Mississippi and I have spent literally hundreds of hours trying to reach some accommodation to avoid a veto by the President of the United States who flat out said that—guaranteed in writing that we would have a veto—and at the same time try to satisfy the legitimate concerns because of the position of Senator LAUTENBERG and others who voted for the measure to which Senator LAUTENBERG referred.

It seems to me we should have been able to come to some kind of an agreement, including the commitment that we got from the administration, or at least we would have held to, for an all-out moratorium.

Now, if the Senator from New Jersey prevails on this vote, we have previous authorization and privatization will go on. So the Senator from New Jersey may feel great about it but the fact is that with the compromises we offered, he would have been far better off. Instead, we worry about two towers in Alaska.

The point is, we have tried. We have tried to address this issue, which is a very small part of very large legislation, that has to do with aviation security; it has to do with airports; it has to do with all kinds of things. It is a massive bill and we are hung up on this one aspect for which there is a refusal to compromise on the part of the Senator from New Jersey, and I regret it. I deeply regret it because we may lose this vote, although I hope Members realize the consequences of the loss of this vote. Believe me, we are not going to shut down aviation in the United States of America over this issue. We are not going to allow that to happen. It is far too important to all of America's citizens.

Again, I hope my colleagues will pay attention to the letter from Ken Mead, the inspector general of the Department of Transportation, that says clearly that the contract-operated towers are safe consistently, they are cost effective, and their quality and safety is comparable to FAA-operated towers.

I reserve the remainder of Senator LOTT's time.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, this is all odd, perplexing.

Mr. LAUTENBERG. Mr. President, I am sorry, but there was a unanimous consent that was agreed to that the time would be turned back, and I just want to make sure we divide it up properly. So I would like to be able to recover the time and then just make a decision to hear our chairman of the subcommittee. How much time is remaining on our side?

The PRESIDING OFFICER. Twelve and a half minutes remain.

Mr. LAUTENBERG. I yield up to 10 minutes to the Senator from West Virginia.

Mr. ROCKEFELLER. I am grateful to my colleague from New Jersey for that. But I am still perplexed. This is all kind of odd to me.

We could, I think, pass this whole thing, the entire authorization bill. The chairman of the full committee and Senator HOLLINGS and Senator LOTT, both of whom have spoken here, myself, the ranking member on the Aviation Subcommittee, and BYRON DORGAN—we wrote to FAA Administrator Blakey and made a reasonable request, asking for an extension on a certain part of this for a period of a year. We might get that in the next 7 or 8. We might very well get it. The language didn't appear to be quite proper at the time.

We do have the President's statement. As the Senator from New Jersey pointed out, he specifically deleted ''an inherently governmental function'' when it referred to air traffic performance-based organizations.

I want to support the FAA conference report. I think virtually everybody in the Senate would want to do it. It includes a lot of things that are very important to me for West Virginia. West Virginia is not at the center. We are not exactly a hub of jet aviation, but we are served by many good airlines that do their best to help us. We all know the issue of privatizing the air traffic control system has held this whole thing up for months. It is perplexing, because it does not seem to me to be that big an issue. Yet if we are simply to accede to it, in language which is potentially very vague, we have no idea what might happen.

That is why we sent this letter—my good friend and chairman, and I, and the chairman of the full committee—to try to get this extended for a year so we could look at it and go ahead and pass the rest of all this.

But we have not gotten the letter. We still have 7½ minutes, if I read the clock correctly. It could come in. Then we could all vote for the entire conference report. But short of getting that letter and that commitment, which we all signed on a bipartisan basis, then I think we have to vote against cloture because it is entirely a matter of employees being accountable to the public who maintain the airplanes, who are the service stations that send them from one place to another. That is accountability to the public. It is not accountability to the bottom line. It is not a matter of contracting out. This is fundamental safety.

If you ever go out to Herndon, VA, as I have, and you see the latest technology and you see all the airplanes in the air at any given moment in the United States of America, you can hardly see the country. There are airplanes everywhere and they are all traveling. They have to be guided. A lot of them are general aviation. Some of them are not, obviously.

The inability of Congress to resolve this issue has created a very significant uncertainty for our airports in particular. These are hard times for aviation. I don't think it is the right time to add more trouble in their life, more uncertainty in their life, less predictability in their life, and the worry about less safety in their life.

Last week we did attempt to resolve the main issue that held this up. As I indicated, Senators MCCAIN, HOLLINGS, LOTT, DORGAN, and myself did send the FAA Administrator a very straightforward, honest letter and we requested the FAA impose a 1-year moratorium on the actual contracting out of any air traffic control functions, including flight service stations, which provide enormously important information to pilots. You can't do without them.

I have a little community in my State called Elkins, WV, which is currently not served by commercial aviation, but it does have a critically important flight service station that handles traffic for a significant part of the Washington, DC metropolitan area that is at risk of being contracted out—and will be.

Flight service stations such as these are absolutely vital security links in our Nation's air traffic control system and they have to be protected from privatization.

I come from a private enterprise background, and that has been pointed out to me humorously, or not, but you just can't fool around with public safety. You can't do it. Police officers are not contracted out. I guess they are in Iraq, but they are not in this country. They are public servants. Or you hire a private guard if you want to, something of that sort, but basically, protection of public life and public passage is in the hands of the Federal Government. And it should be. It has always been there. People trust it. If you took it away, or parts of it away, people would be stunned. I think they would be stunned.

This Senator can only support cloture if the administration has made a strong commitment to hold off any changes to the management of the air traffic control system for a year. And we have still 4 minutes to get that letter. Then we will vote for the conference report and I will happily do so because I agree with the Senator from Mississippi, there are lots of good things in it. But safety, unfortunately, is one of those things you cannot compromise.

The Senator from Arizona spoke about Air Force One and Air Force Two. I have never had any doubt they are well cared for. But there is a lot of other general aviation that may not be quite as well tended to, and we have to worry about that.

I don't think the conference report is going to pass the Senate if this letter doesn't arrive. It is not just a case of where the perfect is the enemy of the good but, rather, it is a fundamental debate over the future of aviation and security. It is a huge subject. Aviation is an enormous employer, creating enormous economic activity in our country.

This is not the process we should have to use for the FAA conference report. I would be the first to say that. It grieves me. This legislation has always enjoyed bipartisan support.

I want to set the record straight for 1 second and then I will be finished, on how this came about. When the Senate debated, as has been said by the Senator from New Jersey, we debated this important bipartisan bill. We had a bipartisan majority of Senators express serious concerns over the executive branch's future plans for the safety management of the air traffic control system as a whole. As the Senator indicated, we voted 56 to 41 to impose restrictions on the administration's proposal precisely to avoid the very outcome of the conference report we are now facing, which is allowing the administration to privatize functions of the air traffic control system.

I will not get into the House of Representatives. They also had voted to impose these safety restrictions. In the end, the majority of conferees—we were never invited to be a part of, I was never invited be a part of, but I have become accustomed to that because I was part of the Medicare conference and I wasn't part of that, so my threshold of expectations was low. But we had the will of both Chambers being expressed. Unfortunately, the conferees bent to the desire of the administration.

Congress has clearly spoken on its concerns over air traffic control privatization. Let us use next year to develop policies and make the system more secure, more safe, and more efficient. I urge my colleagues to reject cloture unless we get a letter in the next minute and a half which commits to this protection which I think we all want.

This is an enormous subject. I deeply regret we have come to this point. There is no reason we should have, but we have. Assuming that letter will not come, I will have to ask my colleagues to vote against cloture.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. Mr. President, before he leaves the Chamber, I thank the Senator from West Virginia for his work on the Commerce Committee, and specifically for his work and his cooperation on the development of this legislation, both at the subcommittee and full committee level and here in the Chamber of the Senate, and also for the tone of his remarks. He wants to get this done and that is the attitude we should all have. In fact, that has been my goal. I am trying to find a way we can get a bill completed that has $60 billion in it, billions of dollars for security for our airports and for the airline industry as a whole and that the President will sign.

Is this about trying to win the point—the congressional position will prevail and the President's position will prevail? How about finding a position we can both live with? That is, fortunately or unfortunately, how it works sometimes in a legislative body. That has always been my attitude. I am not interested in making statements. We came here to get things done. We need to get this legislation completed. That is why we have been working feverishly to try to come to a conclusion.

With regard to contract towers, we have one in Tupelo, MS. It works fine.

I believe the record will show that the Senator from New Jersey has over the years supported the concept of contract towers. As a matter of fact, when he was chairman of the Transportation Appropriations Subcommittee, in 1994, the number of contract towers grew from 14 in 1987 to 59 at the end of 1994—an increase of 300 percent while he was subcommittee chairman.

I repeat again something I said: This is not a Republican idea. I am not even sure it is a Democrat idea. But it is an idea that was used effectively during Democratic administrations and Republican administrations.

The 1994 Senate report says:

> In light of the recent recommendations in the ''Report of the National Performance Review'' which calls for converting level I control towers to contract operations, the Committee has provided an additional $1 million above the amount requested for this program.

That was in the Transportation Appropriations Subcommittee report in 1994.

Here is the most important language from the subcommittee chairman, Senator LAUTENBERG.

> The Committee believes this public/private sector program (contract towers) has provided significant safety and economic benefits to smaller communities at a reduced cost to the Federal Government since its inception in 1982. The Committee urges FAA to expand the programs where appropriate.

Now, all of a sudden, contract towers are something really heinous. What is the difference in 1994 and 2003? We have done a lot more—I think over 200 of them. I think most of them work just fine.

I do not know. We are doing a little revisionist history here.

I emphasize this: There is no language in this conference report that would identify contract towers for Alaska, in or out. We took that out. It is not here.

We also had language in the conference report that said we would not have privatization of the air traffic control system.

Declare victory? Oh, no. That was a problem because it didn't apply to all parts and all unions involved in FAA.

That is what this is really all about. It is about making sure that every one of the unions that are involved in the Federal Aviation Administration are excluded.

Again, we are, I guess, looking for the perfect here. All the talk is about air traffic controllers, but as a matter of fact, it involves the Federal Flight Weather Service people, it involves maintenance, it involves everybody.

We can't have privatization of any part of the FAA, would be the attitude of some. I just do not understand that language here.

So it is very important that we realize what is actually in this conference

report and what is not. My guess is, Can you accept victory? Can you accept victory? The administration has said they will put it in writing; they would have supported it in legislation; no privatization of air traffic control systems.

I ask the Senator from New Jersey. He addressed a question to me. I address a question to the Senator from New Jersey. Will he accept a commitment of a 1-year moratorium of no privatization of the air traffic controllers?

Mr. LAUTENBERG. If the Senator from Mississippi would read that infamous letter we are talking about, it says no actual privatization will take place.

Mr. LOTT. That is my point.

Mr. LAUTENBERG. My goodness, we couldn't privatize it within a year if we started today. That letter doesn't say what it is purported to say.

Mr. THOMAS. Mr. President, the FAA conference report before us this evening is critical because it provides funding for crucial safety, security and capacity projects at airports across the country.

I strongly believe that all Senators should support this cloture vote—especially since it includes provisions to strengthen our Nation's air service. However, a handful of Members on the other side of the aisle have held this measure up due to inaccurate claims that the administration wants to privatize our air traffic control system. I would like to take a few minutes to set the record straight.

The objective of the FAA contract tower program is to reduce costs to the Federal Government by contracting out the operation of low-activity towers while providing a safe and efficient service to users of the National Airspace System. Without the contract tower program, many smaller airports would be left with no air traffic control services.

Since 1982, the FAA has used the contract tower program to provide air traffic control services at low activity Visual Flight Rules towers across the country.

In 1994, the Program was expanded to include the conversion of FAA Level 1 Visual Flight Rule towers to contract operations. This expansion was included in Vice President Gore's National Performance Review and supported by Congress. The Department of Transportation's Inspector General has publicly stated how important the contract tower program is. This program makes sense because it allows the FAA to realign its resources in a more efficient and effective manner; it has a better safety rate than FAA towers; and, it saves taxpayer dollars.

All contract controllers are certified by FAA, and contract tower facilities are monitored on a regular basis by the agency. Additionally, the vast majority of contract controllers are former FAA and military controllers. All contract controllers are subject to the same training requirements and operating rules and procedures.

Presently, the FAA is operating 219 contract towers at airports throughout the continental United States, Alaska, Hawaii, Guam, and Puerto Rico. The Contract Tower program cost for FY 2002 was $73.5 million. This program results in annual savings of over $54 million.

A recent audit by the Inspector General at the Department of Transportation validated the cost savings, and found that contract towers operate as safely and efficiently as FAA towers. Contract tower locations are evaluated by the FAA under the same requirements as FAA staffed towers.

Contract towers are staffed at the levels required under current contracts. Contracts are required to submit monthly staffing reports—which provides verification that they are in compliance with their FAA approved staffing plans.

Several audits have commended the FAA's Contract Tower program for oversight of contractors and strict monitoring of controller staffing levels.

According to Department of Transportation Inspector General Kenneth Mead, the contract tower program provides ''cost-effective services that are comparable to the quality and safety of FAA-operated towers.'' Additionally, the National Transportation Safety Board—NTSB—supports the contract tower program.

I find it hard to believe that a handful of Democrats know more than NTSB or the inspector general when it comes to aviation safety.

There are many aspects of our Nation's aviations system. Nothing in the FAA Conference Report would allow for privitization. Simply put, under this bill the FAA would continue to exercise the authority it has had since 1982.

A number of my colleagues have implied that this bill is an attempt to contract out the job of Enroute Control Centers. Enroute controllers are responsible for directing traffic across the United States—the Contract Tower Program has nothing to do with these positions.

At Congressional hearings this year, DOT's inspector general stated that with the sharp decline in revenues to the aviation trust fund and the most recent projections of the federal deficit, the FAA needs the flexibility to ensure VFR towers are conducted in the safest and most cost-effective manner possible.

Wyoming's busiest commercial airport—Jackson Hole—operates under a contract tower. The Jackson Airport handles over 63 percent of Wyoming's commercial air traffic.

For those who question the safety of contract towers, I would like to point out that Vice President CHENEY and President Bush both use contract towers when they fly to their respective home States. If the contract towers are safe enough for the President and Vice President—I believe they are safe enough for the American public.

I would like to quote Senator LAUTENBERG'S floor statement during consideration of the fiscal year 1994 Department of Transportation and Related Agencies Appropriations Act on October 4, 1993. He said:

> The use of contract towers is an example of how we can reduce the costs of Government services and achieve savings over the long run. FAA estimates that the use of a contract control tower saves $200,000 annually because of the flexibility available in scheduling controller working hours around changes in air traffic activity levels.

I ask unanimous consent that the Talon News article by Jeff Gannon dated September 23, 2003 be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Talon News Sept. 23, 2003]

DASCHLE, LAUTENBERG VOW TO FIGHT FAA PRIVATIZATION THEY SUPPORTED IN 1994

(By Jeff Gannon)

WASHINGTON (TALON NEWS).—New Jersey Democrat Sen. Frank Lautenberg is promising to hold up the Federal Aviation Administration reauthorization bill over the subcontracting of some air traffic control jobs. He cited safety concerns as the basis for his opposition to the outsourcing of air traffic control functions.

President Bush has threatened to veto a bill that does not include language to allow the privatization that his administration says will result in increased savings with no reduction in safety. Democrats are challenging competitive sourcing of thousands of federal jobs through insertion of amendments into departmental appropriations bills that would prohibit the practice.

Some are characterizing Lautenberg's opposition to the privatization as political, since he championed a similar program in 1994.

Geoffrey Segal, the Director of Government Reform Policy for the Reason Foundation, told Talon News, ''The change in position clearly is pandering to special interests, in this case NATCA (National Air Traffic Controllers Association), who have aggressively stepped up their lobbying efforts to fight competition in the FAA.''

Segal pointed out that, while serving as chairman of the Senate Transportation Appropriations Subcommittee, Lautenberg supported the part of Vice President Al Gore's program for ''reinventing government'' that included the changes now being proposed by President Bush.

Segal continued his criticism of Lautenberg, saying, ''The flip-flop in position is pure partisan politics—it's reform when proposed by a Democrat, but it's trading safety and security for profits when it's a Republican proposal.''

Lautenberg was quoted in the Washington Post in 1994, saying, ''The [Clinton] administration's proposal to privatize the air traffic control system is consistent with the desire to bring more efficiency and reform to government and should be reviewed seriously.''

On the Senate floor in 1993, the New Jersey Democrat declared, ''I strongly endorse the FAA's contract tower program for level 1 (the smallest) control towers. . . . The use of contract towers is an example of how we can reduce the costs of Government services and achieve savings over the long run.''

Lautenberg justified his support of privatization by saying, ''FAA estimates that the use of a contact tower saves $200,000 annually because of the flexibility available in scheduling controller working hours around changes in air traffic activity levels.''

At the time, South Dakota Sen. Tom Daschle (D–SD) praised Lautenberg's efforts, saying, ''I would like to compliment the Senator from New Jersey for once again doing a masterful job in providing the Senate with an appropriations bill that recognizes the importance of our transportation systems to the health of our economy and fairly balances the competing demands for improved transportation services throughout the United States.''

Daschle continued his complimentary assessment of the privatization provision, saying, ''I am grateful that report directs the FAA to include the Aberdeen (South Dakota) Airport in the FAA's contract tower program.''

Lind Hall Daschle, the senator's wife, was a deputy administrator for the FAA from 1993 until 1997.

The Reason Foundation's Segal summarized his assessment of the political motivation of the Senate Democrats by saying, ''Of course, the larger picture is that both Sens. Lautenberg and Daschle supported bringing competition to government, however, as part of President Bush's plan to do the same, both senators are outspoken opponents of the plan. It seems that competition in Aberdeen is good for Sen. Daschle's constituents but not for American taxpayers.''

FAA officials have suggested that unless action is taken by the September 30 expiration of the current authorization, it would begin to furlough non-essential personnel. Marion C. Blakey, the agency's administrator, predicts more dire consequences. The New York Times quotes her as saying, ''We see ourselves on the brink of closing the doors.''

A temporary reauthorization measure is being proposed to break the impasse and to avoid a shutdown of the FAA. Two Republicans, Sens. Trent Lott (R–MS) and John McCain (R–AZ), indicated they would oppose any short-term extension and intend to continue work on the full four-year bill.

Mr. THOMAS. Mr. President, I hope my colleagues and the American public see that under the Clinton administration the Contract Tower Program was okay but it's not today—under a Republican administration.

This conference report includes many important provisions for our aviation system. It includes billions in funding for the Airport Improvement Program; provides continuation of the Essential Air Service and Small Community Air Service programs; funds FAA operations, air traffic control facilities and equipment; extends War Risk Insurance to March 2008; and it provides streamlining for airport capacity, safety and security projects.

Secretary Norman Mineta has stated that ''passage of this legislation offers millions of American travelers the assurance that the Nation's aviation system will remain the safest, most efficient and most competitive in the world.'' The facts speak for themselves. The Contract Tower Program provides cost effective, quality and safe air traffic control services to smaller airports.

I urge my colleagues to support cloture on this important bill.

Mr. KENNEDY. Mr. President, the tragedy of September 11 has been seared into all our memories. We will never forget the sudden massive loss of lives, and the realization that our country was now extremely vulnerable to terrorist attack. We remember the extraordinary courage of the passengers on the fourth plane who prevented the terrorists from completing their murderous mission. We also remember the extraordinary courage of the firefighters, police officers, and other rescue workers at the sites of the attacks, and millions of our fellow citizens who reached out to help the families of the victims.

We remember as well the extraordinary performance of the air traffic controllers, who took on the incredible challenge of protecting the whole aviation network and ensuring the safety of the public on that tragic day and in the days that followed. Their professionalism and patriotism inspired us all.

So why in the world is the administration now attempting to undermine those brave citizens? We must defend them instead, because the air traffic controllers are defending us and defending the safety of the American flying public.

Over and over again we see the problems in the administration's privatization policy throughout the Federal Government. We have been fighting other battles to correct those policies and make them fair for Federal employees.

But we must be especially careful with these policies when they affect homeland security. We all know what a disaster it was when private companies screened bags at our airports. Now, Federal workers are doing the job better, and Americans are feeling safer.

Both the House and the Senate specifically voted to protect air traffic controllers and keep these vital safety jobs as part of the Federal workforce. Yet now, because of a shameful veto threat from the White House, the House and Senate Republican leadership have yielded to and agreed to a privatization of these jobs. That change is unacceptable.

In fact, the Senate bill contained even stronger protections than the House bill. The Senate voted 56 to 41 to approve Senator LAUTENBERG's amendment to protect not just air traffic controllers, but also systems specialists and flight service station controllers from privatization. I commend my colleague from New Jersey for his continued leadership in this important battle.

The FAA reauthorization bill now before us defies the will of the majority in both the House and the Senate. It undermines the safety of our aviation system, and I urge my colleagues to vote ''no'' on cloture.

Mr. REID. Mr. President, the U.S. air traffic control system works miraculously well. It is a public system that is admired around the world. American air traffic controllers safely and efficiently guide 9 million flights a year with more than 600 million passengers.

When it comes to the safety of air travel, the American people demand perfection, and rightfully so. That is why the Federal Aviation Administration has set a goal of reducing air traffic fatalities to near zero. This challenge has become increasingly complex as flights have increased to meet the growing needs of the traveling public. There isn't much room for error.

Unfortunately, the administration and House Republican leaders are backing a plan that compromises passenger safety by privatizing the air traffic control system. This flawed and misguided plan is contained in the conference report on this FAA bill. It is opposed by 71 percent of Americans.

Earlier this summer, the U.S. Senate and House of Representatives both voted in their respective FAA bills to maintain air traffic control as a public function and prevent it from being privatized. That is the will of Congress.

Instead of affirming that the safety of air travelers is the responsibility of the United States Government, members of the conference committee, at the urging of the administration, passed an initial conference report that allowed for immediate privatization of 69 air traffic control towers.

This brazen attempt at privatization was met with such opposition that the House was forced to recommit the bill to conference. However, once recommitted, the House simply stripped language in the conference report dealing with privatization. No conference committee meetings were held. The bill was passed along party lines. And our Republican friends say this is the status quo.

Nothing could be further from the truth. The House and Senate passed language to prohibit privatization in response to an Executive order by the administration to privatize the air traffic control system.

Put simply, the conference report allows the FAA to privatize any air traffic control functions at its whim. This policy creates a puzzling contradiction. Our Government has declared that your luggage is important enough to be screened by trained Federal workers, but once you are up in the sky, with your life in the balance, the administration apparently feels that your safety isn't as important as your suitcase.

Any meaningful legislation must follow the mandate of the Senate and House bills and refrain from trying to privatize our air traffic control system.

If the House attempts to force privatization of our Nation's air traffic control system, it will only delay funding of essential airport infrastructure and security programs. That would be irresponsible and even reckless.

We urge our colleagues to work with us to craft a revised FAA bill that honors the overwhelming sentiment in Congress against privatization of air traffic control operations and maintenance, that protects the U.S. aviation industry from unfair foreign competition and maintains Federal support of the essential air service, and a bill that ensures that our Nation's flight attendants receive mandatory antiterrorism training.

Let's move forward by passing a straight 6-month extension of all FAA programs that will provide the necessary time to work through these issues. An extension bill, introduced by Senators ROCKEFELLER, LAUTENBERG, and DASCHLE, will provide a vehicle for the Congress to get the process and substance of the FAA bill right.

I am confident that both Chambers of Congress will reassert their intent to block privatization, protect the integrity of essential air service, continue the ban on cabotage, and train flight attendants as mandated under existing legislation.

Americans entrust their lives every day to our air traffic controllers. Now they are trusting us to protect their safety.

FAA PRIVATIZATION

Mr. REID. Our friends of the other side of the aisle suggest that President Bush has no plans to privatize the air traffic control system. They point out that the President hasn't privatized any towers in the past 3 years. Then why is the President threatening to veto this bill if it includes language to prohibit privatization? Why is the President delaying the funding for essential airport construction projects? Does this make any sense to the Senator?

Mr. LAUTENBERG. Unfortunately, certain Senate conferees to the FAA bill decided to remove all barriers to privatizing our national air traffic control system. But both the Senate and the House voted to put these barriers in the bill as a response to President Bush's actions, including the issuance of an Executive order, to move towards privatizing air traffic control. And the President feels so strongly about privatizing that he has forced conference leaders not to take any actions in the bill. And this is not agreeable to those of us concerned about the safety impacts of the President's plan. To my dismay, this ideological crusade by the White House has held up passage of the legislation for over 3 months, and I am disappointed that some of my colleagues are willing to sacrifice safety for this zeal to privatize.

Mr. REID. Our colleagues also point out that President Clinton privatized 116 of the current 219 contract towers. Isn't it inconsistent for Democrats to argue privatization when it was a common practice under the Clinton administration?

Mr. LAUTENBERG. Between 1994 and 2000, the FAA did contract out 130 small FAA towers. These were ''level I towers''—generally with less than 25 operations per hour and operating under ''visual flight rules''—that is, without radar equipment. I also note that the current list of 219 towers constitutes a small fraction of overall air traffic in the United States. While exploring ways to modernize air traffic control equipment for the entire national system, the Clinton administration proposed a Federal corporation to take over air traffic operations. While I initially was willing to consider this proposal, it was rapidly determined to be a poor idea, and the President eventually made the determination that air traffic control is an inherently governmental function. So during reauthorization of the FAA bill in 1996 and 2000, we agreed to FAA management reforms, to give FAA the flexibility it needs to act as a better manager, not privatization. In the end, the President and the Congress agreed that air traffic control is an inherently governmental function, and recognized that it was not wise to pursue privatization. Unfortunately, the Bush administration reversed the Clinton administration's executive order last year, reclassifying air traffic control functions so that privatization could proceed. And this was after September 11. In summary, the Clinton administration did not support privatization, while the Bush administration does support privatization.

Mr. REID. You mentioned that the Bush administration reversed the Executive order issued by the Clinton administration establishing air traffic control as an inherently governmental function. Did the Bush administration have second thoughts about that after September 11, 2001?

Mr. LAUTENBERG. I say to Senator REID, this may be hard to believe, but the Bush administration issued their Executive order after September 11. I find that especially troubling in light of the incredible and even heroic performance by the Federal employees of our Nation's air traffic control system on September 11. The security of the Nation's airlines became so important that we felt the need to federalize baggage screening. But somehow, this administration still wants to privatize the air traffic control system.

Mr. JEFFORDS. Mr. President, I have serious concerns about several provisions found in the FAA reauthorization conference report. Before the Senate passed S. 824, the FAA reauthorization bill, we expressly prohibited additional privatization of air traffic controllers. We also eliminated a proposed cost-sharing requirement for local communities that participate in the essential air service program. This requirement would have placed an insurmountable burden on many remote communities struggling to maintain commercial air service.

Our colleagues in the House responded similarly to these issues. When the Senate and House bills went to conference, neither Chamber's legislation permitted privatization of air traffic controllers, nor did either bill contain an essential air service cost-share requirement.

Therefore, I was surprised and disappointed to learn that the final conference report allows both.

I am also very concerned about the provisions in this bill affecting the National Environmental Policy Act, NEPA. While not actually an amendment to NEPA, these provisions are more likely to lead to extended conflict, litigation and confusion—far from a streamlined result. In addition, the Department of Transportation has neither the authority nor the expertise to determine the environmental impact of various alternatives to a project under environmental statutes such as the Clean Water Act and the Endangered Species Act. Other Federal entities, such as the Army Corps of Engineers or the Fish and Wildlife Service who have specific statutory mandates, must evaluate alternatives under Federal law when their jurisdiction is invoked.

For example, regulations governing wetlands permits under section 404 of the Clean Water Act require the Army Corps of Engineers to evaluate several factors such as ''fish and wildlife values,'' ''water quality,'' ''conservation,'' and ''aesthetics'' in determining whether a permit is in the public's interest. The Clean Water Act imposes specific substantive standards on the Corps' decision and prohibits the Corps from issuing a permit to fill a wetland if there is a less damaging practicable alternative. Under current law, the Corps has the authority to supplement NEPA documents with additional information in order to fulfill its legal responsibility. The legal obligations of these other agencies have not been repealed by the language in this bill, nor should they be.

There is ample authority contained in the existing NEPA statute and regulations for coordination among Federal agencies in performing required environmental reviews. The confusing statutory directions contained in this bill are both unnecessary and counterproductive if the desired result is efficient project completion.

Given its current content, I cannot support this conference report.

Just last year, Congress determined that, for security reasons, airport passenger screeners should be Federal employees. Why would we treat air traffic controllers differently? They play an equally important role in ensuring the safety of our air travelers.

Our air traffic control network safely guides more than 700 million passengers a year. In addition, the ATC network provides a crucial national security service by coordinating the national air space for military aircraft as well as for commercial aircraft. As we saw immediately following the terrorist attacks of September 11, 2001, the ATC system must be prepared to respond quickly and efficiently in emergency situations.

In order to best ensure the safety of air travel in this country, our air traffic control network must remain a Federal responsibility. This bill permits privatization of air traffic control towers around the country.

I am also very concerned that the essential air service cost-share language found its way back into this legislation. The EAS program was created in 1978, when Congress passed the Airline Deregulation Act, reflecting Congress's

belief that deregulation should not result in the elimination of airport service in rural communities. In my home State of Vermont, the Rutland State Airport depends on this program to maintain commercial service in and out of the Rutland region.

For many cash-strapped EAS communities, the local match required by the cost-share provision in this bill is insurmountable. Mandatory cost-shares will mean the end of commercial air service in many economically depressed rural areas. If we adopt this provision, we have essentially defeated the goal of the EAS program.

Both the House and the Senate acted on these two provisions earlier this year. The FAA conference report reverses the positions that a majority of our Members agreed to on the House and Senate floors. Rather than endorse the flaws found in this legislation, I urge my colleagues to support S. 1618, Senator ROCKEFELLER's short-term extension of the Federal Aviation Administration programs. This bill provides the additional time we need to work out a long-term reauthorization package that represents the positions of a majority of Members of both Houses of Congress.

(At the request of Mr. DASCHLE, the following statement was ordered to be printed in the RECORD.)

• Mr. KERRY. Mr. President, I would like the record to reflect my opposition to the Vision 100—Century of Flight conference report. The final bill does not include any prohibition against privatizing the air traffic control system, an issue that has serious safety and national security implications. I voted in favor of the Lautenberg amendment in June and will oppose ending debate today because passage of this bill without language protecting ATC from privatization will make our aviation system less secure and more vulnerable to terrorist attacks.

After the September 11 attacks it was obvious that the Federal Government needed to assume a greater role in aviation security. Although we passed legislation that made baggage and passenger screening a federal responsibility—legislation that the administration supported—the President signed an executive order that designated air traffic control as a ''commercially competitive'' enterprise. This is a strange dichotomy. The President seems to believe that, in the realm of aviation security, airport security and air traffic control are mutually exclusive. I fail to see how these issues are mutually exclusive and am disturbed at the administration's efforts to undermine the protections that were originally included in both the House and Senate bills.

Mr. President, if this bill passes without a prohibition on privatization, the executive order signed by the President will stand and he will be able to contract out the Nation's ATC to the lowest bidder. I cannot imagine a worse policy for our Nation. This work should only be performed by well trained and experienced Federal workers. These men and women perform a valuable service to their country and their jobs should not be shipped out to a private entity. I urge my colleagues to oppose this bill.•

Mrs. MURRAY. Mr. President, I oppose the motion to close debate on the FAA reauthorization bill.

While I strongly support the bill's authorized funding for infrastructure and operations for our Nation's aviation system, I am troubled that this bill still gives the Administration too much leeway to privatize our Nation's air traffic control, ATC, system.

We know this administration is eager to privatize government jobs even when it costs more money and does not improve productivity. We also know that air traffic control involves special considerations like safety, cost and flight delays.

That's why both the House and Senate passed amendments to the FAA bill to explicitly limit the administration's ability to privatize FAA-controlled towers. I voted for the Lautenberg Amendment in June, and it passed the Senate 56–41.

You would have thought that the White House would recognize that it was on the wrong side of this bipartisan issue. But instead of accepting this reality, the White House pressured the members of the conference committee to remove the limiting language during the first conference. Regrettably, a majority on the conference committee followed the White House's request.

In its place, the conferees added new language that goes even further in supporting privatization. That new language would allow 69 of current FAA controlled towers to be eligible for privatization. Eleven of those towers are among the 50 busiest in the nation, including Boeing Field in Seattle.

The conferees then presented that proposal, only to realize that it faced strong opposition in both Houses of Congress.

The conferees were forced to take their first report back for further deliberation. Their second conference report, which is before us today, dropped the expanded privatization provision. However, it did not reinstate the initial language that both chambers supported, which would explicitly limit the administration's ability to privatize our air traffic control system.

Given the administration's disregard for congressional intent, I believe that this limiting language is critical.

As ranking Member of the Transportation, Treasury and General Government Appropriations Subcommittee, I have supported some privatization of ATC, but only at low-traffic airports that would otherwise not have a tower.

This is not just a process or philosophical issue but raises questions about benefits, safety and cost. The countries that have privatized their ATC systems—Canada, Australia and the U.K.—have seen increased flight delays and—in the case of Great Britain—an increase in ''near misses'' that could result in accidents. In addition, this private control requires more resources than government-run systems.

It is important to note that the Lautenberg amendment would have allowed the government to continue to provide private air traffic control to smaller airports.

Senator ROCKEFELLER has offered a simple 6-month extension of AIR–21, which will allow us to reexamine this issue and put together a package that reflects the will of Congress and the people.

I urge my colleagues to oppose this conference report.

Mrs. BOXER. Mr. President, I discuss why I am voting against cloture on the FAA Reauthorization bill.

This bill includes some very good provisions, including funding for our Nation's airports and two provisions that I was able to include in this bill—certification of flight attendant anti-terrorism training and allowing trained cargo pilots to carry guns in the cockpit.

However, these good provisions do not make up for the threat to the safety of air travel that this bill will cause.

On June 12, 2003, Senator LAUTENBERG's amendment to the FAA bill passed 56 to 41. His amendment, which I supported, would have prevented the Administration from privatizing the U.S. air traffic control system. The House bill had a similar provision.

However, during the conference process the provisions in both bills were ignored. This summer, Republican conference leaders filed a conference report that specifically sanctioned privatization at up to 69 airports, some of which are the busiest in the country in terms of flight operations. For instance, Van Nuys airport in California is the eighth busiest airport in the country in terms of flight operations.

When that clearly did not have the support of the Congress, the conference report was rewritten, and the privatization language was dropped. But, the language prohibiting privatization was not reinserted, and the administration has indicated it intends to go forward.

Privatizing the controllers is a bad idea. The system is not broken, and we should not try to ''fix'' it. Our air traffic controllers did a valiant job after the terrorist attacks on September 11 by closing air space and by landing all of the planes safely. We should not mess with success.

Safety must be a top priority in air travel. Privatization puts that safety at risk.

Mr. FEINGOLD. Mr. President, today the Federal Aviation Administration reauthorization conference report comes before the full Senate. I plan to vote against cloture on the conference report to accompany H.R. 2115 because it would permit the contracting out of certain air traffic controller positions currently filled by Federal Government employees.

I do not support efforts to contract out air traffic controller positions because these positions are vital to our national security. I regret that the FAA conference report does not include language passed by both the Senate and the House—which I supported—that would have prohibited the administration from contracting out these important positions.

I support the funding for airports and airline industries in our country that this bill contains and it is not my intention to slow down funding for airports or airlines. However, the safety of Americans must outweigh the possibility of airlines and airports being temporarily inconvenienced.

Supporters of this legislation will argue that airport construction projects will be delayed if we do not pass this bill soon. However, how can the lives of Americans be compared to the value of construction projects? Airport projects are certainly important, but the lives of Americans are worth a slight delay in the passage of this bill.

Safety is one of the most important elements of this bill for me and for Wisconsin residents. I have been contacted by a number of constituents from my home State of Wisconsin who stated their opposition to the contracting out of air traffic controller positions. I share their concerns and I am not prepared to vote for cloture on a bill that does not contain adequate safeguards to ensure passenger safety.

The contracting out of air traffic controller positions would be a major mistake with potentially life-threatening consequences. In recent years, other countries have attempted to privatize their air traffic control systems only to encounter major problems, with increases in ''near-misses'' of airplanes or actual airplane crashes. Furthermore, in attempting to privatize their air traffic control systems, other countries have experienced increased delays and higher costs and fees for passengers. With our economy in its current condition, higher costs and fees are the last thing that consumers want or deserve.

In Canada, where air traffic control privatization was established in 1998, the Canadian Transportation Safety Board found that under-staffing at some towers has been a major concern and may have contributed to near mid-air collisions. According to the London Daily Telegraph in Great Britain, flight delays caused by air traffic control increased by 20 percent since the system there was outsourced. More importantly, the UK Airport Board found that ''near miss'' plane crash incidents had risen to their highest levels in a decade. We cannot and must not take that risk here in the United States.

Those supporting this bill as it presently stands argue that the legislation needs to be passed immediately and should not be held up because of the privatization debate. The safety of Americans is no minor issue. The bill as it currently stands puts many American lives at risk, as demonstrated by the increased danger of air collisions that we have seen in other countries.

This conference report also fails to address an important issue regarding flight attendants. This issue is an important one following the events of September 11, 2001. Since that tragic event in our Nation's history, cockpit doors have been reinforced, some pilots have been trained and certified to carry firearms and marshals have been added to some flights. Pilots have also been directed to remain in the cockpit during a highjacking, leaving flight attendants alone in the cabin with only minimal training on how to work with a marshal or respond alone to such an event. The provision that was not included in the legislation before us seeks to protect flight attendants by making it mandatory that the Transportation Security Administration issue minimum training standards for flight attendant self-defense training within one year.

The current legislation states that the Transportation Security Administration ''may'' issue minimum training standards for flight attendant self-defense training. This is simply not enough to protect the flight attendants or the flying public.

For the above reasons I regret that I cannot vote for cloture.

Mr. LOTT. Mr. President, I reserve the remainder of my time.

Mr. LAUTENBERG. How much time is left on our side, Mr. President?

The PRESIDING OFFICER. Two minutes 32 seconds.

Mr. LAUTENBERG. On the majority side?

The PRESIDING OFFICER. Five minutes on the majority side.

Mr. LAUTENBERG. Mr. President, I have listened, and if I were not experienced I would be shocked at what is being said. Get over Alaska. What do you care about Alaska? I care about my family. I even care about the other guy's family.

Why was FAA started in the first place?

June 30, 1956: TWA Flight 2 collided with United Flight 17 killing 128 people. The record shows that one probable cause of the accident was insufficiency of the en route traffic control advisory.

They can trivialize it on the other side all they want—smile and smirk. But the fact is that Don Young was the smartest of them all. And why didn't we hear from the Republican side when the vote was taking place in June? We had 11 Republicans vote with us. I did not hear the cry that: We are not going to be able to fund this. We are going to be able to fund it.

Senator ROCKEFELLER and I proposed a compromise in S. 1618, which was an FAA temporary extension act. Let us get it all out there. But no, the other side persists in getting this thing through by one hook or another.

The fact is that by any sense of one's decency, don't throw FAA into the same pot out of which we dug the baggage screeners. It is ridiculous to have this kind of a debate.

Sure, we can prove Air Force One can land anyplace. We know the President lands it all over in fundraising, for goodness' sake. We see that airplane going out there. But that is a different situation than the one we are talking about when we have pilots who can occasionally make mistakes even when aided by the guidance of the FAA controllers. They know exactly what to do with the weather, they know what wind sheer looks like, and they know all of the conditions. And I am not the pilot. Senator MCCAIN is the pilot in this room.

The fact is it is safety; that is what I am concerned about. I am not interested in protecting anybody's turf except the families who fly every day across this country and the people who want to know they are going to get there in a timely and safe fashion. With the scares we suddenly see coming out, and shoulder-fired missiles, and here—oh, no; we don't have to talk about safety; let us talk about process.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LOTT. Mr. President, I yield whatever time remains to Senator MCCAIN who will wrap up. Any time he doesn't use I would like to retain.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank my colleague. I will be brief.

The letter says:

> Let me be absolutely clear. The administration has no plans to privatize the Nation's air traffic control system.

I would resist and join in efforts to prevent that.

It is very interesting: Baggage screeners? Could the Senator from New Jersey be talking about TSA talking about baggage screeners? That is an interesting depiction. They are required to be make sure there is security in our airports, I inform my colleague.

We are talking about hundreds of thousands of jobs here. We are talking about safety. We are talking about improved security. We know what needs to be done to improve security at our airports. That is in this bill. These come from the recommendations of the TSA and the Department of Homeland Security. They are vital.

If the Senator from New Jersey is interested in safety, then he will support the passage of this bill because it enhances in a broad variety of ways the safety of the airports in America. It is vital we implement these safety procedures.

If they were not interested, Vice President Gore's National Performance Review in 1994, recommendation No. 9 for Department of Transportation, recommended converting 99 FAA staff control towers to contract operations. I wonder if the Vice President had that in mind at the time this process began.

The important point is we tried very hard to come to some agreement. I

don't think this has been a good process, but we made offer after offer. We have pressured the administration to come up with other offers. But the reality we were faced with was the threat of a Presidential veto. So we tried to reach accommodation. Obviously, that has not been enough.

But I assure my colleagues that if we don't pass this legislation, we will be back to the status quo, and the status quo—because we are not going to let this authorization die—will be continued privatization of towers in America, a program which has been a successful experiment.

I thank Senator ROCKEFELLER for his hard work on this issue. I appreciate it. Especially, I thank Senator LOTT for the many hours he put in trying to get this very important legislation passed.

The PRESIDING OFFICER. The Senator from Mississippi has 2 minutes.

Mr. LOTT. I ask unanimous consent that the letter to which Senator MCCAIN referred a moment ago from administrator Marion C. Blakely be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION,

Washington, DC, November 17, 2003.

Hon. JOHN MCCAIN,

Chairman, Committee on Commerce, Science and Transportation, Russell Senate Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I have received your November 13, 2003, letter regarding the issue of contracting our functions performed by Federal Aviation Administration (FAA) employees. It is unfortunate that the recent debate on FAA's pending reauthorization bill, Vision 100—The Century of Aviation Reauthorization Act has led some to confuse maintaining the status quo of the FAA's Contract Tower Program with privatizing our nation's air traffic control system. Let me be absolutely clear: the Administration has no plans to privatize the nation's air traffic control system.

I welcome and respect the Committee's duty to perform oversight of the FAA. I look forward to participating in the hearings you described, as there are many misconceptions as to the FAA's plans with respect to competitive sourcing that I would like to correct. In the meantime, if the legislation is enacted in its current form, you have my commitment that during the current fiscal year the FAA will not contract out any air traffic separation and control function currently performed by the FAA. Further, during that period, the FAA will not convert any Visual Flight Rule (VFR) tower to a contract tower.

I look forward to working with the Committee on the important challenges facing the Federal Aviation Administration. The Conference Report contains many provisions which will provide us with important tools to enhance aviation safety, security, and capacity. I hope that my assurances to the Committee will allow us to move forward on this important piece of legislation.

Sincerely,

MARION C. BLAKEY,
Administrator.

Mr. LOTT. Let me read from part of that letter. She acknowledges the letter the bipartisan group sent her last week, dated November 13, regarding contracting out functions performed by the Federal Aviation Administration employees.

It is unfortunate that the recent debate on FAA's pending reauthorization bill, Vision 100—the Century of Aviation Reauthorization Act has led to some confusing maintaining the status quo of FAA's Contract Tower Program with privatizing our nation's air traffic control system. Let me be absolutely clear: The Administration has no plans to privatize the nation's air traffic control system.

I welcome and respect the Committee's duty to perform oversight of the FAA. I look forward to participating in the hearings you describe, as there are many misconceptions as to the FAA's plans with respect to competitive sourcing that I would like to correct. In the meantime, if the legislation is enacted in its current form, you have my commitment that during the current fiscal year the FAA will not contract out any air traffic separation and control function currently performed by the FAA. Further, during that period, the FAA will not convert any Visual Flight Rule (VFR) tower to a contract tower.

What more can you ask? This is a letter from the Administrator, responding to our letter assuring us of those things we have been asking. They are not going to contract the air traffic control system, and they are not going to convert the visual flight rule tower to a contract tower.

I urge my colleagues, for the safety of the American people, for the importance of jobs in the economy, to vote for cloture. Let's pass this legislation and move it to the President for his signature.

Have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays are mandatory under the rule.

Mr. LOTT. I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the clerk will report the motion to invoke cloture.

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 the conference report to accompany H.R. 2115, the Flight 100–Century of Aviation Reauthorization Act.

Bill Frist, John McCain, Conrad Burns, Ben Nighthorse Campbell, Wayne Allard, Jeff Sessions, Mike Crapo, Larry E. Craig, Kay Bailey Hutchison, John E. Sununu, George Allen, Saxby Chambliss, Rick Santorum, Norm Coleman, Craig Thomas, Pat Roberts, Trent Lott.

Mr. CORNYN. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the conference report to accompany H.R. 2115 shall be brought to a close? The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Utah (Mr. BENNETT), the Senator from Kansas (Mr. BROWNBACK), the Senator from Kentucky (Mr. BUNNING), the Senator from South Carolina (Mr. GRAHAM), the Senator from New Hampshire (Mr. GREGG), and the Senator from New Hampshire (Mr. SUNUNU) are necessarily absent.

I further announce that if present and voting the Senator from Kentucky (Mr. BUNNING) would vote ''yes.''

Mr. REID. I announce that the Senator from New Jersey (Mr. CORZINE), the Senator from Connecticut (Mr. DODD), the Senator from North Carolina (Mr. EDWARDS), the Senator from Florida (Mr. GRAHAM), the Senator from Massachusetts (Mr. KERRY), and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote ''nay.''

The PRESIDING OFFICER (Mr. ALLARD). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 45, nays 43, as follows:

[Rollcall Vote No. 453 Leg.]

YEAS—45

Alexander	Dole	Miller
Allard	Domenici	Murkowski
Allen	Ensign	Nelson (NE)
Baucus	Enzi	Nickles
Burns	Fitzgerald	Roberts
Campbell	Grassley	Santorum
Chafee	Hagel	Sessions
Chambliss	Hatch	Shelby
Cochran	Hutchison	Smith
Coleman	Inhofe	Snowe
Collins	Kyl	Stevens
Cornyn	Lott	Talent
Craig	Lugar	Thomas
Crapo	McCain	Voinovich
DeWine	McConnell	Warner

NAYS—43

Akaka	Durbin	Lincoln
Bayh	Feingold	Mikulski
Biden	Feinstein	Murray
Bingaman	Frist	Nelson (FL)
Bond	Harkin	Pryor
Boxer	Hollings	Reed
Breaux	Inouye	Reid
Byrd	Jeffords	Rockefeller
Cantwell	Johnson	Sarbanes
Carper	Kennedy	Schumer
Clinton	Kohl	Specter
Conrad	Landrieu	Stabenow
Daschle	Lautenberg	Wyden
Dayton	Leahy	
Dorgan	Levin	

NOT VOTING—12

Bennett	Dodd	Gregg
Brownback	Edwards	Kerry
Bunning	Graham (FL)	Lieberman
Corzine	Graham (SC)	Sununu

The PRESIDING OFFICER. On this vote, the yeas are 45, the nays are 43. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader is recognized.

Mr. FRIST. Mr. President, I enter a motion to reconsider the vote by which cloture failed.

The PRESIDING OFFICER. That motion is entered.

Mr. FRIST. Mr. President, for the information of colleagues, we will have no more rollcall votes tonight. For my colleagues' planning purposes, we will come in tomorrow morning at 9:30 and have two cloture votes beginning at 10:30 tomorrow morning. Tonight, we

will continue with the debate for which we will get unanimous consent in a moment. I encourage our colleagues to participate and to stay for this debate for which we will propound a unanimous consent request at this juncture.

Again, we will have no more rollcall votes tonight. We will have two cloture votes at 10:30 tomorrow morning.

MORNING BUSINESS

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I ask unanimous consent that there now be a period for morning business for up to 65 minutes, with the time divided as follows:

Senators DORGAN and KYL be recognized first in this order for up to 1 minute each; the next 20 minutes be divided with the Democratic side in control of the first 5 minutes, to be followed by 5 minutes under the control of the Republican side, to be followed by an additional 5 minutes for the Republican side, with the final 5 minutes under Democratic control.

I further ask unanimous consent that the next period of time be divided, as follows:

Each side be permitted to ask up to four questions for up to 1 minute each in an alternating fashion, to be followed by a response of up to 2 minutes to be controlled by the other side of the aisle; to be followed by an additional minute by the first side, with the Republicans to ask the first question.

I further ask unanimous consent that the next 8 minutes be allotted in 2-minute segments alternating with the Democrats first and the Republicans concluding; further, that Senator DORGAN then be recognized to speak for up to 1 minute, to be followed by Senator KYL for the final minute; that upon the yielding of the floor, any debate time remaining during that period of controlled time be yielded back.

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

Mr. KYL. Mr. President, let me announce to my colleagues that this is the second in a series of scheduled debates between the Republican and Democratic sides of the Senate on subjects of importance to the American people to be conducted in actual debate format. Rather than the usual situation where we speak to an empty Chamber or talk across each other, we have actually set up a debate in which two Republicans and two Democrats will tackle a subject of interest today and respond to each other and engage in debate the way it was originally intended by our Founders and by the people who set up the rules of the Senate.

All of the speakers will go through the Chair, but they will be addressing this subject in prepared remarks and then in rebuttal and response to each other. Senator DORGAN and I, who chair our respective policy committees, hope we can thus establish a precedent in this body that at least once a month we will pick a topic and engage in debates the way it was intended to be. We hope both our colleagues and the American people will be edified by this process, not to mention the other Senators in the body.

The PRESIDING OFFICER. The Senator has used 1 minute. The Senator from North Dakota.

Mr. DORGAN. Mr. President, before we begin, let me say to my colleague from Arizona that I think this is a good idea. We will engage now for the second time today in a debate about a specific topic. We will do it for 1 hour talking about something that is very important to the country. In this circumstance, it is going to be jobs and economic policies that create jobs.

This Senate is considered the greatest deliberative body in the world and, from time to time, people might tune in and wonder whether that description best suits the Senate these days. I think it does, however.

There are some extraordinary men and women who serve in this body, very capable of debating the issues. So Senator KYL and myself, as chairmen of the respective policy committees, have decided to establish this 1-hour debate on important issues. I am going to participate in the debate on our side at this time, and I believe Senator KYL will participate in a future debate.

The PRESIDING OFFICER. The Senator has spoken for 1 minute.

Mr. DORGAN. Mr. President, I look forward to this debate.

The PRESIDING OFFICER. The Democrats now have 5 minutes. The Senator from Iowa is recognized.

JOBS AND THE ECONOMY

Mr. HARKIN. Mr. President, again I join Senator DORGAN and my colleagues on the other side in saying how pleased we are to be here this evening to continue this process of having legitimate debates on the Senate floor regarding topics of importance to the American people.

Tonight we will be talking about jobs and the economy. In my 5-minute opening statement, I am prepared to show that Democratic economic policies are superior to Republican economic policies as it benefits the American public.

How are Democratic policies better? Simply because we create more and better jobs.

We create a better standard of living and quality of life for the majority of Americans who are working. We do this through worker and consumer protections, equal opportunity for women and minorities with basic measures such as the Family and Medical Leave Act, all historic steps led by Democrats, with Republicans either trailing or opposing outright.

Now, another example: The last Democratic administration and our economic plan, embodied in the 1993 budget, set us on a course of adding 6.4 million jobs in just 2 years. We eroded the annual deficits and eventually created the actual largest projected Federal budget surpluses in history. Every Republican in the Congress voted against that budget in 1993, with dire warnings about its effect.

We invested in people and family. We balanced the budget and we set the conditions for the most successful economic recovery and expansion ever in the history of the United States. Our friends on the other side cannot match our record on jobs, and I point to this chart I have. If we look at the average monthly change in jobs, Democratic versus Republican Presidents, jobs gained or lost per month, going clear back to Lyndon Johnson, we can see that under Johnson, Carter, and Clinton, we had tremendous job growth. Under Nixon, Reagan, Ford, and Bush 1, we had job growth but not as much as under Democrats.

If we look to the far right, we will see some devastating things that have happened since this President took office, not a job growth but an actual job loss, my point being that under Democrats we build better jobs and more jobs.

In 3 years, this administration has lost 3 million private sector jobs and their budget and tax policies have contributed to the largest and actual budget deficits in the history of the country.

The last quarter showed some improvement in our economy, and that is good, but it is not nearly enough. This administration will be the first since Herbert Hoover's to preside over a net loss of jobs over a 4-year period. We need to be creating about 150,000 jobs a month just to stay even. We are not doing that today. We are not even treading water in terms of job creation.

If my colleagues think the economy is tough now, look at the economic future the Republicans are creating. This administration turned a projected 10-year, $5.7 trillion surplus into a $4 trillion deficit over the coming 10 years. That debt imperils Social Security and Medicare, which might not bother some of my friends on that side who would like to privatize Social Security or Medicare or end it as we know it. That debt hurts our economy, it crowds our private sector investments we need for economic growth. It makes it difficult for us to make the investments in education, health, schools, roads, and our infrastructure.

For the long term, the Federal Government will have to borrow $400 billion a year, squeezing out private sector investment we need for a growing economy. The law of supply and demand which cannot be repealed means that borrowing will make investment dollars scarce and interest rates higher. Higher interest rates in the future will limit growth and limit jobs.

Now, instead of massive tax cuts that benefit the wealthiest, the answer should have been our approach: Fiscal responsibility, tax cuts targeted to low- and middle-income working families, and good job-creating, direct investments such as building roads and

schools, our economic infrastructure. That should be the path we should be on.

The PRESIDING OFFICER. The Republicans are recognized for 5 minutes.

Mr. ALLEN. Mr. President, I thank my colleagues for joining with us in this debate on the most important issue we have facing us in the Senate and in our country. That is: How can we work to make sure we have the best policies for more investment and more job creation?

The reality is, right now things are getting better. They need to get better, though, than they are currently. Nevertheless, the facts are clear. Job growth is up by 126,000 in October. When my colleagues talk about the last 20 years, last month we had an annual growth rate of 7.2 percent. That is the best in 20 years.

The Republicans' point of view, I would say to my colleagues, is that we want to make sure every American, regardless of their race, their gender, their ethnicity, or their religious beliefs, has the opportunity to compete and succeed. That means our tax policies have to be conducive to investment. Regulations need to be based on sound science, not political science.

We also need to make sure the people of our country, in our States, have the capabilities and the knowledge to get the good jobs in the future. We also need to have security. When we see people in communities worried about crime or worried about terrorism, those are adverse impacts, on confidence and investment and therefore job creation. We have seen the adverse impacts of 9/11, particularly in the travel and tourism industry.

I know as Governor of the Commonwealth of Virginia what matters to businesses when they are looking to invest. They look at what is the cost of doing business, what is the tax rate, what is the cost of workers compensation. Ours are low in Virginia because we keep lawyers out of workers compensation. We get the money to the person who is injured so he or she can get back to work. Unemployment insurance taxes matter. The fact that we have a right to work law, which gives individuals the right, if they so desire, not to join a union as a condition of work, that helps attract business. Health insurance matters as well.

In a variety of areas, we have found Virginia ended up with much more job growth, more investment. It was called the Silicon Dominion because of the investment, because of having taxes competitively low, prompt permitting, reasonable regulations, and also investment in security and also in the capabilities of our students for high academic standards.

The Democrats talk about all of these Presidents. Interesting. Richard Nixon was elected after President Johnson. If one wants to call Jimmy Carter their second best President, with the malaise and the high interest rates, the high unemployment, and the high inflation. People put in Ronald Reagan to help revive this economy and make us stronger as well as, of course, keep our peace through strength.

I find it interesting my good friend from Iowa talks about, oh, the Republicans somehow want to imperil Social Security and gets off on these tangents on privatization. Of course the Democrats care about Social Security because in 1993 they not only taxed all families and all small businesses and every taxpayer, they even taxed Social Security benefits. When given the opportunity most recently on a measure introduced by Senator BUNNING of the Commonwealth of Kentucky, virtually every Democrat voted against that effort to repeal the tax on Social Security benefits.

The fact is, we are making good progress. We need to keep moving forward. We have ideas, as Republicans, in a variety of ways that we can make sure the American economy can compete internationally, can help create more jobs and greater opportunity. Indeed, we want to make health care costs more affordable and predictable, reduce the burden of lawsuits on our economy, whether it is asbestos reform or class action reform, make sure we have an affordable, reliable energy supply, streamline regulations, open new markets for American products, and also make sure there is confidence in investment in this country by making sure the tax reductions are permanent.

I will close with the words of Mr. Jefferson who said that the Government should restrain men from injuring one another but otherwise leave them free to regulate their own pursuits of industry and improvement and shall not take from the mouths of labor the bread they have earned.

That remains the sum of good government today.

The PRESIDING OFFICER. A Democrat is recognized.

Mr. DORGAN. Mr. President, I am not someone who believes Democrats are all right and the Republicans are all wrong. I believe both political parties contribute to this process.

We do not have to debate theory today about jobs. Let's just debate what we know. Here is what we know. In the 8 years under the Presidency of President Clinton, 237,000 jobs a month were created. Since President Bush took over, we have lost 70,000 jobs a month. There were 22.7 million jobs created during the 8 years of the Clinton administration; since President Bush took office, 2.3 million jobs lost. On June 7, 2002, the White House said: The tax cut will help create 800,000 new jobs by the end of 2002. In fact, we lost 1.9 million jobs during that period.

Finally, take a look at the red line, and my colleagues will see where these jobs have gone, and my colleagues will see the improvement about which my colleague just talked. They said, gosh, things are turning around. Here is the improvement; right here. All of us want good jobs in this country. They come with three things in my judgment: Fiscal policy that is responsible—no, not $500 billion deficits, which this administration is proposing and running up but fiscal policy that is responsible, trade policies that are fair to this country, to its businesses and workers, and especially as a result of good policies in both of those areas, confidence the American people would have in the future.

In 1993, we put a new economic plan in place by one vote in the House, one vote in the Senate, and we didn't get one vote for it on that side of the aisle—not one, not even by accident. As a result: 22.7 million jobs. On your side of the aisle they predicted catastrophe—the economy is going to be in terrible trouble. We had the strongest growth of any President, 22.7 million jobs.

Let me talk for just a moment about trade. We now have a trade ambassador trying to negotiate trade agreements in every part of the world. Let me talk just a moment about Huffy bicycles. Mr. President, 850 people in Ohio lost their jobs. They used to put American flags on the front of Huffy bicycles. They replaced that with a globe because they now make them in China. Why? Because the folks in Ohio who make them—who got fired, by the way—were making too much money, $11 an hour. So Huffy bicycles are now made in China for 33 cents an hour and sold at Wal-Mart, Target, and Sears. But they are not cheaper because they pay 33 cents an hour; it is just that Americans lost their jobs. Our trade policy is bankrupt, and we have a trade ambassador right now trying to do three more free trade agreements, more of the same. If you want good jobs in this country, then you have to stand up for American interests. You have to have a fiscal policy that adds up. This administration's doesn't. We are running the biggest deficits in history.

You have to have a trade policy that stands for this country's interest, and this trade policy doesn't. We have the highest trade deficits in history, and we have jobs moving wholesale overseas, where you can hire 12-year-old kids, work them 12 hours a day, and pay them 12 cents an hour, and that simply is not fair.

As a result of trade and fiscal policies that do not add up, the American people do not have the confidence in the future they ought to have. Confidence, after all, is what relates to the expansion side of the business cycle. When people are confident about the future, they buy a home; they take a trip; they buy a car; they do the things that expand the economy. When they are not confident, they do exactly the opposite.

We need to get to work and fix this country's fiscal policy, fix this country's trade policies, and not just go back right over the same old recipe about regulation and taxes and all those sorts of things. We know what

creates jobs. We don't have to describe theory here. We can talk about the facts.

The facts are we put in place a plan in 1993 that created 22.7 million jobs because it said to the American people we are serious about fiscal responsibility. It said to the American people we are going to stop this sea of red ink, and we did. It was a hard vote, but it was the right vote. I have always been proud of it.

Now we have a sea of red ink, the largest budget surplus in this country's history when President Bush took office has been turned to the largest budget deficit in our history, and that is not going to breed confidence for the American people about the future. We need to put this country's economic house in order, and we need to do it soon.

Fiscal policy and trade policy that represents the long-term interests of the American people will represent expansion and jobs and opportunity once again for our country.

The PRESIDING OFFICER. Who seeks recognition on the Republican side? The Senator from Minnesota is recognized.

Mr. COLEMAN. Mr. President, before I arrived here, I read many times about the Senate as the ''world's greatest deliberative body.'' Over my first 10 months, I would say that I have not experienced as much deliberating as I'd hoped. And I am glad my colleague, Senator ALLEN and I are doing this today—and that we are doing it deliberately.

The subjects of jobs and the economy are very personal and important to every American family. With the lone exception of maintaining national security at home and abroad, we have no greater responsibility as a government. I note to my colleague from North Dakota that, by the way, consumer spending is up 6.6 percent in the last quarter. Confidence is up. It must tell you something about the way the American people are thinking.

I want to begin by making a general observation. It seems to me that as a country we are awakening to a set of stark realities after what I'd call a decade of unrealism in the 1990s.

In the 1990s we came to believe that somehow we had conquered the business cycle—that we had ended the age old rise and inevitable fall of economic activity.

In the 1990s we came to believe that we are safe behind our borders from the violence and chaos that is a daily reality of many in the world because of the scourge of terrorism.

We have had a rude awakening. The speculative bubble of dot com industries burst. Revenues generated by our highly progressive tax system fell rapidly at the national and State level. We were attacked, at the very symbol of our commercial strength. How can you talk about job loss without once mentioning 9/11? Every conceivable threat to the confidence of the American people was leveled at us. But like the residents of the Massachusetts countryside in 1775, when Paul Revere rode by, we were awakened, and we are fighting a difficult war to restore our safety and our prosperity.

On Minnesota's Lake Superior; huge ore boats ply the world's largest body of fresh water. It literally takes miles and hours to turn around one of their massive boats. So it is with the American economy. The bigger the object, the longer it takes to turn. As we look at the American economy, we need to recognize a few critical facts.

First, the economic difficulty we are in began in 2000, the year before President Bush took office. In March 2000, the NASDAQ lost 44 percent of its value. In the year before the President took office, economic growth in this country fell from 3.9 percent to .9 percent.

Second, we have not repealed the laws of economics. The aftermath of a long expansion and a speculative economic bubble is recession, a slow recovery and large Government deficits. Even it its peak, our unemployment rate is substantially below that of previous recessions. In 1983 unemployment was over 10 percent and in 1992 it was almost 8 percent. And the difference between 6 percent and 8 percent or 10 percent represents millions of families back at work.

And third, the economy is now moving forward. The American economy has been bent, but it did not break.

Historic growth in the GDP—a growth rate of 7.2 percent—is nothing to scoff at. Yet, my Democratic colleagues seem to be able to find gloom and doom even during the brightest days.

We've added 225,000 new jobs in the last 2 months. A jobless recovery? I think not. Job growth is still a challenge, but a we have always seen, employment gains are the lagging feature of recovery.

I have not been the White House as often as some of my colleagues. But as far as I know there is not a brake pedal or a throttle for the economy under the president's desk.

But the President has done good work with the tools at his disposal. Federal Reserve Chairman Alan Greenspan has lauded the 2001 tax cut, which the Treasury Department has reported saved some 1.5 million jobs. The most recent tax cuts for both mom's and dad's and small businesses have been key to the 7.2 percent growth in GDP in the last quarter.

More than a generation ago there was Nobel Prize winning economic research done at the University of Minnesota. It seems obvious to us now, but the point of that research was that raw numbers and events are not the only thing that moves the economy. An equal or greater affect is the way people perceive what is happening.

At this point, I am forced to point out there is a drag on the economy from nine candidates for President constantly standing up and bad mouthing the economy. It seems they are living in that weird political world where good news is bad news and bad news is good news. I would like to remind these Democrats of something a hero of theirs and mine one said in a similar situation. ''We have nothing to fear,'' said FDR, ''but fear itself.'' Those who talk tough and breed fear and cynicism to get notice in a political environment bear some responsibility for the fear they spread.

Tough times are not new to the American people. Each generation has its own new challenges. Ours is that we are asked to deal with overlapping threats to our national security and our economic security.

But almost all of the key economic indicators; job growth, business investment, consumer spending, have shown that we are making progress on both fronts. We need to listen to the voices of hope and optimism at such times, or we can become our own enemy.

Today we face unparalleled challenges to our security—and concerns about our economy.

We will only get through them if we say yes to the things Republicans are working on now, such as tax cuts, continuing our jobs agenda by passing an energy bill; stemming the costly litigation mentality, keeping the lid on spending, and say no to those who would snatch defeat from the jaw of victory.

I yield the floor.

The PRESIDING OFFICER. The Republicans have 1 minute to ask a question.

Mr. COLEMAN. Mr. President, contrary to specific evidence that shows the economy is growing, Alan Greenspan's positive comment about the 2001 tax cut, and most observers crediting the 2003 tax cut for creating the recent 7.2 percent GDP figure, some of the leading Democratic candidates for President, Dean and GEPHARDT, have said we should repeal all the tax cuts, in effect raising taxes just as our economy is beginning to grow. Senator EDWARDS has said that Governor Dean misses the point. On that, I quote:

> Unfortunately, instead of addressing the problem, he makes it worse by raising taxes on the middle class and families that work.

Senator LIEBERMAN has said repealing all the Bush tax cuts, as Dean and GEPHARDT have proposed, would hurt the middle class. I wonder if my colleagues will join me by rejecting the proposals by Dean and GEPHARDT to roll back the entire tax cut, which would raise the lowest tax bracket back up to 15 percent from 10 percent, reduce the child tax credit from $1,000 to $500, and force 4 million working poor people to pay taxes.

The PRESIDING OFFICER. There are now 2 minutes to respond from the Democrat side.

Mr. DORGAN. Mr. President, it is an interesting question posed by my colleague from Minnesota, and prior to him posing the question, he talked

about more tax cuts and a lid on spending. Frankly, he is proposing and his party is proposing more defense spending, more homeland security spending, more spending in virtually every category, and then tax cuts in addition, which leaves us with very large deficits.

But he asked specifically about tax cuts, so let me describe the difference in tax cuts relative to our party and their party. We believe in tax cuts and support tax cuts for working families. In fact, we had a very significant tax cut plan that would have said to working families in this country who bear a pretty significant tax, payroll tax and income tax, that we are going to give you a pretty good size tax cut. But the majority party said that is not what we want to do.

But the majority party said: That is not what we want to do. We want to say to the person who is making $1 million a year, you really need the relief. We are going to give you a $93,000 tax cut because we believe the economy works better when you put something in at the top and somehow it trickles down. We happen to believe the percolate-up approach is what makes this economic engine of ours work. And we believe if you give working people something to work with, tax cuts targeted to working people, we will have an economy that regains its footing, provides economic growth, opportunity, and hope once again. That is the way to engineer economic growth and new jobs and expansion of opportunity in this country.

The PRESIDING OFFICER. There is 1 minute for rebuttal on the Republican side.

Mr. COLEMAN. Mr. President, the comments of my colleague from North Dakota indicate that they do reject the Dean-Gephardt proposal that will roll back all the tax cuts.

Two observations: No. 1, spending. Goodness gracious, the Republican Conference has rejected $1.3 trillion in additional spending proposals from my colleagues across the aisle since the beginning of January. That is like the kid who kills his parents and throws himself on the mercy of the court and says: I need mercy. I am an orphan.

You are talking about spending and, in addition, talking about tax cuts. We always hear: Tax cuts for the rich, tax cuts for the rich. Seventy-nine percent of the tax cuts at the top bracket are small business people. They are folks in Minnesota I deal with all of the time who come to me and say: This makes a difference; this is important to us. Seventy-nine percent. We have to get away from the class warfare and recognize that we are growing jobs by helping small business.

The PRESIDING OFFICER. The Senator's time has expired.

The Democrats are recognized for 1 minute to ask a question.

Mr. HARKIN. Mr. President, the Bush administration wants to eliminate overtime pay for some 8 million Americans, including many policemen, firefighters, and nurses. One big reason overtime pay was created in 1938 was to create jobs by Franklin Roosevelt to give employers the incentive to hire new workers rather than paying time and a half to current workers. By killing overtime for millions of workers, the administration will also kill the incentive to create new jobs and hire new workers.

At a time when we are struggling to create new jobs, why in the world do so many Republicans want to give employers a new disincentive to begin hiring again by taking away what we have had since 1938—overtime pay protection for almost 8 million American workers? Why would we want to take that away and give employers more of an incentive to continue to hire people—or to work people longer in the day or the week without paying them any more money?

The PRESIDING OFFICER. The Republicans are recognized for 2 minutes to respond.

Mr. COLEMAN. Mr. President, first, we can have a great debate about overtime. I can tell you from talking to folks in Minnesota—I get calls from the building trades and others—that the issue doesn't affect them.

The fact is what we are looking to do is make business more efficient. That is what it is about. We do not want to hurt workers. I think it is about time we addressed the root causes. What is it that helps business expand or not? I think that is what my colleagues on the other side of the aisle at times just do not seem to get.

You talk to business people, and what do they tell you? Cut taxes, cut regulation, give them the opportunity. That is what is in the tax cut. Increasing depreciation, increasing expensing for small business, if we do those things, they will grow jobs.

There are a whole range of issues on which I hope we can find common ground when it comes to protecting workers. I will work with you, but in the end, you have to have workers, and you can't have workers unless you do those things that allow small business to grow. If you roll back tax cuts and roll back expanding accelerated depreciation, if you roll back the increased expensing, if you continue to short business and increase regulation, in the end there will be no jobs for folks to work overtime. That is what it is all about.

Let us address the root causes of things that grow jobs. That is what this Republican agenda is doing. That is what the President's tax cuts are doing. Let us keep moving in that direction.

The PRESIDING OFFICER. The Democrats have 1 minute for rebuttal.

Mr. HARKIN. Mr. President, I had some calls like that, too, from labor groups and building trades on the overtime issue. I thought, well, it doesn't affect you. With a union contract they get their overtime pay. But check with their spouses. They will be told to stay another 2 or 4 hours. Right now, sometimes in America almost 25 percent of a family's income comes from overtime pay. That is taking away family income. It is taking away time from ones family. And, it is reducing the need to hire additional workers. That is why we oppose the administration's regulation to take away overtime pay protection.

The PRESIDING OFFICER. The Senator's time has expired. The Republicans have 1 minute to pose a question.

Mr. ALLEN. Mr. President, I would like to pose a question to Mr. HARKIN, the Senator from Iowa. This question gets into the issue we are talking about, which is jobs.

Taxes cuts help create more jobs for small businesses, especially the most recent tax cuts for accelerated depreciation. Regulations from the Federal Government also can reduce choice and cost jobs. For example, we believe free people and families ought to be able to keep working. The proposal would harm those choices and jobs.

For example, the proposal which has strong Democrat support would increase the cost of purchasing pickup trucks, SUVs, and minivans. America is dominant in the manufacturing of minivans, SUVs, and pickup trucks. Many people are choosing to buy them for the safety of their families.

I ask the Senator from Iowa: How many SUV jobs would have been lost had your side prevailed?

Mr. HARKIN. Mr. President, I am trying to understand the question posed by my friend from Virginia.

Mr. ALLEN. How many jobs would have been lost had your position prevailed?

Mr. HARKIN. On SUVs and pickup trucks?

Mr. ALLEN. I am talking about the CAFE standards.

Mr. HARKIN. I see.

First of all, as my friend from Virginia knows, I represent a rural State, as does my colleague from North Dakota. We have a particular use for SUVs as pickup trucks and heavy vehicles in the country.

I happen to have a house out in the Senator's State, in Fairfax County. I drive back and forth to work 12 miles every day. There is traffic congestion. I can't believe how many SUVs, pickup trucks, and big trucks I see. I do not believe that we need to give high income doctors a special $100,000 tax deduction if they buy an oversized SUV weighing more than what is the tax definition of a car so they can drive around the suburbs. For legitimate business reasons, a farmer or a rancher might need them out in the countryside for that kind of work, you bet. They need that, but not the people who live in this city.

We are hemorrhaging debt and don't need to create that tax break.

CAFE standards: I have to say to my friend from Virginia, you can't have

long-term sustained economic growth in this country if you are destroying the environment or if we continue to sharply increase our oil supply. That makes us far more dependent on Mideast oil. There has to be a balance. We do have to have balance. But what I see from the other side is just to heck with any regulations, throw caution to the wind, pollute as much as you want and not to worry about the huge oil bills we are paying to the Mideast.

Our taxpayers today—the Senator's taxpayers and mine—are coughing up billions of dollars every year to clean up the toxic waste sites that big corporations left and walked away from, and now our taxpayers have to pay to clean it up. That is why it is important to have regulations to make sure that companies don't pollute and that they do things in the best environmentally sound manner.

The PRESIDING OFFICER. One minute is remaining for the Republicans.

Mr. ALLEN. Mr. President, I don't think SUVs, minivans, and pickup trucks cause toxic waste sites. I will agree with one thing, and I think most people in America will agree: The comments of the Senator about all of these SUVs, minivans, and pickup trucks driving around in northern Virginia are driving to nowhere; most people in America would probably consider DC nowhere.

Cost in lives: 4,500 deaths would occur each year if they had increased these standards. Vehicle costs would have gone up $2,500 for cars and $2,750 for SUVs and pickup trucks. The United Auto Workers said this proposal would have cost hundreds of thousands of jobs.

We have a Ford assembly plant in Virginia. And I would hate to see a 20-percent loss there and have to go to those 2,200 employees and say 1 out of every 10 of you is going to lose a job because the nannies up in Washington want to take away your choice to drive a vehicle that people would want for their families and for their safety.

The PRESIDING OFFICER. The Senator from North Dakota is recognized for the next question.

Mr. DORGAN. Mr. President, the issue this evening is jobs. Let me ask a question of my colleagues about the insidious and perverse incentives in our Tax Code that subsidize companies which move their United States jobs overseas.

I mentioned Huffy Bicycles, gone from Ohio because they made $11 an hour. That is too much. They can produce bicycles where they pay 33 cents an hour. I am saying your party has included, and is at the moment, coming from the Finance Committee, including more incentives to move jobs overseas. I ask the question whether you are prepared to vote with us to shut down the incentives in the Tax Code that tell people if you move your United States jobs overseas and shut your U.S. plant down, we will give you a benefit in the Tax Code. Where I come from, that does not add up and it makes no sense. Are you prepared to join with us and vote to end all of those subsidies now?

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ALLEN. I am not sure what the Senator from North Dakota is actually talking about. What we are talking about and what we are trying to do is make sure the United States of America is a place that is conducive to do business. It is a shame and it is aggravating to all of us when a company goes overseas. It takes jobs away. One of the reasons they will move away is the cost of doing business. We are in competition with other countries. It is our view what we ought to be doing is target assistance to businesses to invest in this country. That is why we tripled the amount that could be expensed for small businesses, allowed also that if people buy new equipment, new technology, to be more productive and more competitive, they could write it off more quickly.

These initiatives, the depreciation, the writeoffs, have actually had a beneficial impact on our economy, not only those businesses that are investing in this country, most of which are small businesses that create about 75 percent of the jobs, but those that fabricate or manufacture whatever equipment or manufacturing efforts they have, whoever is assembling it, whoever is transporting it, packaging it, or selling it. That is all beneficial.

Our point of view is we need to make sure America has tax laws and the regulatory policies that allow America to compete so companies do not have any incentives or need to move overseas. I will later bring up a question which I think will be very helpful for getting those profits back into this country.

Republicans will join with Democrats saying we do not like to see companies go overseas, but we have positive, constructive solutions and ideas to keep those jobs here, so companies do not feel they have to go to another country with less regulations and lower taxes for them to provide for themselves and their shareholders.

The PRESIDING OFFICER. One minute for the minority.

Mr. DORGAN. One of the issues of competition is wages. Companies now leave this country because they can find somewhere in the world where they can hire a 12-year-old and pay them 12 cents an hour. Some think that is global competition. That ignores that which we fought for, for a century, about safe workplaces, environmental standards, child labor laws, and fair compensation.

Let me also say there is a bill coming from the Finance Committee that will give us a chance to vote on the question of whether we want to keep subsidizing the movement of jobs overseas. That bill will once again say to companies, we will give you a break. Move your jobs overseas, you do not have to pay tax on your income until you repatriate. And when you do, by the way, we will charge you 5 percent. We will charge you a third or fourth the tax rate a receptionist is paid, the lowest in the office.

Is that fair? The answer is no. Once again, it is another incentive to say to people, if you move your jobs overseas, go find lower labor rates somewhere else, call yourself an American firm but hire foreign labor, we will give you a benefit. That ought to be shut out of the Tax Code. Your party is opening it up.

The PRESIDING OFFICER. The time has expired. One minute for the next question from the majority.

Mr. COLEMAN. Mr. President, Democrats express concern of a loss of manufacturing jobs and our country's ability to compete in the world; again, a concern I share. But then Democrats turn around and oppose each and every policy objective the National Association of Manufacturers says it needs to stay competitive.

That is what this is about. How do we stay competitive—including medical malpractice reform, to rein in runaway health care costs killing our small businesses, asbestos reform, class action reform, and a myriad of other reforms.

In addition, there is talk of perhaps Democratic obstruction to an Energy bill that will create 500,000 to 700,000 new jobs. Are the Democrats prepared to come around on these issues and finally support the thing our Nation's manufacturers say they need to stay alive?

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I have not heard a description of my colleagues riding Huffy bicycles or their desire to ride a Huffy bicycle in the future, but let me come back to that point. You are talking about U.S. manufacturers and the conditions of competition. Do you think Huffy bicycles decided to make bikes in China rather than Ohio because of some bill we did or did not pass in the Senate? I am sorry, they went China because they could pay 33 cent an hour in China, they could have people work 7 days a week, 15 hours a day, and they could not do that in this country. That reduced the price and the cost of producing that bicycle.

I ask, if you have bought a bicycle for your child lately, whether you saw a reduction in the price of Huffy bicycles just because they went from $11 an hour to 33 cents an hour. I will answer for you. The answer is no. It was about profits.

The question is, do you want to have a race to the bottom? Is that what you want for the American businesses and the American workers? Do you want to have a race to the bottom on wages, on health standards? Is that where we are? I don't think so.

We can compete anywhere in the world, but the competition has to be

fair. American companies and American workers ought not to have to compete with 12 cents an hour or 33 cents an hour labor. That is not fair competition. That is why I raised the issue of trade.

We have the trade ambassador busy running around the world right now trying to do more trade agreements. The last one, incidentally, which both of you voted for, put in an immigration provision that had nothing to do with the trade agreement, so that we could have an enormous number of people come through Singapore to take jobs in this country. We could not get it out. They will displace American workers, coming into this country to take American jobs, and we had an amendment we could not get out. Instead, they pass an amendment that says you better watch it, but you cannot take something out of a trade bill because of fast track.

This issue of competition—you want to change the subject, let's talk about what fair competition is for American businesses and American workers.

The PRESIDING OFFICER. The Senator's time is expired.

One minute for rebuttal for the majority.

Mr. COLEMAN. I deeply appreciate my colleague's concern for fair compensation. I note Senator DORGAN has been one of the chief advocates for trade with Cuba. I hope he would take that same philosophy about human rights and workers rights in dealing with Cuba.

I would also reflect a little bit on the comment about trade. NAFTA was signed by President Clinton and the Uruguay Round after being approved by a Democrat House and Democrat Senate. I believe Senator HARKIN supported both of those votes. On NTR trade with China, I believe both Senators DORGAN and HARKIN supported that. The reality is, we have a trade ambassador going there right now to push for some controls, push for expanded buying by China, cut down the deficit. But the bottom line is, How do we make us competitive?

Going back to the National Association of Manufacturers, they say the U.S. industry is burdened by legal and regulatory systems that retard growth and destroy jobs. That is what we have to deal with. We have to deal with the underlying things that make it impossible for businesses to grow in this country.

The PRESIDING OFFICER. The Senator's time has expired. One minute for the minority to ask a question.

Members are reminded to direct their remarks through the Chair.

Mr. HARKIN. Mr. President, in less than 3 years time President Bush has turned a projected surplus of $5.7 trillion into a projected deficit of $4.2 trillion over the next 10 years. Now not even Congress is powerful enough to reverse the law of supply and demand. This vast new debt will raise interest rates and damage the economy in the long run. It is going to hurt the Federal Government's ability to cover the Social Security and Medicare costs of baby boomers and the education of our kids.

The tax bill gave a $93,000 tax cut, on average, to those earning more than $1 million a year. The majority of Americans, however, get less than $100.

Also, right now, more and more foreign countries are owning our debt and more and more will be owning that debt over the next 10 years.

My question is, are these tax cuts for wealthy Americans worth the long-term damage they will cause our economy?

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ALLEN. I thank the Senator from Iowa for that great question. What we care about is fiscal discipline and we do care about fiscal deficits, but what we care most about, as Republicans, is the job deficit.

As my wonderful colleague from Minnesota, Senator COLEMAN, said, this country has been hit by something that is unprecedented, other than maybe Pearl Harbor, with the attacks on September 11. That had a devastating impact on the confidence and the capabilities of our economy for a short while, but we are coming back, even in the midst of a war on terrorism.

When our friends on the Democrat side of the aisle talk about fiscal discipline, what they are talking about is continuing to tax the taxpayers. The bottom line is they think taxes ought to be higher on married people, on families, on individuals, on small businesses; even on people who die.

When you discuss fiscal discipline, as shown on this chart, here is the reality. As we were trying to cut taxes to help create more jobs and more investment in this country, Democrats proposed a variety of different amendments on the floor, as shown on this chart, is how much it would have raised spending: Each year it would be about $87.9 billion; over 10 years, $1.3 trillion—$1.3 trillion additionally spent.

Our view is, the best way to raise revenues for the Government, for key priorities in research, in aeronautics, in education, for national defense and homeland security is to have a vibrant economy where people are working and paying taxes, and businesses are prospering and paying taxes, rather than going bankrupt or having people unemployed.

Shown on this chart is the cost of Democratic proposals in the Senate. Fortuitously, we have a majority, and we are able to include responsible spending so that the taxpayers will get more of their money and not have added burdensome debt for the future.

The PRESIDING OFFICER (Mr. SUNUNU). There is 1 minute for the minority to rebut.

Mr. HARKIN. Mr. President, I am somewhat taken. I cannot believe it. The Republicans are in charge of the White House, the Senate, and the House, and they are blaming the Democrats for this economic downturn and for the fact that we have these huge budget deficits. They are the ones who are in charge.

They are the ones that produced an 8 percent increase in domestic discretionary spending last year, far more than the average increase in the Clinton years. And, that excludes Iraq and Defense.

I would respond to my friend from Virginia, no, we do not believe in higher taxes, but we do believe in fairer taxes—fairer taxes—for the American people.

Right now, the corporate income tax rate is the lowest it has been since the 1930s except for 1983—1.2 percent—yet payroll taxes, paid by every hard-working American, is at the highest level ever. That is what has been happening; not that the people ought to pay more taxes, we ought to have fairer taxes.

Why is it fair that in the 2003 tax bill those making over a million dollars a year are getting, on average, $93,000 while half the taxpayers got $100 or less. That is what we are opposed to.

The PRESIDING OFFICER. There is 1 minute for the majority to ask a question.

The Senator from Virginia.

Mr. ALLEN. Thank you, Mr. President.

Mr. President, I would like to ask the Senator from North Dakota, Mr. DORGAN, this question. It follows up on some of his questions to me, and that has to do with what we call the Invest in the USA Act, which the Senate has passed, although there were dozens of Democrats who voted against it.

Current tax policies in this country hinder and punish U.S. companies that conduct business overseas. We would like them to do well and get into other markets, but if they want to bring that money back into this country, they are taxed at 35 percent.

Now, Senator DORGAN and Senator HARKIN oppose this investment in America. Can Senator DORGAN share with us the positive economic impact if this were actually put into law?

Mr. DORGAN. Mr. President, it is interesting that this behaves in exactly the opposite way as the Senator from Virginia understands it.

When you say to a company in this country, if you will simply invest overseas, heck, move a plant overseas, fire your workers in North Dakota and Virginia and Ohio, and employ foreign workers, if you will just do that, we will give you a deal. You will never, ever have to pay taxes on your earnings overseas. So get rid of that U.S. plant. Move it overseas. Earn your money there. And you simply do not have to pay taxes on it. That is called deferral. And the only time you will ever have to pay taxes is if you repatriate your income to this country. So there is a built-in incentive to move your company overseas.

I am surprised the Senator from Virginia would ask a question about that

because, in fact, the Finance Committee is now saying: I have an even better deal. We will keep deferral in the law—which is the perverse incentive—and we will allow you to repatriate that which you did earn, and we will charge you only a 5-percent income tax.

Any company that takes a look at that would say: Well, I can't have a better deal than this. They will continually support me to invest overseas. And there will now be precedent to allow me to repatriate the income and pay—I don't know—a fourth of the tax of the lowest paid workers in this country. What a deal, except that every company will now understand that is the way this Congress works, and so there is a big bonus for me to shut down my U.S. plant and invest overseas.

You talk about perversity, look, I am interested in jobs. I am interested in companies to expand their job base. The way to do that is to encourage that expansion in this country, to hire American workers, and pay them well, and to give them good benefits, and then, through them, earn good profits.

That is what I want for this country. But this country cannot any longer ignore the perversity in the Tax Code. And one of them is exactly what the Senator from Virginia alleged, that subsidizes the flight of jobs overseas.

The PRESIDING OFFICER. There is 1 minute for the Republican side to rebut.

The Senator from Virginia.

Mr. ALLEN. Mr. President, I would say, thank goodness the views of the Senator from North Dakota are the minority view. The reality is, most countries do not impose these 35 percent taxes. The current tax law prohibits businesses or impinges on their ability to bring profits back into this country to help create jobs.

A number of people, from Dr. Allen Sinai to Decision Economics to JP Morgan, have shown there would be 400,000 to 500,000 new U.S. jobs in this country, $100 billion in increased investment in this country in equipment and research and development, and a reduction in corporate debt if this legislation were enacted.

You can keep the laws the way they are without this provision, and what you will see is more jobs going overseas. But if you have this 1-year benefit, you will find the benefit being in the hundreds of thousands of new jobs, with important investment here in America as opposed to overseas.

Mr. DORGAN. Mr. President, as I ask a question, might I say, I don't know about all these doctors and analysts, but I know about Americans who lost their jobs because of this perverse incentive; and that is what I want to shut down.

But let me ask my colleagues a question about this record. Again, we do not have to debate theory tonight. Let's just debate what has happened.

The odds against this being a coincidence are highly unlikely. Every Democratic administration has produced far more jobs than every Republican administration. Does that mean one is good and one is bad? No. It means different strategies produce different results.

Isn't it the case that, over many years, the strategy by which we invest in working people and invest in small businesses, and giving them something to work with, produces the robust economic opportunity and economic growth across this land? It is true with Clinton, Carter, Johnson, right on down the line. And the evidence does not lie.

As I said, might this be a coincidence? Mathematicians say the odds are highly unlikely against that being a coincidence. In the last 40 years, every Democratic administration has done better than every Republican administration in creating jobs.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Minnesota.

Mr. COLEMAN. Thank you, Mr. President. I love that chart. Let's go back to Jimmy Carter: 18 percent inflation, 23 percent interest rates, long lines at the gas pump. You talk about turning a sow's ear into a silk purse, that chart does it.

But let's talk about reality and let's get away from the abstract. I agree with my colleague from North Dakota: Let's get away from what the economists say. I want to quote Joan Thompson, executive vice president and CFO of Midwest Wire and Cable in St. Paul, Minnesota, a small business. She says:

> Our company will be stronger, continue to grow and provide more jobs with these type of incentives [we have seen in the tax cut].

She singled out the increase in small business expensing for new investment and increase in first year bonus depreciation as two keys in her company's resurgence.

Cirrus Manufacturing, one of the largest private employers in Duluth, MN, an area up north that suffered a lot of job loss right after the tax cut was passed—they sell private airplanes—talked about how they got sales that all of a sudden happened, that had been on hold for ages, because of the increase in depreciation.

I am not going to talk about charts. I am going to talk about reality.

I have to hit one other thing about reality; and that is, the reality is we were hit with September 11. We were hit with Enron and Worldcom. We were hit with the burst of the dot.coms. And we have come back. And why? That is the choice here today. Do we come back with providing the opportunity for small business to invest and grow jobs or do we continue to tax? Do we continue to regulate? Do we continue to overspend and drive this economy further down?

We are moving forward. Business investment is up, consumer spending is up, GDP is up. Housing starts are up. Jobless claims are down. Payroll jobs are up. Productivity is increasing substantially. Total investment is up. The unemployment rate is down.

We are moving in the right direction with this President's and this Republican Senate's vision. Let's keep moving in that direction.

The PRESIDING OFFICER. There is 1 minute for the minority.

Mr. DORGAN. Mr. President, we certainly agree. I hope very much that we are moving in the right direction. We want economic expansion and jobs. But the fact is, Jimmy Carter has come up several times here. I am not surprised it is Grover Cleveland. There are so many excuses.

We are choking on Federal budget deficits. We are choking on a trade deficit that is the highest in history. The fact is, the American people lack confidence in the future because we don't have our fiscal house in order. We can blame others but we are dramatically increasing spending on defense, on homeland security, and cutting taxes substantially, and we have a fiscal policy that does not add up.

I want one that adds up, that creates new jobs and new economic expansion and hope for the American people. Most families just want a good job that pays well, that gives them some security. Most small businesses want a chance to expand in order to create new employment. That is all we want. The question is rooted in this chart. Where has the performance been? We don't have to debate theory. Just debate the performance of those who believe if you invest in working families, our economy does just fine.

The PRESIDING OFFICER. At this time, each Member will have 2 minutes for closing argument, beginning with a Member on the minority.

The Senator from Iowa.

Mr. HARKIN. Mr. President, this has been a good debate. I wish we could go for another hour.

Just a couple points. First, on job growth, that I have heard my friends on the other side talk about here this evening and the last month. The fact is, manufacturing jobs are going down. The service sector has increased. Manufacturing jobs continue to lose. One in seven manufacturing jobs were lost during the Bush administration. We are now at the lowest level of manufacturing jobs in our country since 1958, and it continues to go down. So when they talk about job growth, they are talking about the lowest kinds of jobs and the lowest paid kinds of jobs in the service sector.

Again, what we ought to be talking about are jobs. Again, as my colleague from North Dakota said, just look at the facts, the three major budget bills and job creation bills. In 1981, 1.4 million jobs were lost in 2 years after the Republican budget bill past. Under the Democratic budget bill passed in 1993, under our economic plan, 6.4 million jobs were created in 2 years. Of course, we know what is happening under this President Bush: after his budget bill

passed in 2001, 2.1 million jobs were lost in the next two years. It is the same old thing—Republican trickle-down economics was tried in 1981 and 2001. Put it in at the top, hope that it trickles down. That is the fundamental difference between Democratic and Republican economic policies.

We have long believed—and the proof is what we did in the 1990s—that if you put it in at the bottom, give it more to working families, invest in education and health care, educational opportunities, make the economy more efficient, it percolates up. It is percolate-up economics that works versus trickle down.

The problem with trickle down is when you give it to those at the top, they take too big a cut and it never quite trickles down. But when you put it at the bottom, you put people to work and you get the economy humming. We need to do it by expanding educational opportunities. Under this President, we have had the lowest request for educational funding in the last 30 years. That policy is going to mean a less well trained work force in the long-term, an economy that will not compete as well and larger deficits for our country.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from Minnesota.

Mr. COLEMAN. Again, I thank my Democratic colleagues for participating in this debate. Much of the reasoning I have heard this evening reminds me of the definition of an economist: Someone who sees something beginning to work in reality and tells you why it won't in theory.

Simply put: The President's tax cuts have begun to stimulate the economy and grow jobs. I will go out on a limb here and say as a fact that the sky has not fallen, that we are not in the worst economy since Herbert Hoover, and the United States is not selling off the Grand Canyon to cover its debts.

Facts are facts. The business cycle lives. The economy started down long before George Bush became President. After a relatively short time of negative growth, the economy began to recover. Despite serious setbacks not of the President's making, such as 9/11, the economy is coming back strong. Jobs and deficits are the remaining problems. In the aftermath of recessions, they always are for a period. But we are headed strongly in the right direction. What every person knows is what matters is what we do here.

This is the question: Which do you think helps the economy and which hurts, raising taxes on everyone, especially on small business and job creators and then increasing Federal spending, or leaving that money in the pockets of consumers to consume or save or invest?

Tax increases would clearly hurt the economy more than increased spending would help. Today we need to look forward. To my Democratic colleagues, I ask you to join your Republican colleagues to keep the wheels of economic progress turning. I ask you to join us in enacting class-action reform, medical malpractice reform, asbestos reform, all of which the National Association of Manufacturers says is absolutely critical to this country's ability to maintain domestic manufacturing jobs. Help put an end to the perception that Democrats care about manufacturing jobs, just not enough to offend the trial lawyers.

As for the deficit, talk about the kid who killed his folks and then threw himself on the mercy of the court because he was an orphan. Here we have Democrats offering $1.3 trillion in new spending above and beyond what the budget will allow since January.

The question before us is whether Democrats will roll up their sleeves and help get the job done by passing an Energy bill or will more obstruction be the order of the day?

The PRESIDING OFFICER. The Senator's time has expired. The Senator from North Dakota.

Mr. DORGAN. My dad always told me never buy something from somebody who is out of breath. There is kind of a breathless quality to this debate from the other side. They want us to essentially ignore the fact that we have lost more than 3 million jobs in a couple of years. Of the biggest fiscal policy budget deficit in history, the biggest trade deficit in history, just ignore that. Be happy. In fact, call for more tax cuts, preferably tax cuts for businesses that are moving jobs overseas and tax cuts for people at the top of the income ladder.

Let's talk about jobs, though. What is the menu that creates new jobs? The Oscar Meyer Company had an opening for their Weinermobile driver. Eight hundred college graduates showed up to apply to drive the Weinermobile. What does that tell you about jobs in this country? This is a sad commentary on our job situation.

This country needs new jobs. We don't need an economic strategy that shrinks. We need one that expands jobs. We will best serve the American people if we decide these things matter. Deficits matter. Trade policies matter. If we decide these things matter and start working on them in a bipartisan way, in a thoughtful way, in a commonsense way, we will best serve this country's interests.

But facts remain. This is the first administration since Herbert Hoover that had a net loss of jobs, nearly 3 million jobs since it took office. I take no pleasure in saying that. I wish it were not so. I hope a year from now I can say there are massive new jobs being created and our economy is growing.

But I tell you this: That won't happen if we ignore the fundamentals. Let's get back to the fundamentals: fiscal policy that adds up and works; trade policy that adds up and supports this country's best interests in a way that can give confidence to the American people about the future. We won't provide confidence by putting our head in the sand and saying: Be happy. Just call for more tax cuts.

I am for tax cuts, but I am also for a world-class educational system, protecting our environment, and creating more jobs.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ALLEN. Mr. President, I thank my colleagues for joining in this debate. I think we all do share the same goals for this country: a strong national defense, homeland security; education, stronger nanotechnology, aeronautics and so forth. The question though is, How do you get there? How do you achieve this goal? That is where the difference lies.

We have been pushing for tax cuts because we trust free people and free enterprise. We figure families who have children, when they got that $400 check this summer, needed that money for their kids. You have seen the results. They spent it on shoes or clothes or electronics, and it increased retail selling, which is great for the retailers and manufacturers of the products and the transporters and all the rest.

You see the job growth. Is it where we want to be? Of course not. What we are doing on the Republican side is putting forward a positive, constructive agenda and solutions to move America forward and help create more jobs. The difference is, on the Democrat side, their view is more taxes. They opposed our efforts to reduce taxes on married people. We wanted to get rid of the marriage penalty tax. We wanted to reduce taxes on families, on small businesses, entrepreneurs. They opposed us. But things are moving forward in the right direction.

We also disagree on their taxing of Social Security benefits. I know some of them, my friend from North Dakota, even want to tax the Internet which I believe ought to be free from burdensome regulations.

The bottom line of our philosophy was best summed up by Ronald Reagan who said in 1985: Every dollar the Government does not take from us, every decision it does not make for us will make our economy stronger, our lives more abundant, and our future more free.

That sums up the Republican approach and, indeed, its current success shows that it is right.

The PRESIDING OFFICER. Under the previous order, at this time the Senator from North Dakota, Mr. DORGAN, and the Senator from Arizona, Mr. KYL, will each be recognized for 1 minute.

Mr. DORGAN. Mr. President, first of all, I have enjoyed the opportunity to exchange views with my colleagues. They are very able legislators. I thank my colleague from Iowa and my colleagues from Virginia and Minnesota and also my colleague from Arizona, chairman of the Republican Policy Committee.

I must, however, correct one little misstatement at the end. My good

friend from Virginia just raised this little issue about the Internet tax, and nobody is suggesting we tax the Internet. We will save that for another day. We can have another date—just the two of us—on that subject. We need to do that based on facts.

I will say that I think this is a good exchange of views. My colleague from Arizona and I, with our caucuses, have created an opportunity—and we will try to do this each month—which allows us to exchange views on specific subjects. I think it merits additional opportunities in the Senate, and I will be pleased in the coming months when we are in session to work with my friend, Senator KYL, to find additional topics and debaters and to further advance discussions on public policy in our country.

I yield the floor.

Mr. KYL. Mr. President, I, too, thank our four debaters this evening, and especially my colleague from North Dakota, Senator DORGAN. He and I chair the policy committees of our respective conferences. We decided that too much of our debate in this body wasn't very civil or very much in the way of debate because we were frequently talking to an empty Chamber. We basically were talking past each other rather than engaging with each other.

The best way for the American people to understand our different philosophies and actually test ideas was to see us in a situation in which, like tonight, you saw questions being asked of each other and the responses being given at that same period, the rebuttals and the replies in proximity to each other, so that these ideas could be evaluated in a context of real meaning, rather than the way the debate frequently occurs here. That is not to denigrate our colleagues in the way we conduct other debates, but we think that by having this kind of an opportunity, we will not only elucidate particular issues, as was done this past week, but we can work together as friends and colleagues and bring out the best ideas and participate in debate of the kind that was originally contemplated in this Chamber.

Again, I thank the debaters. As was indicated, we intend to do this about once a month, and we hope everybody will tune in again. With that, I think we have a wrap-up request.

For the time being, 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. KYL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

REAL MEDICARE REFORM IS POSSIBLE WITHOUT OBSTRUCTIONISM

Mr. MCCONNELL. Mr. President, for 3 continuous days last week we focused on the obstructions imposed over the past year against President Bush's circuit court nominees by the Democratic minority in the Senate. The Senate obstructionism has claimed victims, and unless we break their holds, more highly qualified legal scholars will be lost due to their ongoing obstructionism.

Obstructionism is not just for judges anymore. It has been used also against the Healthy Forests Act, a bill that was approved while the southern California fires raged on but was subjected to obstructionism by a minority when it was time to go to conference.

Now our seniors are on the verge of receiving a new Medicare prescription drug benefit unless the Senate chooses to obstruct it. After 38 years of broken promises, a real Medicare drug benefit is right around the corner. Opponents claim that reforms in the Medicare conference are too great and the spending too little. I disagree. Seniors have waited too long and this bill does too much for it to be subjected to obstructionism.

As I indicated a moment ago, after 38 years of broken promises our seniors will finally get a Medicare drug benefit unless the Senate obstructs it. After 38 years of delay, help can begin in as soon as 6 months unless the Senate obstructs it.

Looking at the second chart, this Medicare bill will provide unprecedented resources for seniors' prescription drug benefits, almost one and a half times what President Clinton proposed and a third more than Senate Democrats wanted just 2 years ago, and we will have all of this unless the Senate obstructs it.

Looking at the third chart, the Medicare bill will cover nearly all prescription drug costs for low-income seniors—nearly all prescription drug costs for low-income seniors. This is a terrific deal for our low-income elderly in America. We will have this unless the Senate obstructs it.

This Medicare bill will cover nearly all catastrophic drug costs for seniors with high drug bills—nearly all catastrophic costs for seniors with high prescription drug bills. Let me say that again. This Medicare bill will cover 95 percent of catastrophic costs for seniors with high prescription drug bills. This is a good deal for America's seniors and we will have this unless the Senate obstructs it.

The Medicare bill will give seniors unprecedented choices. All of these new choices in yellow on this chart are choices that are not available to seniors today. Senior will have all of these new choices, both the drug plan as well as comprehensive health plans with choices that Federal workers currently enjoy, unless the Senate obstructs it.

The Medicare bill will use competition to stop waste and abuse and give seniors group purchasing power. A specialty cane that Medicare pays $44 for is purchased by the VA for $15. That waste of Medicare and retirees' money will stop unless the Senate obstructs it.

This is a picture of that cane, for which Medicare currently overpays, that the VA can get for a mere $15. Medicare pays $44. All of this kind of waste will stop unless the Senate obstructs this bill.

The Medicare bill will protect seniors by keeping the drug benefits both available and voluntary. Let me just say that again. This Medicare bill will keep seniors' drug benefits both voluntary and available. Retirees can keep what they have or get help to maintain their employer-based plans, can get a drug benefit through traditional Medicare, will get new choices in improved Medicare, will be protected by a Government backup plan and substantial resources to make sure the choices are really there, not just on paper but choices that are really there. Seniors get all of this protection unless the Senate obstructs it.

This Medicare bill will protect Medicare for tomorrow's seniors by controlling costs and preserving the system. While the bill provides an unprecedented amount of resources—again, almost one and a half times what President Clinton proposed and a third more than Senate Democrats wanted just 2 years ago—the bill requires that costs be monitored to control spending in excess of $400 billion. The bill adds competitive forces to drive down costs, reward efficiency, eliminate waste and abuse, and weed out fraud so that Medicare will be preserved for our children. All of this will happen unless the Senate obstructs this measure.

Finally, looking at chart 9, the Medicare bill provides real resources, real benefits, real health, real choice, real protections, real competition, and real cost control. All of those items are in this measure, and we will have a chance to approve it later this week.

After 38 years, seniors will finally get a good prescription drug benefit unless the Senate obstructs it. I think it is the poorest and frailest seniors who will suffer enormously from more obstructionism this time against this Medicare prescription drug bill.

So that is where we are. This is a great new plan that will be before the Senate later this week, an opportunity to really help seniors with prescription drugs for the first time, after years of conversation. Let us not miss that opportunity.

I yield the floor.

RECENT BROADCAST FLAG REGULATIONS

Mr. LEAHY. Mr. President, I rise today to commend the Federal Communications Commission for its continuing work on the important broadcast flag regulations. Over-the air-television remains a critical part of the distribution of American television, and these regulations help to promote and improve over-the-air broadcasting of high quality digital programming. They do this by giving broadcasters the tools they need to protect their digital

broadcasts against piracy. Without this protection, broadcasters would simply not broadcast their high value content over the air, and we would be left with two classes of American consumers: those who can afford, and live somewhere where they can receive, cable television with its high-value content, and those who receive only low-value over-the-air television. We must not allow this to happen.

While I am encouraged by the FCC's progress, and in particular pleased to see that they have taken steps to keep the setting of technical criteria for protective technologies open and transparent, the FCC's recent notice of proposed rulemaking raises some concerns. First, the FCC should make the process inclusive of all parties with an interest in the outcome, especially consumers. Second, a sound final regulation should address the effect of a broadcast flag on fair use rights and works that are already in the public domain. Third, the final regulation should address the broadcast flag's effect on privacy. What is intended as a technological measure to ensure the security of over-the-air broadcasts should not turn into an ability to track viewer behavior. Last, the final regulation must continue to ensure that no one player becomes dominant in this industry, and that the American consumer continues to reap the benefits of innovative new technologies. Most of all, the FCC should not lose sight of the most important goal of these regulations: to provide the highest quality content possible through over-the-air television. I am confident that it will do so.

NOMINATION OF JAMES COMEY

Mr. GRASSLEY. Mr. President, I rise today to state that I object to proceeding to the consideration of executive nominee James Comey to be Deputy Attorney General at the Justice Department.

I have placed a hold on this person because I have been unable to resolve outstanding issues with the Justice Department. I have been working with the Justice Department to get a satisfactory promise to ensure there are no reprisals against certain Justice Department employees in connection with testimony before the Senate Finance Committee. Although I support Mr. Comey's nomination, I intend to reserve my right to object to the Senate proceeding with this nominee of this legislation at this time.

LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe one such crime today. In protest of a wedding between two men in Seattle, WA, several young men and one adult who call themselves ''Deliverance Unlimited'' refused to leave a local Christian Church. In the October 25, 2003 incident, the co-pastor of the church asked the protestors to leave, and the group then began verbally assaulting the church staff. One of the protestors, Christopher Dudley, entered the sanctuary and began yelling that the church needed to be cleansed of sin. He then vandalized the church by spraying and wiping oil on the walls and furniture. The co-pastor told police that he was afraid for his own life and the lives of his staff.

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.

TRIBUTE TO BOB STILLER OF GREEN MOUNTAIN COFFEE ROASTERS

Mr. LEAHY. Mr. President, the Burlington Free Press recently ran a story about expansion plans by Green Mountain Coffee Roasters in Waterbury, VT. The company has begun work on a 52,000-square-foot warehouse and distribution center that will significantly expand manufacturing capacity. Under the leadership of Bob Stiller, Green Mountain Coffee has consistently been rated one of the fastest growing and best managed small public companies in the United States.

Small businesses are the backbone of Vermont's economy, and Green Mountain Coffee has been an outstanding corporate partner in our State for over 20 years. Started in a small café in Waitsfield, VT, in 1981, growing into a publicly traded company in 1993, and now announcing this $8.4 million expansion in Waterbury, Green Mountain has been a national leader in the specialty coffee market and an international leader in promoting fair trade coffee.

I commend Bob and all the employees at Green Mountain Coffee for their success at not only selling great coffee but also promoting sustainable farming throughout the world. I ask unanimous consent that a copy of the article that appeared in the Burlington Free Press be printed in the RECORD so that all Senators can read about the success of this company.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press, Nov. 6, 2003]

GMC HAS EXPANSION BREWING

Green Mountain Coffee Roasters Inc. plans to begin construction this month on a 52,000-square-foot warehouse and distribution center in Waterbury in an $8.4 million project that's intended to also expand the specialty coffee company's manufacturing capacity, the company said Wednesday.

''We are impressed with Waterbury's support, which enables us to expand our facilities in the downtown Waterbury location contiguous to our manufacturing and roasting operations,'' Green Mountain Coffee Chairman and CEO Robert Stiller said.

Green Mountain Coffee said the company expects to save money over the long term thanks to new automation equipment to be installed in the new building. The additional warehouse space also will allow for more product diversity and eliminate outside storage expenses.

This expansion will mean the company's packaging, warehousing and distribution capacities will match its current coffee roasting capacity of about 40 million to 50 million pounds.

Moving functions into the new building will allow Green Mountain Coffee to increase its packaging capacity in its 65,000-square-foot plant that houses its roasting, warehouse and distribution operations, the company said.

The company expects the building to be finished by fall 2004, and the transfer of distribution and warehousing functions completed by the spring 2005.

''This expansion is critical to our success in executing our long-term growth plans to be the leader in roasting and selling specialty coffee to a broad array of customers,'' Stiller said.

ADDITIONAL STATEMENTS

TRIBUTE TO MORTIMER CAPLIN

• Mr. WARNER. Mr. President, I rise today to recognize a remarkable man, Mr. Mortimer M. Caplin, on his outstanding legal career as an academic, public servant and distinguished practitioner. Through the years, Mr. Caplin, has been an inspiration to us all and a shining example of what hard work, dedication and perseverance can accomplish.

I feel a special connection with Mr. Caplin as we both graduated from University of Virginia School of Law and both served our country proudly during World War II in the United States Navy. As a undergraduate and law student at the University of Virginia, Mr. Caplin earned a reputation as a hard working student who always had time to lend a helping hand. During his undergraduate career at Mr. JEFFERSON's University, Mr. Caplin was elected to Phi Beta Kappa while becoming a standout on Johnny LaRowe's great boxing teams of the mid'30's.

After earning his Bachelor of Science degree, Mr. Caplin went on to the University's law school where he continued his excellent academic career and his affiliation with the University's boxing team. As coach of the First Year team, Mr Caplin instilled in the newly arrived First Years the value of a well rounded education. He also managed to find the time to be selected and serve as Editor-in-Chief of the Virginia Law Review in 1940.

Upon graduation in 1940, Mr. Caplin clerked for Judge Armistead M. Dobie

on the United States Court of Appeals for the Fourth Circuit in Richmond. Upon completing his clerkship, he joined the New York law firm Paul, Weiss, Rifkind, Wharton & Garrison as an associate but, like so many of us during this era, interrupted his career to defend this country and the freedom we all enjoy. Mr. Caplin joined the Navy and on June 6, 1944, came ashore on Omaha Beach as a member of the initial landing force where he served as U.S. Navy beachmaster.

After the war, Caplin returned to the legal profession and eventually made his way back to the University of Virginia in 1950 where he became a law professor concentrating on tax and corporate law. From 1950 to1962, he taught countless students the value of a legal education until he was again called into public service by President John F. Kennedy to head the Internal Revenue Service.

After retiring from the post in 1964, Mr. Caplin received the Alexander Hamilton Award, the highest honor bestowed by the Treasury Department. Thereafter, he founded Caplin & Drysdale which became, and remains today, one of the leading tax firms in the United States. Mr. Caplin was the 2001 recipient of the Thomas Jefferson Foundation Medal in Law which is awarded to individuals that exemplify the Jeffersonian ideal of the lawyer as public citizen. He truly embodies this ideal and it is right to honor his accomplishments.

On May 18, 2003, Mr. Caplin was invited to address the University of Virginia's 2003 graduating class. His words about the importance of public service are an inspiration to us all. As a tribute to his achievements and his contributions, I ask that his remarks be entered into the RECORD at this time.

The remarks follow.

A DEBT OF SERVICE

I must confess, in trying to recall who spoke and what was said at my own college graduation—''The Great Class of 1937''—my mind remains a blank.

The one commencement I do remember was here at my law graduation in 1940. The speaker was the president of the United States—Franklin Delano Roosevelt. He came to the University to attend the law graduation of his son, Franklin Jr., one of our classmates.

The Nazi armies of Adolph Hitler were then overrunning Europe and threatening the freedom of the entire world. On that very morning, Mussolini's fascist forces—joining Hitler—had invaded their neighbor France. Soon, every member of our class would be required to register under the vigorously debated Selective Service Act, the first peacetime military draft in our nation's history.

In Memorial Gymnasium, the president delivered a historic speech—the most sensitive part inserted by him during his train ride from Washington, contrary to the State Department's specific pleas that America's neutrality would be compromised.

FDR dramatically declared: ''On this tenth day of June 1940, the hand that held the dagger has struck it into the back of its neighbor. On this tenth day of June 1940, in this University founded by the first great American teacher of democracy, we send forth our prayers and our hopes to those beyond the seas who are maintaining with magnificent valor their battle for freedom.''

Remember, in 1940 there was no television, no cell phones, no Internet. Until then, we heard President Roosevelt only on the radio. To have the president of the United States before us in person, delivering to the world his famous ''dagger-in-the-back'' speech, is a moment I will never forget.

That day, he also gave us a glimpse into what lay before us when he solemnly committed, for the first time and without congressional approval, to ''extend . . . the material resources of this nation'' to the embattled democracies.

First Lady Eleanor Roosevelt later said: ''Franklin's address was not just a commencement address, it was a speech to the nation . . . that brought us one step nearer to total war.''

For us, World War II had begun. It was not at all what we graduates had been planning.

As a law student, I spent many hours thinking about my postgraduation career and dreams. I had already accepted a legal clerkship with Judge Armistead Mason Dobie, our former Law School dean and, at that time, a U.S. Circuit Court of Appeals judge. Next, I would go to New York to begin the practice of law. With two U.Va. degrees in hand, I felt prepared to face and perhaps conquer the world. But on Dec. 7, 1941, the Japanese attacked Pearl Harbor and all our lives changed.

I had hardly begun my Wall Street law practice, when I found myself in uniform, commissioned an ensign. U.S. Naval Reserve. When my training was completed, I said goodbye to Ruth, my wife of just one year, and set sail for duty as a beachmaster on Omaha Beach on June 6, 1944, for the D-Day landing on the Normandy coast of France.

World War II and the Navy did teach me a number of important life skills—many still of help in my private career. Two, in particular, are worth remembering. First, avoid fixed and rigid plans. Instead, allow for flexibility, innovation and possible change—but always hold true to your personal values. Second, be willing to accept risk when necessary as you move forward toward your goals.

Philosopher William James acutely observed: ''It is only by risking our persons from one hour to another that we live at all. And often enough our faith beforehand in an uncertified result is the only thing that makes the result come true.''

Simply put, have faith in your choices, and be at the ready to risk challenge as well as change. You will grow in strength as you do.

We've heard a great deal of late about those involved in what has been dubbed ''The Greatest Generation''—glorifying our ordinary citizens who, through hard work, courage and sacrifice, successfully confronted the Great Depression and World War II. Let me confess, though—as a duly designated member of that body—I find the anointment somewhat overdone. Countless generations, both before and after—including today—have also faced challenging times and national crises. And, in each case, everyday Americans have always demonstrated equal patriotism, equal devotion, equal courage—all inherently part of our national culture, traditions and training.

What may we expect of your generation? A former U. Va. Law School student of mine—who later became attorney general of the United States—Robert F. Kennedy, offered an answer in his 1966 Capetown University speech: ''Few will have the greatness to bend history; but each of us can work to change a small portion of events, and in the total of all these acts will be written the history of this generation.''

Mr. Jefferson consistently laid stress on, not just the rights of citizens of this country, but also on the responsibilities. Writing in 1796—shortly before he assumed the unhappy post of vice president—he stated strongly: ''There is a debt of service due from every man to his country, proportioned to the bounties which nature and fortune have measured to him.''●

RECOGNITION OF JAMES J. GILLIN, JR.

● Mr. SPECTER. Mr. President, I rise today to salute James J. Gillin, Jr., of Philadelphia, a premier Pennsylvania business and community leader. Pennsylvanians for Effective Government, the Commonwealth's oldest and largest probusiness PAC, recently recognized Jim Gillin's contributions by selecting him to receive its prestigious new civic leadership award.

The Clifford L. Jones Award, which Jim will formally receive next month, recognizes Pennsylvanians who ''have demonstrated exemplary civic leadership in support of free enterprise and democratic processes'' and focuses on a lifetime of achievement rather than a single effort.

Jim Gillin certainly qualifies. He was president of the Philadelphia-based Petroleum Heat and Power Company, a major fuel distributor throughout the Delaware Valley. He was also a member of the Executive Board of Continental Bank of New Jersey, president of Transport Employers, Inc., and chairman of the Philadelphia Parking Authority.

Jim was also active politically, serving as treasurer of the Philadelphia County Democratic Executive Committee and as a member of the Democratic House and Senate Council in Washington, DC. He has always been bipartisan, willing to reach across the aisle to support political leaders who support business.

Jim has helped shape PEG for a quarter century, serving as chairman from 1985 through 1989 and on its board since 1979. He also played major roles at the Pennsylvania Chamber of Business and Industry during the late 1980s.

PEG has made a superb choice in presenting its important new award to Jim Gillin. I join them in their tribute.●

RECOGNITION OF BING JUDD

● Mr. GREGG. Mr. President, this January, Burnham A. Judd will be stepping down from his position as chairman of the Board of Selectmen of Pittsburg, NH. Bing, as he is known to all throughout New Hampshire's North Country, has served on the board in Pittsburg for 34 years, since 1969, and I rise in tribute to his outstanding service to his community, its residents and the State of New Hampshire throughout this time.

Pittsburg is New Hampshire's largest town in area and its farthest north, sharing borders with Canada, Maine, and Vermont. Located well north of

the notches through New Hampshire's White Mountains, Pittsburg contains the majestic Connecticut Lakes and Lake Francis, headwaters of the Connecticut River, and areas of unparalleled scenic and wild beauty. It is a community with a rich heritage of residents skilled in the ways of the woods and with a passion for life in the outdoors.

Throughout its rich history, no one has been more true to the community, its residents, its landscape, and its lifestyles than Bing Judd. An avid and skillful sportsman, knowledgeable in the woods and with an uncanny knack of always knowing where the fish are, his vast experience includes a varied and accomplished record of service to the public: A Pittsburg road agent in the 1960s, a New Hampshire State Representative in 1974, 17 years of service as a forest ranger for the State of New Hampshire from 1975 to 1992, a New Hampshire fish and game commissioner for 10 years, on the Pittsburg Police and Fire Departments for many years and service continuing to this day as Pittsburg health officer, as a Coos County commissioner since 1997 and on the State of New Hampshire's Water Resources Council and New Hampshire Wetlands Board. In addition, as chairman of the Connecticut Lakes Headwaters Citizens Advisory Committee, Bing has been, and continues to be, instrumental in assisting to guide policy for preserving and protecting the vital water and woodland resources of this important region, especially in the recent successful effort to preserve for future generations and traditional uses over 170,000 acres of area woodlands.

In my time of service to New Hampshire as Second District Congressman, Governor and U.S. Senator, I have had no higher privilege than to count on Bing Judd for his sound judgement, sage advice and friendship. I know of no individual more dedicated to his community and his region or more able in its governance. The Town of Pittsburg, Coos County, and the State of New Hampshire have been fortunate he has been willing to share his wisdom and experience on our behalf for so well and for so long. While he will continue to serve his town, region, and State in many roles, it is important his longevity of quality service to his town as selectman be recognized and honored. It is because of the outstanding community service performed by citizens like Bing Judd that civil needs are met, our communities prosper, and our Nation hands to future generations a landscape and a society better off for his selfless and committed participation.

I thank Bing Judd on behalf of his many constituents and neighbors of Pittsburg, NH, who he has served and helped throughout the years.●

TRIBUTE TO THE 100TH ANNIVERSARY OF THE BELLOWS FREE ACADEMY OF FAIRFAX VT

● Mr. JEFFORDS. Mr. President, I rise today to recognize the 100th anniversary of the founding of Bellows Free Academy in Fairfax, VT.

Bellows Free Academy is one of the last schools in Vermont that serves student from kindergarten through 12th grade. As such, many families in Fairfax enjoy the advantage of having their children attend the facility from their first day of school through high school graduation.

And it is a very nice facility. The original 1903 building, which burned down in January 1941, was replaced and dedicated in 1942. Additions in 1960, 1973, 1990, and 1999 have kept the school up to date with modern space, equipment and facilities. Located in the heart of one of Vermont's fastest growing towns, BFA is a venerable school whose playgrounds and athletic fields are framed by woods and meadows, with a new land acquisition providing access to the nearby Lamoille River. Several vantage points reveal majestic views of Mount Mansfield, Vermont's tallest mountain.

In discussing BFA, a point of clarity is in order, as there are two schools in Vermont named Bellows Free Academy, and both are in Franklin County. Each school owes its founding to the same benefactor, but people in Fairfax are quick to point out that theirs is the original BFA, even if it is smaller, in terms of student enrollment, to its namesake in St. Albans.

BFA, Fairfax, was established through the generous provisions of the 1876 will of Hiram Bellows, who was born in Fairfax in 1798.

As a young person, Hiram Bellows lived at the farm of his birth and attended grammar school at a nearby schoolhouse. He advanced to the small graded school in town when good fortune brought a college graduate to Fairfax to teach for a short period of time. Hiram was unable to progress further in formal education, however, because his parents could not afford the academy fees to attend the high school equivalent of his day.

Hiram Bellows was an industrious man and an able judge of character. For some time, he made his living operating a general store and 'tinkering' in real estate. It is said that he liked to bargain, and invariably whittled on a piece of wood while studying the face of the man with whom a deal was being contemplated.

He served as State senator from Franklin County; was a charter member of the Vermont and Canada Railroad Company; founding associate of the Parish of Christ Church, Episcopal; and first president of the First National Bank of St. Albans.

In regard to his nature and character, a niece once recalled that he was ''a kind, delightful gentleman, whose house was always open.''

Upon his death, Hiram Bellows' will included provisions for the establishment of a free academy in Fairfax. Here follows several terms of his will:

> I give, and bequeath in trust to my native town of Fairfax, two hundred and fifty shares in the Chicago, Rock Island and Pacific Railroad Company, the par value, one hundred dollars each.
>
> The dividends thereon as far as practical, to be invested in said stock, until the same shall amount to two hundred and fifty thousand dollars, for the purpose of establishing a free school in said town of Fairfax. Said school to be located upon the premises hereinafter mentioned and described.
>
> Said school to be known and called 'the Bellows Free Academy of Fairfax, Vermont'. In which Academy the primary and higher branches of learning shall be taught. Said Academy shall be conducted in all respects in such a manner as to further the education of children and young men, so as to fit them for usefulness, and so as is practical, it is my wish that children of indigent parents receive and advantage of said school in preference to those who have ample means of support of their children . . .

And so, in the same year that Orville and Wilbur Wright achieved human flight from a sand dune in Kitty Hawk, NC, Hiram Bellows' estate of railroad stock founded a free academy on a village lot in Fairfax, VT.

Generations of Hiram Bellows family have attended and graduated from the school he so generously established. I am old his descendants attend BFA to this day. And with the generations of Bellows', so have been graduated generation after generation of other familiar Fairfax families.

A school of course, does not exist and cannot thrive in and of itself. In this regard, Fairfax has a strong tradition of community support for its school, and that tradition is reflected in the quality of students, teachers, administrators, directors, and staff at BFA over the century of its existence.

The list of those responsible for the continued growth and success of the academy goes on and on. There are specific individuals who, I am sure, are worthy of specific praise. But perhaps even more importantly, there are the countless people who contribute immeasurable hours in innumerable ways to endless projects. They are the backbone of the community; they comprise the sustaining force of the school.

So the Bellows Free Academy of Fairfax owes its beginnings to a remarkable man named Hiram Bellows. It does its proud history to its administration, teachers, students, and above all, its community.

Its future depends on sustaining all of the above. And while there are indeed numerous families who count generations of graduates from Bellows Free Academy, judging by its rate of growth, Fairfax also benefits greatly from contributions of newer residents, many drawn to this community, I suspect, precisely because of the strong reputation of its school system.

So, it is with great pleasure that I offer my congratulations to all those, past and present, involved with the Bellows Free Academy of Fairfax, VT.

Moreover, I am pleased to recognize the generosity and foresight of its founder, Hiram Bellows.

Happy 100th birthday, BFA.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting a treaty, and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 1875. A bill to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to extend the mental health benefits parity provisions for an additional year.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–5240. A communication from the Secretary of Agriculture, transmitting, a draft of proposed legislation relative to the Commodity Promotion, Research, and Information Act of 1996; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5241. A communication from the Chairman of the Board of Governors of the Federal Reserve System and the Secretary of the Treasury, transmitting, pursuant to law, a report relative to financial holding companies; to the Committee on Banking, Housing, and Urban Affairs.

EC–5242. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Closure of the Commercial Fishery for King Mackerel in the Exclusive Economic Zone in the Western Zone of the Gulf of Mexico'' received on November 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC–5243. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Colorado: Final Authorization of State Hazardous Waste Management Program Revision'' (FRL#7586–9) received on November 13, 2003; to the Committee on Environment and Public Works.

EC–5244. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, several documents related to the Agency's regulatory programs; to the Committee on Environment and Public Works.

EC–5245. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''Annual Pensions Plan, etc. Cost of Living Adjustments for 2004'' (Notice 2003–73) received on November 13, 2003; to the Committee on Finance.

EC–5246. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''Weighted Average Interest Rate Update Notice'' (Notice 2003–74) received on November 13, 2003; to the Committee on Finance.

EC–5247. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''Bureau of Labor Statistics Price Indexes for Department Stores'' (Rev. Rule 2003–121) received on November 13, 2003; to the Committee on Finance.

EC–5248. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''TD: Return of Partnership Income'' (RIN1545–BC01) received on November 13, 2003; to the Committee on Finance.

EC–5249. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''CPI Adjustment for Section 7872(g) for 2004'' (Rev. Rul. 2003–118) received on November 13, 2003; to the Committee on Finance.

EC–5250. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''Computation of Required Interest Using Mean Reserves'' (Rev. Rul. 2003–120) received on November 13, 2003; to the Committee on Finance.

EC–5251. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''Tax Exempt Bond Partnership Revenue Procedure'' (Rev. Proc. 2003–84) received on November 13, 2003; to the Committee on Finance.

EC–5252. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled ''CPI Adjustment for Section 1274A for 2004'' (Rev. Rul. 2003–119) received on November 13, 2003; to the Committee on Finance.

EC–5253. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, a request to permit the use of Foreign Military Financing for the sale of 125 M1A1 ABRAMS tank kits for Egypt; to the Committee on Foreign Relations.

EC–5254. A communication from the Assistant Secretary for Legislative Affairs, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $100,000,000 or more to the United Kingdom; to the Committee on Foreign Relations .

EC–5255. A communication from the Assistant Secretary for Legislative Affairs, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of defense articles and defense services sold under a contract in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–5256. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Miscellaneous Changes in Office of Personnel Management's Regulations'' (RIN3206–AJ54) received on November 13, 2003; to the Committee on Governmental Affairs.

EC–5257. A communication from the Director, Workforce Compensation and Performance Service, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Final Regulations Locality-Based Comparability Payments'' (RIN3206–AI81) received on November 13, 2003; to the Committee on Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GREGG, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 720. A bill to amend title IX of the Public Health Service Act to provide for the improvement of patient safety and to reduce the incidence of events that adversely effect patient safety (Rept. No. 108-196).

By Mr. SPECTER, from the Committee on Veterans' Affairs, with an amendment in the nature of a substitute:

S. 1136. A bill to restate, clarify, and revise the Soldiers' and Sailors' Civil Relief Act of 1940 (Rept. No. 108–197).

By Mr. INHOFE, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 793. A bill to provide for increased energy savings and environmental benefits through the increased use of recovered mineral component in federally funded projects involving procurement of cement or concrete (Rept. No. 108–198).

By Mr. HATCH, from the Committee on the Judiciary, without amendment and with a preamble:

S. Res. 253. A resolution to recognize the evolution and importance of motorsports.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. HATCH for the Committee on the Judiciary.

James B. Comey, of New York, to be Deputy Attorney General.

*Michael J. Garcia, of New York, to be an Assistant Secretary of Homeland Security.

Federico Lawrence Rocha, of California, to be United States Marshal for the Northern District of California for the term of four years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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. CRAIG (for himself, Ms. CANTWELL, Mrs. MURRAY, Mr. ENZI, Mr. BURNS, and Mr. BAUCUS):

S. 1868. A bill to authorize a 3-year demonstration program to recruit and train physicians to serve in rural settings; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN:

S. 1869. A bill for the relief of Robert Kuan Liang and Chun-Mei Hsu-Liang; to the Committee on the Judiciary.

By Mr. SMITH (for himself and Mr. WYDEN):

S. 1870. A bill to establish an alternative trigger for determining if an extended benefit period is in effect for a State for purposes of certain benefits under the Temporary Extended Unemployment Compensation Act of 2002; to the Committee on Finance .

By Mr. HATCH (for himself, Mr. LEAHY, and Mr. CHAMBLISS):

S. 1871. A bill to authorize salary adjustments for Justices and judges of the United States for fiscal year 2004; to the Committee on the Judiciary.

By Mr. SMITH (for himself, Mr. BIDEN, Mr. CHAMBLISS, Mr. COCHRAN, Mr. HAGEL, Mr. LIEBERMAN, Mr. LUGAR, and Mr. VOINOVICH):

S. 1872. A bill to award a congressional gold medal to Lord Robertson of Port Ellen; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DASCHLE (for Mr. KERRY):

S. 1873. A bill to require employees at a call center who either initiate or receive telephone calls to disclose the physical location of such employees, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. FEINGOLD (for himself and Mr. MCCAIN):

S. 1874. A bill to require Senate candidates to file designations, statements, and reports in electronic form; to the Committee on Rules and Administration.

By Mr. GREGG (for himself and Mr. KENNEDY):

S. 1875. A bill to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to extend the mental health benefits parity provisions for an additional year; read the first time.

ADDITIONAL COSPONSORS

S. 50

At the request of Mr. JOHNSON, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 50, a bill to amend title 38, United States Code, to provide for a guaranteed adequate level of funding for veterans health care, and for other purposes.

S. 417

At the request of Ms. SNOWE, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 417, a bill to amend title 5, United States Code, to ensure that coverage of bone mass measurements is provided under the health benefits program for Federal employees.

S. 419

At the request of Ms. SNOWE, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 419, a bill to amend title XVIII of the Social Security Act to expand coverage of bone mass measurements under part B of the medicare program to all individuals at clinical risk of osteoporosis.

S. 595

At the request of Mr. HATCH, the name of the Senator from Alaska (Ms. MURKOWSKI) 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. 596

At the request of Mr. ENSIGN, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 596, a bill to amend the Internal Revenue Code of 1986 to encourage the investment of foreign earnings within the United States for productive business investments and job creation.

S. 664

At the request of Mr. HATCH, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 664, a bill to amend the Internal Revenue Code of 1986 to permanently extend the research credit, to increase the rates of the alternative incremental credit, and to provide an alternative simplified credit for qualified research expenses.

S. 1143

At the request of Mrs. HUTCHISON, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1143, a bill to amend the Public Health Service Act to direct the Secretary of Health and Human Services to establish, promote, and support a comprehensive prevention, research, and medical management referral program for hepatitis C virus infection.

S. 1172

At the request of Mr. FRIST, the name of the Senator from Oregon (Mr. WYDEN) 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. 1195

At the request of Mr. KYL, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1195, a bill to amend title XIX of the Social Security Act to clarify that inpatient drug prices charged to certain public hospitals are included in the best price exemptions for the medicaid drug rebate program.

S. 1197

At the request of Mr. ENZI, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1197, a bill to amend the Public Health Service Act to ensure the safety and accuracy of medical imaging examinations and radiation therapy treatments.

S. 1246

At the request of Mr. ROBERTS, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 1246, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 1647

At the request of Mr. JOHNSON, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1647, a bill to amend title XVIII of the Social Security Act to provide for direct access to audiologists for medicare beneficiaries, and for other purposes.

S. 1793

At the request of Mr. KENNEDY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1793, a bill to provide for college quality, affordability, and diversity, and for other purposes.

S. 1841

At the request of Mrs. CLINTON, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1841, a bill to amend title 10, United States code, to provide for the award of a military service medal to members of the Armed Forces who served honorably during the Cold War era.

S. 1856

At the request of Mrs. CLINTON, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1856, a bill to designate the Department of Veterans Affairs outpatient clinic in Sunnyside, Queens, New York, as the ''Thomas P. Noonan, Jr., Department of Veterans Affairs Outpatient Clinic''.

S. RES. 253

At the request of Mr. CAMPBELL, the names of the Senator from Indiana (Mr. LUGAR) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of S. Res. 253, a resolution to recognize the evolution and importance of motorsports.

S. RES. 263

At the request of Mr. GRASSLEY, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. Res. 263, a resolution honoring the men and women of the Drug Enforcement Administration on the occasion of its 30th Anniversary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DASCHLE (for Mr. KERRY):

S. 1873. A bill to require employees at a call center who either initiate or receive telephone calls to disclose the physical location of such employees, and for other purposes; to the Committee on Commerce, Science, and Transportation.

(At the request of Mr. DASCHLE, the following statement was ordered to be printed in the RECORD.)

• Mr. KERRY. Mr. President, I am pleased to introduce today the ''Call Center Consumer's Right to Know Act.'' This legislation is in response to the mounting evidence showing that U.S. corporations are rapidly shifting hundreds of thousands high-tech and service sector jobs abroad. Labor officials, business leaders, economists, elected officials and ordinary Americans are concerned that this bleeding

of American jobs will further slow our economy. In addition to the more than 2 million manufacturing jobs that have been lost since 2000, some have indicated that we may also be witnessing the largest out-sourcing of non-manufacturing jobs in the history of the U.S. economy. The statistics are staggering. In the month of July 2003 alone, between 25,000 and 30,000 jobs were outsourced to India. According to the Bureau of Labor Statistics, roughly one in ten jobs held by Americans in 2001 are now at risk to be outsourced abroad.

These jobs are not specific to one sector or a select few companies, but span a broad array of services, including customer call service centers, payroll and other back-office related activities, stock market research for financial firms, medical transcription services, legal online database research and data analysis for consulting firms. In addition, firms involved with software services and business process outsourcing are rapidly expanding to a host of different countries, including India, the Philippines, Malaysia, China, Russia, Israel, and Ireland.

In addition to rapid service sector job losses, consumers are concerned with the growing threat of identity theft. So far, efforts to stem this tide and keep up with the technological advancements that enable these crimes have done little to allay concerns. This trend becomes all the more alarming when millions of calls involving personal financial transactions are routed beyond our borders, where they are not protected by our laws and law enforcement. Aside from the very serious concerns related to identify theft, there is also a consumer awareness element of this problem, as very few Americans are aware that the person on the other end of the telephone line is in another country. Americans should have full information about the outsourcing of call center jobs when they decide who they will purchase their products and services from.

The ''Call Center Consumer's Right to Know Act'' is a simple and straightforward answer to the challenges posed by these unprecedented service sector job losses and growing risks of identity theft. The bill simply requires call center representatives to disclose their physical location at the beginning of each phone call. Consumers will therefore have important information about who is providing the services in question and the level of risk involved in proceeding with their transaction by phone. This legislation will help American consumers make informed choices about who is providing the services they purchase, and at the same time, addresses the growing problem of U.S. corporations moving hundreds of thousands of service sector jobs abroad. Furthermore, my bill will go a long way to restoring consumer confidence in the booming call center market and help provide a measure of security for telephone and Internet consumer transactions.

There can be no doubt that the outsourcing of these important American service sector jobs abroad has played a part in the jobless, or what some call the ''job-loss'' economic recovery of 2003. It is predicted that future outsourcing of service sector jobs may provide more costly to the US. economy than the loss of American manufacturing jobs we are witnessing today. Unfortunately, the economics that produced this trend are unlikely to change without a concerted effort to both provide companies with an incentive to keep their jobs in American and promote consumer awareness of the services they unknowingly purchase from other countries. This is precisely what the Call Center Consumer's Right to Know Act seeks to accomplish.

I ask unanimous consent that the text of the bill be printed in the RECORD.●

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1873

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Call Center Consumer's Right to Know Act of 2003''.

SEC. 2. CALL CENTER REQUIREMENTS.

(a) IN GENERAL.—A United States corporation or its subsidiaries that utilizes a call center to initiate telephone calls to, or receive telephone calls from, individuals located in the United States, shall require each employee in the call center to disclose the physical location of such employee at the beginning of each telephone call so initiated or received.

(b) CERTIFICATION REQUIREMENT.—A corporation or subsidiary described in subsection (a) shall annually certify to the Federal Trade Commission whether or not the corporation or subsidiary, and the employees of the corporation or subsidiary at its call centers, have complied with that subsection.

(c) NONCOMPLIANCE.—A corporation or subsidiary that violates subsection (a) shall be subject to such civil penalties as the Federal Trade Commission prescribes under section 3.

(d) CALL CENTER DEFINED.—In this section, the term ''call center'' means a location that provides customer-based service and sales assistance or technical assistance and expertise to individuals located in the United States via telephone, the Internet, or other telecommunications and information technology.

SEC. 3. FEDERAL TRADE COMMISSION RULES.

Not later than 9 months after the date of enactment of this Act, the Federal Trade Commission shall prescribe rules to provide for effective monitoring and compliance with this Act. The Federal Trade Commission's rulemaking shall include appropriate civil penalties for noncompliance with this Act.

By Mr. FEINGOLD (for himself and Mr. MCCAIN):

S. 1874. A bill to require Senate candidates to file designations, statements, and reports in electronic form; to the Committee on Rules and Administration.

Mr. FEINGOLD. Mr. President, today I will introduce with the Senator from Arizona, Mr. MCCAIN, a bill to bring Senate campaigns into the 21st century by requiring that Senate candidates file their campaign finance disclosure reports electronically and that those reports be promptly made available to the public. This step is long overdue, and I hope the Senate will act quickly on this legislation.

A recent report by the Campaign Finance Institute highlighted the anomaly in the election laws that makes it nearly impossible for the public to get access to Senate campaign finance reports while most other reports are available on the Internet within 24 hours of their filing with the Federal Election Commission (FEC). The Campaign Finance Institute report opened with a rhetorical question: ''What makes the Senate so special that it exempts itself from a key requirement of campaign finance disclosure that applies to everyone else, including candidates for the House of Representatives and Political Action Committees?''

The answer, of course, is nothing. The United States Senate is special in many ways. I am proud to serve here. But there is no justification for not making our campaign finance information as readily accessible to the public as the information filed by House candidates or others.

My bill amends the section of the election laws dealing with electronic filing to require reports filed with the Secretary of the Senate to be filed electronically and forwarded to the FEC within 24 hours. The FEC is required to make available on the Internet within 24 hours any filing it receives electronically. So if this bill is enacted, electronic versions of Senate reports should be available to the public within 48 hours of their filing. That will be a vast improvement over the current situation, which, according to CFI, requires journalists and interested members of the public to review computer images of paper-filed copies of reports, and involves a completely wasteful expenditure of hundreds of thousands of dollars to re-enter information into databases that almost every campaign has available in electronic format.

The current filing system also means that the detailed coding that the FEC does, which allows for more sophisticated searches and analysis, is completed over a week later for Senate reports than for House reports. This means that the final disclosure reports covering the first 2 weeks of October are not susceptible to detailed scrutiny before the election.

It is time for the Senate to relinquish its Luddite attitude toward campaign finance disclosure. I urge the enactment of this simple bill that will make our reports subject to the same prompt, public scrutiny as those filed by PACs and candidates for the other body.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1874

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Senate Campaign Disclosure Parity Act''.

SEC. 2. SENATE CANDIDATES REQUIRED TO FILE ELECTION REPORTS IN ELECTRONIC FORM.

(a) IN GENERAL.—Section 304(a)(11)(D) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(11)(D)) is amended to read as follows:

''(D) As used in this paragraph, the terms 'designation', 'statement', or 'report' mean a designation, statement or report, respectively, which—

''(i) is required by this Act to be filed with the Commission, or

''(ii) is required under section 302(g) to be filed with the Secretary of the Senate and forwarded by the Secretary to the Commission.''

(b) CONFORMING AMENDMENTS.—

(1) Section 302(g)(2) of such Act (2 U.S.C. 432(g)(2)) is amended by inserting ''or 1 working day in the case of a designation, statement, or report filed electronically'' after ''2 working days''.

(2) Section 304(a)(11)(B) of such Act (2 U.S.C. 434(a)(11)(B)) is amended by inserting ''or filed with the Secretary of the Senate under section 302(g)(1) and forwarded to the Commission'' after ''Act''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to any designation, statement, or report required to be filed after the date of enactment of this Act.

Mr. MCCAIN. Mr. President, I am proud to join Senator RUSS FEINGOLD as a co-sponsor of legislation that will require Senate candidates to file campaign finance reports in electronic form. This bill will finally remove the exemption the Senate has given itself from an important requirement of campaign finance disclosure laws that apply to everyone else, including candidates for the U.S. House of Representatives and Political Action Committees, PACs.

Political committees active in federal elections must submit their quarterly financial reports for disclosure by the Federal Election Commission, FEC. Anyone interested can nearly instantaneously download the reports from the FEC website and conduct computer searches to learn about the contributions and expenditures of individual candidates for the House, non-Senate national party committees and PACs. The current problem is that they cannot do the same for Senate candidates and parties because of the Senate's insistence on paper rather than electronic filing. The FEC must do more processing of Senate paper reports than of House electronic ones. This involves printing or copying the Senate reports, up to 10,000 pages a day at times, handcoding transactions that cannot be automatically processed, and keypunching the data into the electronic database. House electronic reports do not need the same treatment. The end result is that in contrast to the House, information from the Senate paper reports are often available well after the election has occurred.

Due to this problem, voters are not well-informed about the campaign finance information of their Senators and Senate candidates. For voters who want to consider the nature of the campaign finance support received by a Senate candidate and its relationship to Senate legislative votes as a factor in deciding for whom they will cast a vote, they clearly cannot.

To address this problem, our legislation requires Senate candidates to file their campaign finance reports electronically with the Secretary of the Senate. Within 24 hours of receipt of those reports, the Secretary is required to forward those reports to the FEC. The FEC, in turn is required to make those reports available on the Internet within 24 hours as they do other reports. Therefore, electronic versions of Senate reports will be available to the public within 48 hours of their filing.

Electronic reports are not only transmitted instantly but are more accurate than paper submissions because software can easily correct mistakes. On the other hand, hand entering of data is always prone to error. Furthermore, the data in electronic reports can be rapidly searched via the Internet for answers to specific questions. Voters will no longer have to go through the time consuming process of reading pages and pages filed by Senate candidates or Senate party committees to figure out the major donors and their employers, and the major recipients of campaign spending. Instead, they can download a filed report from the FEC website onto their personal computers and quickly locate the information they need. This creates effective public disclosure.

The Senate's current failure to provide its constituents with electronically disclosed, timely information is unconscionable. Senate filings should follow the same criteria as other campaign finance reports. There must not be a separate standard for the Senate. Ironically, while they do not currently file electronically, Senators and Senate candidates already use electronic software in compiling their paper reports. If Senators and Senate candidates can use technology to run their offices and websites, why can't they use it to better inform their own constituents about how their campaigns are funded? Their constituents have earned a right to that information. The public interest will be better served and voters' faith in their elected leaders will be restored.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2191. Ms. CANTWELL (for herself, Mr. CARPER, Mr. BROWNBACK, Mr. HAGEL, Mr. ROBERTS, Mr. NELSON of Nebraska, Mrs. MURRAY, and Mr. DEWINE) submitted an amendment intended to be proposed to amendment SA 2150 proposed by Mr. BOND (for himself and Ms. MIKULSKI) to the bill H.R. 2861, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table.

SA 2192. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2150 proposed by Mr. BOND (for himself and Ms. MIKULSKI) to the bill H.R. 2861, supra; which was ordered to lie on the table.

SA 2193. Mr. DAYTON (for himself and Mr. COLEMAN) submitted an amendment intended to be proposed to amendment SA 2150 proposed by Mr. BOND (for himself and Ms. MIKULSKI) to the bill H.R. 2861, supra.

SA 2194. Mr. BOND (for Mr. REID (for himself and Mr. GRAHAM, of Florida)) proposed an amendment to amendment SA 2150 proposed by Mr. BOND (for himself and Ms. MIKULSKI) to the bill H.R. 2861, supra.

SA 2195. Mr. DURBIN (for himself, Ms. SNOWE, Mr. JEFFORDS, Mrs. BOXER, Mr. LAUTENBERG, Ms. CANTWELL, and Mr. LIEBERMAN) proposed an amendment to amendment SA 2150 proposed by Mr. BOND (for himself and Ms. MIKULSKI) to the bill H.R. 2861, supra.

SA 2196. Mr. BOND (for Mr. DASCHLE) proposed an amendment to amendment SA 2150 proposed by Mr. BOND (for himself and Ms. MIKULSKI) to the bill H.R. 2861, supra.

SA 2197. Mr. BOND (for Mr. FEINGOLD) proposed an amendment to amendment SA 2150 proposed by Mr. BOND (for himself and Ms. MIKULSKI) to the bill H.R. 2861, supra.

SA 2198. Mr. BOND (for Ms. CANTWELL (for herself, Mr. CARPER, Mr. BROWNBACK, Mr. HAGEL, Mr. ROBERTS, Mr. NELSON of Nebraska, Mrs. MURRAY, and Mr. DEWINE)) proposed an amendment to amendment SA 2150 proposed by Mr. BOND (for himself and Ms. MIKULSKI) to the bill H.R. 2861, supra.

TEXT OF AMENDMENTS

SA 2191. Ms. CANTWELL (for herself, Mr. CARPER, Mr. BROWNBACK, Mr. HAGEL, Mr. ROBERTS, Mr. NELSON of Nebraska, Mrs. MURRAY, and Mr. DEWINE) submitted an amendment intended to be proposed to amendment SA 2150 by Mr. BOND (for himself and Ms. MIKULSKI) to the bill H.R. 2861, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 125, between lines 7 and 8, insert the following:

SEC. 418. EXTENSION OF CERTAIN PUBLIC HOUSING/SECTION 8 MOVING TO WORK DEMONSTRATION AGREEMENTS.

(a) EXTENSION.—The Secretary of Housing and Urban Development shall extend the term of the Moving to Work Demonstration Agreement entered into between a public housing agency and the Secretary under section 204, title V, of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Pub. L. 104–134, April 26, 1996) if—

(1) the public housing agency requests such extension in writing;

(2) the public housing agency is not at the time of such request for extension in default under its Moving to Work Demonstration Agreement; and

(3) the Moving to Work Demonstration Agreement to be extended would otherwise expire on or before December 31, 2004.

(b) TERMS.—Unless the Secretary of Housing and Urban Development and the public housing agency otherwise agree, the extension under subsection (a) shall be upon the identical terms and conditions set forth in the extending agency's existing Moving to Work Demonstration Agreement, except that for each public housing agency that has been or will be granted an extension to its original Moving to Work agreement, the Secretary shall require that data be collected so that the effect of Moving to Work policy changes on residents can be measured.

(c) EXTENSION PERIOD.—The extension under subsection (a) shall be for such period as is requested by the public housing agency, not to exceed 3 years from the date of expiration of the extending agency's existing Moving to Work Demonstration Agreement.

(d) BREACH OF AGREEMENT.—Nothing contained in this section shall limit the authority of the Secretary of Housing and Urban Development to terminate any Moving to Work Demonstration Agreement of a public housing agency if the public housing agency is in breach of the provisions of such agreement.

SEC. 419. STUDY OF MOVING TO WORK PROGRAM.

(a) IN GENERAL.—The General Accounting Office shall conduct a study of the Moving to Work demonstration program to evaluate—

(1) whether the statutory goals of the Moving to Work demonstration program are being met;

(2) the effects policy changes related to the Moving to Work demonstration program have had on residents; and

(3) whether public housing agencies participating in the Moving to Work program are meeting the requirements of the Moving to Work demonstration program under law and any agreements with the Department of Housing and Urban Development.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the General Accounting Office shall submit to Congress a report on the study conducted under subsection (a).

SA 2192. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2150 proposed by Mr. BOND (for himself and Ms. MIKULSKI) to the bill H.R. 2861, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 106, strike line 14 and all that follows through ''PRESIDENT'' and insert the following:

as determined by the Administrator.

EXECUTIVE OFFICE OF THE PRESIDENT

SA 2193. Mr. DAYTON (for himself and Mr. COLEMAN) submitted an amendment intended to be proposed to amendment SA 2150 proposed by Mr. BOND (for himself and Ms. MIKULSKI) to the bill H.R. 2861, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 58, line 21, strike ''$1,112,130,000'' and insert ''$1,111,030,000''.

On page 125, between lines 7 and 8, insert the following:

SEC. 418. There shall be made available $1,100,000 to the Secretary of Housing and Urban Development for the purposes of making the grant authorized under section 3 of the Paul and Sheila Wellstone Center for Community Building Act.

SA 2194. Mr. BOND (for Mr. REID (for himself and Mr. GRAHAM of Florida)) proposed an amendment to amendment SA 2150 proposed by Mr. BOND (for himself and Ms. MIKULSKI) to the bill H.R. 2861, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 125, between lines 7 and 8, insert the following new section:

SEC. 418. (a) Congress makes the following findings:

(1) During Operation Desert Shield and Operation Desert Storm (in this section, collectively referred to as the ''First Gulf War''), the regime of Saddam Hussein committed grave human rights abuses and acts of terrorism against the people of Iraq and citizens of the United States.

(2) United States citizens who were taken prisoner by the regime of Saddam Hussein during the First Gulf War were brutally tortured and forced to endure severe physical trauma and emotional abuse.

(3) The regime of Saddam Hussein used civilian citizens of the United States who were working in the Persian Gulf region before and during the First Gulf War as so-called human shields, threatening the personal safety and emotional well-being of such civilians.

(4) Congress has recognized and authorized the right of United States citizens, including prisoners of war, to hold terrorist states, such as Iraq during the regime of Saddam Hussein, liable for injuries caused by such states.

(5) The United States district courts are authorized to adjudicate cases brought by individuals injured by terrorist states.

(b) It is the sense of Congress that—

(1) notwithstanding section 1503 of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108–11; 117 Stat. 579) and any other provision of law, a citizen of the United States who was a prisoner of war or who was used by the regime of Saddam Hussein and by Iraq as a so-called human shield during the First Gulf War should have the opportunity to have any claim for damages caused by the regime of Saddam Hussein and by Iraq incurred by such citizen fully adjudicated in the appropriate United States district court;

(2) any judgment for such damages awarded to such citizen, or the family of such citizen, should be fully enforced; and

(3) the Attorney General should enter into negotiations with each such citizen, or the family of each such citizen, to develop a fair and reasonable method of providing compensation for the damages each such citizen incurred, including using assets of the regime of Saddam Hussein held by the Government of the United States or any other appropriate sources to provide such compensation.

SA 2195. Mr. DURBIN (for himself, Ms. SNOWE, Mr. JEFFORDS, Mrs. BOXER, Mr. LAUTENBERG, Ms. CANTWELL, and Mr. LIEBERMAN) proposed an amendment to amendment SA 2150 proposed by Mr. BOND (for himself and Ms. MIKULSKI) to the bill H.R. 2861, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes; as follows:

None of the funds provided in this Act may be expended to apply, in a numerical estimate of the benefits of an agency action prepared pursuant to Executive Order 12866 or section 812 of the Clean Air Act, monetary values for adult premature mortality that differ based on the age of the adult.

SA 2196. Mr. BOND (for Mr. DASCHLE) proposed an amendment to amendment SA 2150 proposed by Mr. BOND (for himself and Ms. MIKULSKI) to the bill H.R. 2861, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the end of title I, add the following:

SEC. 116. Not later than 120 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall enter into an agreement with the Institute of Medicine of the National Academy of Sciences under which agreement the Institute of Medicine shall develop and evaluate epidemiological studies on Vietnam veterans in accordance with the recommendations of the 2003 National Academy of Sciences report entitled ''Characterizing Exposure of Veterans to Agent Orange and Other Herbicides Used in Vietnam: Interim Findings and Recommendations''.

SA 2197. Mr. BOND (for Mr. FEINGOLD) proposed an amendment to amendment SA 2150 proposed by Mr. BOND (for himself and Ms. MIKULSKI) to the bill H.R. 2861, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the end of title I, insert the following:

SEC. 116. No funds appropriated or otherwise made available for the Department of Veterans Affairs by this Act or any other Act may be obligated or expended to implement the policy contained in the memorandum of the Department of Veterans Affairs dated July 18, 2002, from the Deputy Under Secretary for Health for Operations and Management with the subject ''Status of VHA Enrollment and Associated Issues'' or any other policy prohibiting the Directors of the Veterans Integrated Service Networks (VISNs) from conducting outreach or marketing to enroll new veterans within their Networks.

SA 2198. Mr. BOND (for Ms. CANTWELL (for herself, Mr. CARPER, Mr. BROWNBACK, Mr. HAGEL, Mr. ROBERTS, Mr. NELSON of Nebraska, Mrs. MURRAY, and Mr. DEWINE)) proposed an amendment to amendment SA 2150 proposed by Mr. BOND (for himself and Ms. MIKULSKI) to the bill H.R. 2861, making

appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 125, between lines 7 and 8, insert the following:

SEC. 418. EXTENSION OF CERTAIN PUBLIC HOUSING/SECTION 8 MOVING TO WORK DEMONSTRATION AGREEMENTS.

(a) EXTENSION.—The Secretary of Housing and Urban Development shall extend the term of the Moving to Work Demonstration Agreement entered into between a public housing agency and the Secretary under section 204, title V, of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Pub. L. 104–134, April 26, 1996) if—

(1) the public housing agency requests such extension in writing;

(2) the public housing agency is not at the time of such request for extension in default under its Moving to Work Demonstration Agreement; and

(3) the Moving to Work Demonstration Agreement to be extended would otherwise expire on or before December 31, 2004.

(b) TERMS.—Unless the Secretary of Housing and Urban Development and the public housing agency otherwise agree, the extension under subsection (a) shall be upon the identical terms and conditions set forth in the extending agency's existing Moving to Work Demonstration Agreement, except that for each public housing agency that has been or will be granted an extension to its original Moving to Work agreement, the Secretary shall require that data be collected so that the effect of Moving to Work policy changes on residents can be measured.

(c) EXTENSION PERIOD.—The extension under subsection (a) shall be for such period as is requested by the public housing agency, not to exceed 3 years from the date of expiration of the extending agency's existing Moving to Work Demonstration Agreement.

(d) BREACH OF AGREEMENT.—Nothing contained in this section shall limit the authority of the Secretary of Housing and Urban Development to terminate any Moving to Work Demonstration Agreement of a public housing agency if the public housing agency is in breach of the provisions of such agreement.

SEC. 419. STUDY OF MOVING TO WORK PROGRAM.

(a) IN GENERAL.—The General Accounting Office shall conduct a study of the Moving to Work demonstration program to evaluate—

(1) whether the statutory goals of the Moving to Work demonstration program are being met;

(2) the effects policy changes related to the Moving to Work demonstration program have had on residents; and

(3) whether public housing agencies participating in the Moving to Work program are meeting the requirements of the Moving to Work demonstration program under law and any agreements with the Department of Housing and Urban Development.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the General Accounting Office shall submit to Congress a report on the study conducted under subsection (a).

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON THE JUDICIARY

Mr. KYL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Monday, November 17, 2003, at 5:40 p.m. in the President's Room 216, The Capitol. Note: This markup was rescheduled from Thursday, November 13, 2003.

Agenda:

I. Nominations: Henry W. Saad to be U.S. Circuit Judge for the Sixth Circuit; James B. Comey to be Deputy Attorney General; Michael J. Garcia to be Assistant Secretary of U.S. Immigration and Customs Enforcement; Claude A. Allen to be U.S. Circuit Judge for the Fourth Circuit; and Federico L. Rocha to be U.S. Marshal for the Northern District of California.

II. Bills: H.R. 1437—To improve the United States Code [Sensenbrenner, Conyers]; S. Res. 253—To recognize the evolution and importance of motorsports [Campbell, Kyl].

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

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, first I ask unanimous consent that Theresa Frueh of my office be given privileges of the floor tonight and tomorrow.

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

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 108–11

Mr. KYL. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on November 17, 2003, by the President of the United States:

Cybercrime Convention (Treaty Document 108–11).

I further ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Council of Europe Convention on Cybercrime (the ''Cybercrime Convention'' or the ''Convention''), which was signed by the United States on November 23, 2001. In addition, for the information of the Senate, I transmit the report of the Department of State with respect to the Convention and the Convention's official Explanatory Report.

The United States, in its capacity as an observer at the Council of Europe, participated actively in the elaboration of the Convention, which is the only multilateral treaty to address the problems of computer-related crime and electronic evidence gathering. An overview of the Convention's provisions is provided in the report of the Department of State. The report also sets forth proposed reservations and declarations that would be deposited by the United States with its instrument of ratification. With these reservations and declarations, the Convention would not require implementing legislation for the United States.

The Convention promises to be an effective tool in the global effort to combat computer-related crime. It requires Parties to criminalize, if they have not already done so, certain conduct that is committed through, against, or related to computer systems. Such substantive crimes include offenses against the ''confidentiality, integrity and availability'' of computer data and systems, as well as using computer systems to engage in conduct that would be criminal if committed outside the cyber-realm, i.e., forgery, fraud, child pornography, and certain copyright-related offenses. The Convention also requires Parties to have the ability to investigate computer-related crime effectively and to obtain electronic evidence in all types of criminal investigations and proceedings.

By providing for broad international cooperation in the form of extradition and mutual legal assistance, the Cybercrime Convention would remove or minimize legal obstacles to international cooperation that delay or endanger U.S. investigations and prosecutions of computer-related crime. As such, it would help deny ''safe havens'' to criminals, including terrorists, who can cause damage to U.S. interests from abroad using computer systems. At the same time, the Convention contains safeguards that protect civil liberties and other legitimate interests.

I recommend that the Senate give early and favorable consideration to the Cybercrime Convention, and that it give its advice and consent to ratification, subject to the reservations, declarations, and understanding described in the accompanying report of the Department of State.

GEORGE W. BUSH.

THE WHITE HOUSE, *November 17, 2003.*

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Majority Leader, pursuant to Public Law 96–114, as amended, announces the appointment of John M. Falk, of Washington, DC, to be Chairman of the Congressional Award Board.

PRIVATE SECURITY OFFICER EMPLOYMENT AUTHORIZATION ACT OF 2003

Mr. KYL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 322, S. 1743.

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

The legislative clerk read as follows:

A bill (S. 1743) to permit reviews of criminal records of applicants for private security officer employment.

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

Mr. KYL. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table with no intervening action or debate; that any statements relating to this measure be printed in the RECORD.

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

The bill (S. 1743) was read the third time and passed, as follows:

S. 1743

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Private Security Officer Employment Authorization Act of 2003''.

SEC. 2. FINDINGS.

Congress finds that—

(1) employment of private security officers in the United States is growing rapidly;

(2) private security officers function as an adjunct to, but not a replacement for, public law enforcement by helping to reduce and prevent crime;

(3) such private security officers protect individuals, property, and proprietary information, and provide protection to such diverse operations as banks, hospitals, research and development centers, manufacturing facilities, defense and aerospace contractors, high technology businesses, nuclear power plants, chemical companies, oil and gas refineries, airports, communication facilities and operations, office complexes, schools, residential properties, apartment complexes, gated communities, and others;

(4) sworn law enforcement officers provide significant services to the citizens of the United States in its public areas, and are supplemented by private security officers;

(5) the threat of additional terrorist attacks requires cooperation between public and private sectors and demands professional, reliable, and responsible security officers for the protection of people, facilities, and institutions;

(6) the trend in the Nation toward growth in such security services has accelerated rapidly;

(7) such growth makes available more public sector law enforcement officers to combat serious and violent crimes, including terrorism;

(8) the American public deserves the employment of qualified, well-trained private security personnel as an adjunct to sworn law enforcement officers; and

(9) private security officers and applicants for private security officer positions should be thoroughly screened and trained.

SEC. 3. DEFINITIONS.

In this Act:

(1) EMPLOYEE.—The term ''employee'' includes both a current employee and an applicant for employment as a private security officer.

(2) AUTHORIZED EMPLOYER.—The term ''authorized employer'' means any person that—

(A) employs private security officers; and

(B) is authorized by regulations promulgated by the Attorney General to request a criminal history record information search of an employee through a State identification bureau pursuant to this section.

(3) PRIVATE SECURITY OFFICER.— The term ''private security officer''—

(A) means an individual other than an employee of a Federal, State, or local government, whose primary duty is to perform security services, full- or part-time, for consideration, whether armed or unarmed and in uniform or plain clothes (except for services excluded from coverage under this Act if the Attorney General determines by regulation that such exclusion would serve the public interest); but

(B) does not include—

(i) employees whose duties are primarily internal audit or credit functions;

(ii) employees of electronic security system companies acting as technicians or monitors; or

(iii) employees whose duties primarily involve the secure movement of prisoners.

(4) SECURITY SERVICES.—The term ''security services'' means acts to protect people or property as defined by regulations promulgated by the Attorney General.

(5) STATE IDENTIFICATION BUREAU.—The term ''State identification bureau'' means the State entity designated by the Attorney General for the submission and receipt of criminal history record information.

SEC. 4. CRIMINAL HISTORY RECORD INFORMATION SEARCH.

(a) IN GENERAL.—

(1) SUBMISSION OF FINGERPRINTS.—An authorized employer may submit to the State identification bureau of a participating State, fingerprints or other means of positive identification, as determined by the Attorney General, of an employee of such employer for purposes of a criminal history record information search pursuant to this Act.

(2) EMPLOYEE RIGHTS.—

(A) PERMISSION.—An authorized employer shall obtain written consent from an employee to submit to the State identification bureau of a participating State the request to search the criminal history record information of the employee under this Act.

(B) ACCESS.—An authorized employer shall provide to the employee confidential access to any information relating to the employee received by the authorized employer pursuant to this Act.

(3) PROVIDING INFORMATION TO THE STATE IDENTIFICATION BUREAU.—Upon receipt of a request for a criminal history record information search from an authorized employer pursuant to this Act, submitted through the State identification bureau of a participating State, the Attorney General shall—

(A) search the appropriate records of the Criminal Justice Information Services Division of the Federal Bureau of Investigation; and

(B) promptly provide any resulting identification and criminal history record information to the submitting State identification bureau requesting the information.

(4) USE OF INFORMATION.—

(A) IN GENERAL.—Upon receipt of the criminal history record information from the Attorney General by the State identification bureau, the information shall be used only as provided in subparagraph (B).

(B) TERMS.—In the case of—

(i) a participating State that has no State standards for qualification to be a private security officer, the State shall notify an authorized employer as to the fact of whether an employee has been—

(I) convicted of a felony, an offense involving dishonesty or a false statement if the conviction occurred during the previous 10 years, or an offense involving the use or attempted use of physical force against the person of another if the conviction occurred during the previous 10 years; or

(II) charged with a criminal felony for which there has been no resolution during the preceding 365 days; or

(ii) a participating State that has State standards for qualification to be a private security officer, the State shall use the information received pursuant to this Act in applying the State standards and shall only notify the employer of the results of the application of the State standards.

(5) FREQUENCY OF REQUESTS.—An authorized employer may request a criminal history record information search for an employee only once every 12 months of continuous employment by that employee unless the authorized employer has good cause to submit additional requests.

(b) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall issue such final or interim final regulations as may be necessary to carry out this Act, including—

(1) measures relating to the security, confidentiality, accuracy, use, submission, dissemination, destruction of information and audits, and recordkeeping;

(2) standards for qualification as an authorized employer; and

(3) the imposition of reasonable fees necessary for conducting the background checks.

(c) CRIMINAL PENALTIES FOR USE OF INFORMATION.—Whoever knowingly and intentionally uses any information obtained pursuant to this Act other than for the purpose of determining the suitability of an individual for employment as a private security officer shall be fined under title 18, United States Code, or imprisoned for not more than 2 years, or both.

(d) USER FEES.—

(1) IN GENERAL.—The Director of the Federal Bureau of Investigation may—

(A) collect fees to process background checks provided for by this Act; and

(B) establish such fees at a level to include an additional amount to defray expenses for the automation of fingerprint identification and criminal justice information services and associated costs.

(2) LIMITATIONS.—Any fee collected under this subsection—

(A) shall, consistent with Public Law 101–515 and Public Law 104–99, be credited to the appropriation to be used for salaries and other expenses incurred through providing the services described in such Public Laws and in paragraph (1);

(B) shall be available for expenditure only to pay the costs of such activities and services; and

(C) shall remain available until expended.

(3) STATE COSTS.—Nothing in this Act shall be construed as restricting the right of a State to assess a reasonable fee on an authorized employer for the costs to the State of administering this Act.

(e) STATE OPT OUT.—A State may decline to participate in the background check system authorized by this Act by enacting a law or issuing an order by the Governor (if consistent with State law) providing that the State is declining to participate pursuant to this subsection.

MEASURE READ THE FIRST TIME—S. 1875

Mr. KYL. Mr. President, I understand that S. 1875, which was introduced earlier today, is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the first time.

The assistant legislative clerk read as follows:

A bill (S. 1875) to amend the Employee Retirement Income Security Act of 1974, the

Public Health Service Act, and the Internal Revenue Code of 1986 to extend the mental health benefits parity provisions for an additional year.

Mr. KYL. Mr. President, I now ask for its second reading and object to further proceedings on the matter.

The PRESIDING OFFICER. Objection is heard. The bill will receive its second reading on the next legislative day.

APPOINTMENT OF ADDITIONAL CONFEREES

Mr. KYL. Mr. President, I ask unanimous consent that the number of conferees appointed for H.R. 2673, the Agriculture appropriations bill for fiscal year 2004, be expanded to include the following additional members of the Senate Appropriations Committee: Senators DOMENICI, SHELBY, GREGG, CAMPBELL, HUTCHISON, DEWINE, INOUYE, HOLLINGS, LEAHY, MIKULSKI, REID, and MURRAY.

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

ORDERS FOR TUESDAY, NOVEMBER 18, 2003

Mr. KYL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Tuesday, November 18. I further ask unanimous consent that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then proceed to executive session to consider the nomination of Thomas Dorr, with the time until 10:30 a.m. equally divided between the chairman and ranking member of the Agriculture Committee, or their designees; provided, that at 10:30 a.m., the Senate proceed to the two cloture votes in relation to the nomination; that following the two votes, and regardless of the outcome of either vote, the Senate return to legislative session and resume consideration of H.R. 2861, the VA–HUD appropriations bill. I further ask unanimous consent that the Senate recess from 12:30 p.m. to 2:15 p.m. for the weekly party luncheons.

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

PROGRAM

Mr. KYL. Mr. President, for the information of all Senators, tomorrow the Senate will consider the nomination of Thomas Dorr to be Under Secretary of Agriculture for Rural Development and to be a member of the board of directors of the Commodity Credit Corporation. At 10:30 a.m., the Senate will proceed to two cloture votes in relation to the nomination. Those two votes will be the first votes of tomorrow's session.

Following the two cloture votes, the Senate will resume consideration of the VA–HUD appropriations bill. It is the hope and expectation of the majority leader that we will be able to dispose of the remaining amendments quickly and move to vote on passage of the bill.

For the remainder of the day, the Senate will consider any legislative or executive items that are available for action. Last week, we reached a unanimous consent agreement limiting the debate on the nomination of Robert Clark to be a lieutenant general in the Army, and the Senate may take up the nomination tomorrow. In addition, the Senate may take up appropriations conference reports as they become available. Therefore, Senators should expect rollcall votes throughout the day tomorrow.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. KYL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:41 p.m., adjourned until Tuesday, November 18, 2003, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate November 17, 2003:

DEPARTMENT OF TRANSPORTATION

FRANCIS MULVEY, OF MARYLAND, TO BE A MEMBER OF THE SURFACE TRANSPORTATION BOARD FOR A TERM EXPIRING DECEMBER 31, 2007, VICE WAYNE O. BURKES, RESIGNED.

W. DOUGLAS BUTTREY, OF TENNESSEE, TO BE A MEMBER OF THE SURFACE TRANSPORTATION BOARD FOR A TERM EXPIRING DECEMBER 31, 2008, VICE LINDA JOAN MORGAN, RESIGNED.

DEPARTMENT OF STATE

JAMES C. OBERWETTER, OF TEXAS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF SAUDI ARABIA.

GLYN T. DAVIES, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS THE POLITICAL DIRECTOR FOR THE UNITED STATES PRESIDENCY OF THE G–8.

CORPORATION FOR PUBLIC BROADCASTING

GAY HART GAINES, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2010, VICE RITAJEAN HARTUNG BUTTERWORTH, TERM EXPIRING.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 1552:

To be lieutenant colonel

ROBERT G. CATES III, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE, UNDER TITLE 10, U.S.C., SECTIONS 624 AND 1552:

To be lieutenant colonel

MARY J. QUINN, 0000

THE FOLLOWING NAMED OFFICERS FOR A REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U. S. C., SECTION 531:

To be lieutenant colonel

CHRISTOPHER C. ERICKSON, 0000
MARK A. MCCLAIN, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

CHERYL KYLE, 0000
TERRY C. WASHAM, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

JOHN D. MCGOWAN II, 0000
KENNETH E. NETTLES, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

VERNAL G. ANDERSON, 0000
DONALD J. KERR, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

GASTON P. BATHALON, 0000
STEVEN D. HUNTE, 0000
PAULA J. RUTAN, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

WILLIAM B. CARR JR., 0000

I NOMINATE THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JOHN E. ATWOOD, 0000
CRAIG B. COLLIER, 0000
WILLIAM E. ZOESCH, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

CHERYL KYLE, 0000
TERRY C. WASHAM, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

MICHAEL A. BULEY, 0000
DAVID S. ROLFE, 0000
PAUL W. SCHMIDT, 0000
DAVID R. SCHUCKENBROCK, 0000
PETER J. SCHULTHEISS, 0000
JOHN P. SKVORAK, 0000
STANLEY E. SMITH, 0000
BOB E. WALTERS, 0000
GARY M. ZAUCHA, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(*)) UNDER TITLE 10, U.S.C., SECTIONS 624, 531, AND 3064:

To be colonel

JULIA A. ADAMS, 0000
CARYL J. DOWELL, 0000
ELLEN E. FORSTER, 0000
HOGSTON S. HAGA, 0000
MARGARET A. HAWTHORNE, 0000
BARBARA J. HECTOR, 0000
JOSEPH J. HELMINIAK, 0000
TEMPSIE L. JONES, 0000
RONALD S. KEEN, 0000
JAMES M. LARSEN, 0000
PATTI A. *LEDERER, 0000
STEPHEN W. LOMAX, 0000
CONSTANCE J. MOORE, 0000
JOHN H. MORSE, 0000
WAYNE C. NYGREN, 0000
DIANA L. RUZICKA, 0000
FATEMEH T. STRITMATTER, 0000
JANET L. WILSON, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(*)) UNDER TITLE 10, U.S.C., SECTIONS 624, 531, AND 3064:

To be colonel

STEPHEN G. BEARDSLEY III, 0000
FRED H. BROWN JR., 0000
WAYNE W. CLARK, 0000
KAYLENE M. CURTIS, 0000
MARK K. DAVIS, 0000
HAROLD C. *DICKENS, 0000
BEAU J. FREUND, 0000
DAVID E. FULBRIGHT, 0000
JOHN A. GIDDENS, 0000
DONALD L. GOODE, 0000
RONALD A. HAMILTON, 0000
CHRISTOPHER J. HARRINGTON, 0000
MARK W. HEGERLE, 0000
SHEILA A. HOBBS, 0000
RICHARD N. JOHNSON, 0000
GEORGE W. KORCH, 0000
MICHAEL J. KRUKAR, 0000
TIMOTHY E. LAMB, 0000
VASEAL M. LEWIS, 0000
ANGEL L. LUGO, 0000
COLEEN K. MARTINEZ, 0000
WENDY L. MARTINSON, 0000
REGINALD A. MILLER, 0000
ULMONT C. NANTON JR., 0000
ANTONIO F. REYES, 0000
JAMES S. RICE, 0000
MARTHA A. SANDERS, 0000
EDWARD R. SCHOWALTER III, 0000
JOHN C. SHERO, 0000
PATRICK O. WILSON, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AND FOR REGULAR APPOINTMENT UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be lieutenant colonel

GARY R. MCMEEN, 0000

EXTENSIONS OF REMARKS

PRIVATE CALENDAR

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. COBLE. Mr. Speaker, my colleagues, Mr. CHABOT, Mr. BOUCHER, Mr. SCHIFF, Mr. GRIJALVA, Mrs. BLACKBURN and I would like to take this opportunity to set forth some of the history behind, as well as describe the workings of the Private Calendar. I hope this might be of some value to the Members of this House, especially our newer colleagues.

Of the five House Calendars, the Private Calendar is the one to which all Private Bills are referred. Private Bills deal with specific individuals, corporations, institutions, and so forth, as distinguished from public bills which deal with classes only.

Of the 108 laws approved by the First Congress, only 5 were Private Laws. But their number quickly grew as the wars of the new Republic produced veterans and veterans' widows seeking pensions and as more citizens came to have private claims and demands against the Federal Government. The 49th Congress, 1885 to 1887, the first Congress for which complete workload and output data is available, passed 1,031 Private Laws, as compared with 434 Public Laws. At the turn of the century the 56th Congress passed 1,498 Private Laws and 443 Public Laws—a better than three to one ratio.

Private bills were referred to the Committee on the Whole House as far back as 1820, and a calendar of private bills was established in 1839. These bills were initially brought before the House by special orders, but the 62nd Congress changed this procedure by its rule XXIV, clause six which provided for the consideration of the Private Calendar in lieu of special orders. This rule was amended in 1932, and then adopted in its present form on March 22, 1935.

A determined effort to reduce the private bill workload of the Congress was made in the Legislative Reorganization Act of 1946. Section 131 of that Act banned the introduction or the consideration of four types of private bills; first, those authorizing the payment of money for pensions; second, for personal or property damages for which suit may be brought under the Federal tort claims procedure; third, those authorizing the construction of a bridge across a navigable stream, or fourth, those authorizing the correction of a military or naval record.

This ban afforded some temporary relief but was soon offset by the rising postwar and cold war flood for private immigration bills. The 82nd Congress passed 1,023 Private Laws, as compared with 594 Public Laws. The 88th Congress passed 360 Private Laws compared with 666 Public Laws.

Under rule XXIV, clause six, the Private Calendar is called the first and third Tuesday of each month. The consideration of the Private Calendar bills on the first Tuesday is mandatory unless dispensed with by a two-thirds vote. On the third Tuesday, however, recognition for consideration of the Private Calendar is within the discretion of the Speaker and does not take precedence over other privileged business in the House.

On the first Tuesday of each month, after disposition of business on the Speaker's table for reference only, the Speaker directs the call of the Private Calendar. If a bill called is objected to by two or more Members, it is automatically recommitted to the Committee reporting it. No reservation of objection is entertained. Bills unobjected to are considered in the House in the Committee of the Whole.

On the third Tuesday of each month, the same procedure is followed with the exception that omnibus bills embodying bills previously rejected have preference and are in order regardless of objection.

Such omnibus bills are read by paragraph, and no amendments are entertained except to strike out or reduce amounts or provide limitations. Matters so stricken out shall not be again included in an omnibus bill during that session. Debate is limited to motions allowable under the rule and does not admit motions to strike out the last word or reservation of objections. The rules prohibit the Speaker from recognizing Members for statements or for requests for unanimous consent for debate. Omnibus bills so passed are thereupon resolved in their component bills, which are engrossed separately and disposed of as if passed separately.

Private Calendar bills unfinished on one Tuesday go over to the next Tuesday on which such bills are in order and are considered before the call of bills subsequently on the calendar. Omnibus bills follow the same procedure and go over to the next Tuesday on which that class of business is again in order. When the previous question is ordered on a Private Calendar bill, the bill comes up for disposition on the next legislative day.

Mr. Speaker, I would also like to describe to the newer Members the Official Objectors Committee, the system the House has established to deal with the great volume of Private Bills.

The Majority Leader and the Minority Leader each appoint three Members to serve as Private Calendar Objectors during a Congress. The Objectors are on the Floor ready to object to any Private Bill which they feel is objectionable for any reason. Seated near then to provide technical assistance are the majority and minority legislative clerks.

Should any Member have a doubt or question about a particular Private Bill, he or she can get assistance from objectors, their clerks, or from the Member who introduced the bill.

The great volume of private bills and the desire to have an opportunity to study them carefully before they are called on the Private Calendar has caused the six objectors to agree upon certain ground rules. The rules limit consideration of bills placed on the Private Calendar only shortly before the calendar is called. With this agreement, adopted on November 17, 2003, the Members of the Private Calendar Objectors Committee have agreed that during the 108th Congress, they will consider only those bills which have been on the Private Calendar for a period of seven (7) days, excluding the day the bill is reported and the day the calendar is called. Reports must be available to the Objectors for three (3) calendar days.

It is agreed that the majority and minority clerks will not submit to the Objectors any bills which do not meet this requirement.

This policy will be strictly enforced except during the closing days of a session when the House rules are suspended.

This agreement was entered into by: The gentleman from North Carolina (Mr. COBLE), the gentleman from Ohio (Mr. CHABOT), the gentlelady from Tennessee (Mrs. BLACKBURN), the gentleman from Virginia (Mr. BOUCHER), the gentleman from California (Mr. SCHIFF), and the gentleman from Arizona (Mr. GRIJALVA).

I feel confident that I speak for my colleagues when I request all Members to enable us to give the necessary advance considerations to private bills by not asking that we depart from the above agreement unless absolutely necessary.

HOWARD COBLE.
STEVE CHABOT.
MARSHA BLACKBURN.
RICK BOUCHER.
ADAM SCHIFF.
RAUL GRIJALVA.

HONORING THE COX FAMILY

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. RADANOVICH. Mr. Speaker, I rise today to honor the Cox Family for its meritorious dedication to the United States Armed Forces. The Cox family has exemplified heroism throughout the years through their service during World War II and the Korean War.

The nine sisters and eight brothers of the Cox Family are the children of (Joseph) Riley and Mattie Cox. Eleven of the 17 children served in the United States Armed Forces with nearly 70 years combined service. The family began enlisting in the Armed Forces in 1943. Elijah, Warren, and Paula served in the United States Army. Mary, Sonja, and Paul served in the United States Air Force, as did James who had previously enlisted in the United States Army. Joseph served in the United States Navy, along with Clarence who later joined the Army and Air Force. Herbert first served in the United States Maritime Service, then in the United States Army. Jerry served over 20 years in the United States Coast Guard.

The Cox family's time in the service demonstrates their commitment to our country. The contributions the Cox family made during our times of war and peace have gone above and beyond the normal call of duty.

Mr. Speaker, I rise today to honor the Cox Family for its patriotism and courageous efforts to promote freedom and democracy. I invite my colleagues to join me in conveying deep gratitude to the Cox Family.

THE NATIONAL ANTHEM ''SINGAMERICA'' COMMEMORATION PROJECT

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today in strong support of H. Con. Res. 262, the National Anthem ''SingAmerica'' Project, and to bring to the attention of my colleagues this wonderful, new national initiative to commemorate American patriotic music and the role it has played in our history. This new initiative will involve several exciting music-related patriotic programs over the next 3 years.

The National Anthem ''SingAmerica'' project is designed to invigorate and inspire the American people to a greater appreciation of their patriotic musical heritage. Through this project, we will be able to renew our appreciation for the patriotic music that so movingly expresses our core national sentiments. The members of the National Association for Music Education, in collaboration with the Smithsonian Institution, and with support from the American Sportscasters Association, are already actively pursuing the laudable goals of the project.

The National Anthem ''SingAmerica'' project includes a series of activities calculated to bring the music, words, and sentiments of the Anthem and our nation's patriotic songs to everyone-and to energize the participation of students and adults alike in this essential expression of patriotism. America's youth will give voice to our national anthem and be able to sing it proudly, accurately, and with a full understanding of its rich text. The American Sportscasters Association will be working to increase the emphasis on our national anthem at major sporting events, reaching many of those who otherwise would not have this musical experience. The National Association for Music Education will release a CD with patriotic music played by the Marine Band, complete with a history of this music's role in our nation's development. Teachers' guides will be distributed across the nation to help educators bring the practice and meaning of this music to our nation's students.

All of this activity will culminate on June 14, 2006, when the Smithsonian's National Museum of American's History unveils the newly restored Star Spangled Banner. This event plans to include history's largest performance of the National Anthem with millions of participants from around the country joining thousands of high school band and chorus members on the National Mall to celebrate the display of the restored Star Spangled Banner, the Flag that inspired the National Anthem.

Even more than producing these rousing patriotic events, the National Anthem ''SingAmerica'' project is a catalyst for all Americans to experience a greater understanding and appreciation of our patriotic music history. It will also remind us of the countless sacrifices made by so many and of the courage displayed by all Veterans' who have served our country with great honor and pride.

Mr. Speaker, in closing, I am proud to introduce H. Con. Res. 262 and to honor the flag and the song that are the symbols of America. I call upon my colleagues for their unanimous support in passing the SingAmerica Act.

PERSONAL EXPLANATION

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. PORTMAN. Mr. Speaker, on November 5, 2003, I was unavoidably detained and missed the vote on rollcall No. 609 on H.R. 3365, the Fallen Patriots Tax Relief Act. Had I been present, I would have voted ''yes.''

PAYING TRIBUTE TO MEIJER INC. AND UNITED PARCEL SERVICE FOR REACHING OUT TO IRAQI ORPHANS

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. ROGERS of Michigan. Mr. Speaker, I rise today to honor the compassionate actions of two Michigan businesses for reaching across the globe to touch the lives of orphaned children living in an Iraqi orphanage.

Leaders at Meijer Inc. and United Parcel Service learned that soldiers in the U.S. Army 101st Airborne stationed near Mosul, Iraq, were helping nearly 70 children in a nearby orphanage.

Meijer, a large supermarket/department store, immediately agreed to donate several large cartons of toys for the children. United Parcel Service supported the project, providing additional funds for toys.

In September, the toys were shipped to soldiers at the 101st mobile military hospital near the orphanage and this past week, they were distributed to the children.

These two generous organizations are to be commended for their efforts that not only help the individual children but also impact the relationships our military men and women are building with the citizens of Iraq.

The long-range impact of this compassionate act by Americans is immeasurable. As these children grow up, they will remember the care and love of Americans who came to free their nation from tyranny and give them a future with hope.

Mr. Speaker, we wish to extend congratulations to Meijer Inc. and United Parcel Service for their generosity and for being willing to reach across geographic and cultural borders to express their care and concern for children in need.

We are honored to recognize their accomplishments and ask that our colleagues in the U.S. House of Representatives join in recognizing these Michigan businesses for their humanitarian efforts.

IN RECOGNITION OF MR. LIONEL A. KAPLAN, ESQ.

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. PALLONE. Mr. Speaker, I rise today to honor the esteemed Mr. Lionel A. Kaplan, ESQ, a man devoted to his community. On November 10, 2003 The Orthodox Union's Institute for Public Affairs, which serves the Orthodox community as the central voice for public policy advocacy and religious liberties, will present Mr. Kaplan with the National Distinguished Leadership Award.

Mr. Kaplan's extraordinary devotion to Israel and his love of the Jewish people have propelled his rise to the top levels of leadership in the American Jewish community. In 1988, Mr. Kaplan joined the American-Israel Public Affairs Committee, AIPAC, one of the leading pro-Israel lobby groups, as chairman of the Princeton/Mercer Area, a position he held until 2002. During those years, he also served as a member of the AIPAC Executive Committee; Member of the New York Regional Board; New Jersey State Chairman; Member of the National Board of Directors; and National Development Chairman. In addition, Mr. Kaplan became President of AIPAC from 1998–2000 and Chairman of the Board from 2000–2002. Throughout his career in AIPAC, he has always been known for his skills as a consummate fundraiser for pro-Israel causes.

Mr. Kaplan's contributions to his community do not stop with AIPAC. In the United Jewish Appeals, UJA, Federation, he served as a Member of the UJA National Young Leadership Cabinet, as a leadership and fundraising trainer at the UJA National Training Center, and has served as Vice President of the Jewish Federations of New Jersey. In his immediate community, Mr. Kaplan has assumed a variety of roles, including Campaign Chairman and President of the Jewish Federation of Princeton, Mercer, and Bucks Counties. Among his other community services, he has been the chairman of the New Jersey ''Jerusalem 3000'' Committee, which planned and coordinated events for the 3000-year anniversary of Jerusalem and Co-Chairman of the New Jersey Israel Communications.

Mr. Kaplan has a graduate degree from Harvard University and has received his J.D. from Rutgers University. He is a licensed attorney in the Firm of Joseph D. Kaplan & Son, P.C., in Trenton where he has been a partner since 1972. Mr. Kaplan is also a member of the American, New Jersey, and Mercer County Bar Associations. He and his wife reside in Princeton, New Jersey.

Mr. Speaker, Mr. Kaplan has demonstrated what it means to be a true contributor to one's community. The extensive list of his tireless efforts shows a genuine compassion and devotion to public service. Accordingly, I ask that my colleagues rise and join me in honoring Mr. Lionel A. Kaplan, ESQ.

HONORING WILL GILL, JR., SENIOR FARMER OF THE YEAR

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. RADANOVICH. Mr. Speaker, I rise today to honor Will Gill, Jr., as the Madera County Chamber of Commerce and Madera County Farm Bureau Senior Farmer of the Year. Mr. Gill will be recognized at the Madera County Farm Bureau's 82nd Annual Members Meeting and Senior Farmer Presentation on November 6 in Madera, CA.

Will's dedication to his country and his strong work ethic have brought much success for him and his family. He has contributed 61 years to Madera County agriculture. Mr. Gill's family, natives of Iowa, migrated to Porterville, CA, in the 1870s and an agriculture legacy began. By the 1940s, the family's ranching operations were flourishing in Porterville and Madera. Upon the death of his father, Will, and his wife Jane, moved from Southern California to Madera to manage the family's local agriculture interests. Not long after his arrival, he was sent to Fort Sill, OK, where the U.S. Army needed his service in the midst of WWII. Mr. Gill served as an army sergeant of the Military Police in the China-Burma-India Theatre. In 1946, Will returned to Madera and resumed his work in the family's crop and livestock investments, which included oat and alfalfa hay, cows, and stocker and feeder cattle.

As a proud member of many organizations and the recipient of several awards, Will is no stranger to his community. He served on Governor Ronald Reagan's Advisory Committee on Foreign Trade, was past-president of the Madera Rotary Club, a member of the Madera County Air Pollution Board, a 60–year member of the California Cattlemen's and National Cattlemen's Associations, and the list goes on. Will was named Madera County Cattleman of the Year in 1963 and California Livestock Man of the Year in 1972. His favorite venture, raising quarter horses, has made his 53–year membership to the American Quarter Horse Association particularly enjoyable. The list of Will's achievements and commitments goes on, reinforcing his benevolent character.

Mr. Speaker, I rise today to congratulate Will Gill, Jr., for being named Senior Farmer of the Year by the Madera Chamber of Commerce and Madera County Farm Bureau. His contributions to America's agriculture communities have been invaluable. I invite my colleagues to join me in commending Mr. Gill for this achievement.

HONORING MASTER FOLTA

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. TOM DAVIS of Virginia. Mr. Speaker, I would like to congratulate Master Nestor Folta on his 50th birthday and 20 years of successful Uechi-Ryu Karate study.

Master Folta is a civil engineer with the U.S. Department of Energy. He resides in Oakton with his wife and two children. For years, he has dedicated notable time and energy to the study and teaching of Uechi-Ryu Karate.

Uechi-Ryu is traditional Okinawan Karate, developed by Master Kanbun Uechi and his son Kanei Uechi. Uechi-Ryu has its origin in the ancient Chinese tradition of martial arts. Today, it is the only form of Okinawan Karate that remains in its original Soke, handed down from father to son from generation to generation.

Master Folta is a seven-time world champion of Uechi-Ryu and an inductee in the martial arts hall of fame. He has demonstrated a strong aptitude for and commitment to the study of karate.

The Academy of World Champion Nestor Folta (AWCNF), located in Fairfax County, carries on the Uechi-Ryu tradition. Through the study of Uechi-Ryu Karate, over 100 AWCNF students learn self-defense, self-discipline, and self-respect. Uechi-Ryu encourages the formation of high personal standards and respect for fellow men and women. The AWCNF's mission is to use Uechi-Ryu to help students become positive, successful, respected, contributing members of society.

Each year, AWCNF tuition raises an estimated $25,000 for Fairfax County. In addition, the AWCNF has raised over $20,000 for 9/11 victims.

Mr. Speaker, in closing, I would like to recognize Master Folta's efforts to better himself, his students, and his community through the practice of Uechi-Ryu. I wish him a happy birthday, commend 20 years of success, and extend him all of my best for the years to come. I call upon all my colleagues to join me in applauding Master Folta.

HONORING WILLIAM J. MULVIHILL, SR. AS HE RECEIVES THE ARTHRITIS FOUNDATION'S CHARLES B. HARDING AWARD FOR DISTINGUISHED SERVICE

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. PORTMAN. Mr. Speaker, I rise today to honor William J. Mulvihill, a friend and constituent, who received the Arthritis Foundation's prestigious Charles B. Harding Award during the Foundation's national meeting on November 14, 2003. The Arthritis Foundation is the only nationwide nonprofit organization leading efforts to prevent, control and cure arthritis, which is our nation's number one cause of disability.

The Charles B. Harding Award is the highest honor the Arthritis Foundation presents for service as a volunteer. The award was established in 1976 and is given annually to the individual who best exemplifies the highest standards of concern and commitment to the arthritis cause. Previous recipients of this high honor include former First Lady Betty Ford and actress Jane Wyman.

Bill has spent more than 20 years raising awareness and advocating on behalf of the more than 43 million people affected by arthritis and its related diseases. Diagnosed with rheumatoid arthritis at the age of 25, he became active locally in the Southwestern Ohio Chapter of the Arthritis Foundation, and went on to serve as Senior Chair, Chair and Vice President.

In 1985, Bill became active with the Foundation on the national level, becoming a member of the House of Delegates and later National Vice Chair, Treasurer, a member of the Board of Trustees and National Chair. As National Chair, he was responsible for leading nearly 600,000 volunteers and staff nationwide. He is currently Trustee Emeritus, and is a member of the National Medical and Scientific Council. Bill also serves on the Board of Directors of the Alliance for Lupus Research, where he is a founding member.

A native Cincinnatian, Bill is Senior Associate Athletic Director at the University of Cincinnati, and has been with U.C. for 30 years. He is in his 24th year as head of the athletic department's fundraising efforts, and previously held positions in Alumni Affairs and Public Affairs. He is a graduate of St. Xavier High School, and received his Bachelor's of Business Administration from the University of Cincinnati and his Master's of Education from Ohio University.

Bill and his wife, Beth, live in Anderson Township. Their son, Billy, is a graduate of the University of Cincinnati and is a valued member of the staff of the U.S. House of Representatives' Committee on Ways and Means.

All of us in Southern Ohio congratulate Bill on receiving this prestigious honor, and appreciate his dedicated service.

RECOGNITION OF THE ARMED FORCES RELIEF TRUST FUND

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. ROGERS of Michigan. Mr. Speaker, I rise today to recognize the outstanding efforts of the National Association of Broadcasters for their partnership with the Armed Forces Relief Trust Fund. The Armed Forces Relief Trust Fund serves as an umbrella organization incorporating the four Military Aid Societies from the Army, Navy-Marine, Air Force and Coast Guard collecting and distributing donations that help reduce the burden on families of our military men and women. The partnership with National Association of Broadcasters will help create and broadcast public service announcements to encourage Americans to donate to the Armed Forces Relief Trust Fund.

While our military men and women are serving our country, it is paramount that the American people band together so that we can ensure that no family incurs hardships while their loved one is away. Military aid programs, funded by private donations, provide services like college tuition for children and health care for pregnant wives, services that could have been provided if their family member had not been called to duty. Last year alone, the four military aid societies provided over $109 million in grants and interest free loans to 145,000 families.

I am confident that with the help of the National Association of Broadcasters the Armed Forces Relief Trust Fund can far exceed the number of families it was able to help last year. As an increasing number of Americans answer the call to duty, more and more families will be asking the Armed Forces Relief Trust Fund for help. The public service announcements developed by The National Association of Broadcasters will help to increase donations and insure that the trust fund has the solvency to answer this call.

Mr. Speaker, the continued support of the brave men and women serving this country is extremely important to me. I ask my colleagues to join me in thanking the National Association of Broadcasters and the Armed Forces Relief Trust Fund for their assistance to our troops.

IN RECOGNITION OF BISHOP DONALD HILLIARD, JR.

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. PALLONE. Mr. Speaker, I rise today to laud the accomplishments of Bishop Donald Hilliard, Jr. Bishop Hilliard is a man of conviction and dedication, as well as an inspiration to his community. This year, the Cathedral International Church is celebrating twenty years of excellence under the leadership of Bishop Donald Hilliard.

Bishop Hilliard is someone who places a high value on education. He earned his Bachelor of Arts degree from Eastern University in St. David's, Pennsylvania. He later earned a Master of Divinity degree from Princeton Theological Seminary, and was awarded a Doctorate of Ministry degree from the United Theological Seminary in Dayton Ohio. Yet, Dr. Hilliard's accomplishments extend far beyond academia. His list of achievements range from economic and community developer to spiritual leader.

Bishop Hilliard always approaches life with a positive attitude, as revealed in his trademark ''Say Yes'' services at the Second Baptist Church in Perth Amboy, New Jersey. At the age of 26, Bishop Hilliard became the Church's Senior Pastor. Since then, the church has grown from 125 members in 1983 to over 7,000 members today. What started out as one church has grown to three located in urban settings throughout New Jersey. Dr. Hilliard's faith and inspirational words draws people from out the tri-state area of New York, Pennsylvania, and New Jersey. The Cathedral is recognized as a growing and influential church and as been cited by American Baptist churches, USA as a model church for growth.

In 1995, Bishop Hilliard was consecrated a bishop and is currently the presiding Bishop and founder of the Ecumenical Fellowship and Cathedral assemblies, Inc. In this role, Bishop Hilliard serves as the spiritual advisor and mentor for several pastors and churches across America and West Africa. The Bishop has also established the Clergy Leadership Institute where innovative leaders from different denominational backgrounds gather to confront and minister to various issues faced by the clergy daily, as well as to expand their theological and social horizons.

Bishop Hilliard and his church have been cited numerous times by the city of Perth Amboy and the State of New Jersey for their contributions to community development. Today, I rise to ask this national body to recognize the accomplishments of this esteemed gentleman. Mr. Speaker, a man such as Bishop Hilliard should be an inspiration to us all. He has given so much of his life to serving others in need. Accordingly, I ask that my colleagues rise and join me in honoring Bishop Donald Hilliard, Jr.

CONGRATULATING THE HOMENETMEN SCOUTS FRESNO SASSOON CHAPTER

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. RADANOVICH. Mr. Speaker, I rise today to congratulate the Homenetmen Scouts Fresno Sassoon Chapter on their 30th Anniversary. There will be a banquet held in their honor on Saturday, November 15 in Fresno, CA.

In its 30th year, the Homenetmen Scouts Fresno Sassoon Chapter strives to encourage Fresno's Armenian youth to be involved in competitive sports and Armenian Boy Scouts activities, while forming an efficient organization that preserves the grace of Armenian language and culture. Since its establishment in 1973, the organization's main purpose has been twofold: to provide the Armenian youth with a moral and physical education outside of the school environment; and teaching them the richness of Armenian culture while accepting and participating in the culture that surrounds them. Comprised of disciplinary and athletic divisions, the Fresno Chapter boasts ten basketball teams spanning a variety of ages, and a strong Troop 12 Armenian Boy Scouts group. The Homenetmen Scouts Fresno Sassoon Chapter is part of the world-wide organization with over 25,000 members on five continents.

The Armenian General Athletic Union and Scouts known as Homenetmen, is a nonprofit organization which was founded 85 years ago in Constantinople by Shavarsh Krisian, Hovhannes Hintlian, and Krikor Hagopian. The organization promotes a sense of fraternity and humanitarianism, which extends far beyond mere camaraderie and benevolence. Homenetmen's motto, ''Elevate yourself and others with you,'' is a poignant reminder of the fundamental objective to strive for individual and collective excellence. In the United States, the first Homenetmen Olympic Games took place in Brooklyn, NY, in 1922, though the organization was not officially established in America until 1932 with chapters in New York, New Jersey, and Boston. From that point on, Homenetmen organized chapters in the communities wherever there was a large concentration of Armenians.

Mr. Speaker, it is my pleasure to congratulate the Homenetmen Scouts Fresno Sassoon Chapter on its 30th anniversary. I urge my colleagues to join me in wishing them many years of continued success.

HONORING HARRIS D. ARLINSKY (RET.), USA GREEN BERETS

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today to recognize LTC Harris David Arlinsky (retired) for 50 years of service to our country.

This past June marks the 50th anniversary of when he volunteered for the Army National Guard at 17 years old. He did so proudly. After serving in the regular Army for a few years, Colonel Arlinsky attended college at the University of Arizona. He set his sights on being an Air Force pilot; unfortunately, his blurry vision made this impossible. Upon graduation and accepting a commission in the U.S. Army, then-Second Lieutenant Arlinsky attended training for the newly created U.S. Special Forces. The Special Forces, also known as the Green Berets, are the best of the best and have been instrumental in countless conflicts. Colonel Arlinsky knew he belonged with the elite forces and passed their extremely difficult tests to gain the coveted Green Beret.

As a Green Beret, he commanded a ''B'' Team for the Fifth Special Forces Group in Pleiku, Vietnam. He served two tours and was involved in pushing back Vietcong forces during the Tet Offensive. After the Vietnam War, Colonel Arlinsky continued to serve our nation through various Special Forces projects. Eventually, he left active duty to serve the civilian intelligence services, maintaining reserve status.

During the Reagan administration, Harris Arlinsky worked directly for Vice President George Bush as the Special Intelligence Advisor for the National Narcotics Border Interdiction System for the southwest U.S. border region. While in the region, he also commanded a U.S. Special Forces ''B'' team with five ''A'' teams in Texas and New Mexico. Upon completion of the assignment, he returned to Virginia to assist with other national intelligence agencies.

Today he is enjoying his retirement as a college professor, spending time with his wife, Kathleen; his children Beth, Abra, and Michael; and his grandson, Elias.

Mr. Speaker, in closing, I would like to commend COL Harris Arlinsky for his service to our Nation. He nobly has dedicated his life to the safety and well being of the United States of America. As COL Harris Arlinsky continues to celebrate his 50th anniversary of his first month of service to us, let us thank him and all our soldiers for their sacrifices. I ask that my colleagues join me in saluting COL Harris Arlinsky.

TRIBUTE TO M. DEAN HAINES

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. SAXTON. Mr. Speaker, I rise today to pay tribute to M. Dean Haines on the occasion of his retirement as clerk of Ocean County.

As one of the County's Constitutional Officers, he has been responsible for the administration of a wide range of services offered by the Office of the County Clerk for two decades.

Serving the community is the main focus of the Clerk's Office, including assisting residents in real estate transfers, obtaining passports, courtesy photo identification and Alcoholic Beverage Control Cards, and supervision of elections in the county. Dean's office has been recognized as the most technologically advanced County Clerk's Office in our State, thanks to his leadership and innovation.

Dean Haines' involvement in many community service organizations such as his membership on the Southern Ocean County Hospital Board of Trustees, the Southern Ocean

County Rotary, Jersey Shore Council Boy Scouts of America, Alcoholism and Drug Abuse Council of Ocean County, Barnegat Historical Society, and both Barnegat Fire Company Number One and the New Jersey State Fireman's Association is a demonstration of his commitment to the people of Ocean County.

I have always valued his friendship and support through the years. I hope Dean and his wife, Christine, will accept my congratulations and best wishes for a retirement filled with health, happiness, and dreams come true.

CONFERENCE REPORT ON H.R. 1588, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2004

SPEECH OF

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 7, 2003

Mrs. TAUSCHER. Mr. Speaker, I have mixed emotions as I consider the fiscal year 2004 defense authorization conference report.

I would like to thank my chairman, Mr. HUNTER, and Ranking Member SKELTON for working with me on several items that will benefit the people in my district, Travis Air Force Base, and our military airlift capabilities overall.

Indeed, the language in the bill expediting the transfer of land from the Navy to the Housing Authority of the City of Dixon will improve the living and work conditions of migrant workers who contribute to the local economy.

The language preventing the Secretary of the Air Force from retiring C–5A aircraft until one has been modernized and tested is a crucial measure that not only sustains a critical investment in upgrading one of the United States' most reliable transport planes, but it also ensures that Travis Air Force Base will continue to be an important provider of strategic lift in the near future.

The bill also contains a number of important provisions for our men and women in uniform such as an increase in base pay; a reduction in housing expenses; an increase in family separation allowance; and an increase in the rate of special pay for our brave troops who serve in hostile situations and imminent danger.

Despite these important positive elements, the bill contains several reckless provisions that undermine the security of the United States and needlessly jeopardize civilian employees and the environment.

This bill puts the United States back in the business of making nuclear weapons, adds unnecessary regulations that hamstring the DOD's nonproliferation programs, takes away the protections of civilian personnel, and gratuitously endangers the environment.

By lifting the ban on research and development of low yield nuclear weapons, Congress is abetting the administration's efforts to build a new generation of nuclear weapons; is inviting an arms race with rogue states, terrorists and allies; and is making a nuclear conflict more likely in the long run by undoing decades of American leadership in controlling the spread of the most deadly weapons known to man.

The Defense Bill, rather than increasing the budget for the DOD's valuable cooperative threat reduction programs that dismantle and destroy weapons of mass destruction in the former Soviet Union, adds unnecessary funding restrictions that in the end will only hurt the security of the American people.

The broad environmental exemptions provided for in the bill will undermine efforts to protect our environment by, among other things, making it harder to wall-off parts of military facilities as protected areas for wildlife.

Proponents use spin to claim this is necessary for military readiness, but it's hard to see how a blanket environmental exemption for everything on military installations from golf courses to swimming pools are pressing matters of national defense.

Moreover, the Pentagon can already get waivers from the Endangered Species Act and the Marine Mammal Protection Act when national security is at stake. But in the three decades since these laws have been in effect, not a single waiver has been sought.

The bill also abolishes DOD's long-standing labor relations system and replaces it with one in which civilian employees have only minimal consultation with unions and Congress.

The bill allows DOD to remove basic due process rights that employees currently enjoy by waiving their right to a written response, their right to be represented by an attorney, and their right to a written decision explaining the action.

I am deeply disturbed that the Republican Party has hijacked an important bill for our troops and attached to it a radical slash-and-burn ideology that is sure to undermine civilian morale at the Pentagon, needlessly endanger the environment and most alarmingly, endanger the American people with an irresponsible nuclear agenda.

I am voting for this bill because I do not believe, especially in a time of war, we should punish our active troops by withholding funds and measures that would benefit them because of some of the administration's imprudent and over-reaching provisions in the bill.

HONORING SPC. JAMES ''JIMMY'' ANDERSON CHANCE, III

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. PICKERING. Mr. Speaker, I rise this evening before the House to pay tribute to Specialist James ''Jimmy'' Chance of Kokomo, Mississippi. Specialist Chance was a member of the Mississippi Army National Guard serving in C Company of the 890th Battalion attached to the Army's 3rd Armored Cavalry Regiment in Iraq.

Tragically, Specialist Chance was killed on Thursday, November 6, 2003, when his vehicle struck a landmine near the Syrian border. He was the first of our own Mississippi National Guardsmen to lose his life while bravely serving in the Iraq War.

Specialist Chance is a true American hero who has paid the ultimate price to protect our country from terrorists and defend the liberties of the citizens of the United States of America. Furthermore, he has unselfishly given his life to win freedom for the people of Iraq who suffered under the unbearable rule of an evil dictator. These are people he did not know, but yet, he has helped give millions of Iraqi men, women, and children, the chance to live lives of freedom and independence like we know at home in the United States.

Even though I know his family is enduring great suffering as a result of their loss, I hope they will find peace in knowing that Specialist Chance bravely served his country and his countrymen and defended the values and principles that Americans hold so dear. Specialist Chance was a defender of peace and a lion of liberty.

Specialist James Anderson Chance, III, represents the best of Mississippi and our Nation. I ask my colleagues in Congress to join me in honoring his courageous service, and ask that you pray that his family will find peace during this trying time.

A TRIBUTE TO THE WOMEN'S SOCIAL AND CULTURAL SOCIETY OF MOSUL

HON. DEBORAH PRYCE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Ms. PRYCE of Ohio. Mr. Speaker, as the leader of the first all women's United States Congressional Delegation to Iraq, it is my pleasure on behalf of Representatives JENNIFER DUNN, SUE KELLY, ILEANA ROS-LEHTINEN, MARSHA BLACKBURN, KATHERINE HARRIS, DARLENE HOOLEY and CAROLYN MCCARTHY, to commend the excellent work being done at the Women's Social and Cultural Society of Mosul. Today, with great honor and privilege, I would like to recognize the major milestones the organization has achieved.

The Women's Social and Cultural Society, comprised of more than 200 members, represents a variety of ethnic, religious and professional affiliations. These women are truly creating a new ideal within their country as they promote social, political and educational equality for all Iraqis. For too long, Iraqi women have suffered without equal or even adequate access to education, justice within the legal system, employment opportunities, and representation within the government. The members of the Women's Social and Cultural Society of Mosul must be applauded for their commitment to end decades of oppression against women by fighting to give them a voice and a respected role of leadership within their communities. The challenge is immense, but their determination is steadfast and unwavering.

We commend and praise the Women's Social and Cultural Society of Mosul today and urge our colleagues to wish them continued success as they pave the way for future generations of Iraqi citizens.

IN HONOR OF HILARY KITASEI

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. ENGEL. Mr. Speaker, Riverdale is a fortunate community in that not only do the people who live here care for it, but newcomers after they arrive also do their best to make it even better.

Hilary Kitasei came to our community a few short years ago and in that relatively brief time has made a lasting impression on her new neighborhood and on how the community looks. She first took on a rather desolate piece of wasteland at Fieldston Road at the Henry Hudson Parkway overpass and using her considerable abilities transformed it into a woodland glade that is a highlight of the neighborhood.

It was planted by the students from almost all of the local schools as well as neighbors and is now a part of the New York City Parks Department Greenstreets Program.

Setting her eyes on a larger project she is spearheading the development of the Hudson Scenic Byway Program to create New York State's first urban scenic byway.

Riverdale, and by extension all of New York City, is lucky to have such people as Hilary Kitasei. I join all of our community in thanking her for the wonderful things she has done.

CONGRATULATING DR. GLORIA BROMELL-TINUBU ON HER APPOINTMENT AS THE 5TH PRESIDENT OF BETHUNE COOKMAN COLLEGE

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. MEEK of Florida. Mr. Speaker, I rise today to congratulate Dr. Gloria Bromell-Tinubu on becoming the 5th president of Bethune-Cookman College in Daytona Beach, Florida.

An educator and a community leader, Dr. Bromell-Tinubu is an economics professor at Spelman College in Atlanta, and was a former member of the Georgia State Board of Education. She is currently the chief executive officer of the Atlanta Cooperative Development Board, a nonprofit agency that serves as a catalyst in developing cooperative-owned business enterprises. Within 9 months as CEO, she obtained a $1 million grant to assist the economically disadvantaged move toward self-sufficiency, and continues research that explores the use of cooperatives as a means of establishing economic security in asset-poor communities.

Dr. Bromell-Tinubu is a former member of the Atlanta City Council who has considerable community development experience, as shown by legislation she authored creating the Atlanta Neighborhood Deputies Program, a citywide citizen driven code enforcement effort. She has served on numerous community development boards, including the Metropolitan Neighborhood Development Corporation (MNDC), which she founded.

In taking the helm of Bethune-Cookman College, Dr. Bromell-Tinubu becomes the fifth president of this private coeducational liberal arts college with a diverse student population of more than 2,700. Established in 1904 by Mary McLeod Bethune, the college is ranked among the top historically black colleges in the country. Most recently Bethune-Cookman College was selected as one of 10 colleges in the country to participate in Project Pericles, a program funded by the Eugene Lang Foundation to establish educational programs for social responsibility and participatory citizenship as an essential part of higher education learning, in the classroom, on the campus, and in the community.

The Bethune Cookman College could not have found a more perfect fit to fulfill their goals and mission. I know that all of my colleagues join me in congratulating Dr. Gloria Bromell-Tinubu today, and we wish her every success in her future.

HONORING SPECIAL AGENT LEANNE G. CHARETTE ON THE OCCASION OF HER RETIREMENT

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Ms. DELAURO. Mr. Speaker, it is with great pleasure that I stand to join the many family, friends, and colleagues who have gathered today to extend my sincere congratulations to Leanne G. Charette on the occasion of her retirement marking the end of a thirty-two year career with the Internal Revenue Service.

When the average American thinks about the Internal Revenue Service, often they only contemplate the time, energy, and paperwork it takes to file an annual tax return. While the Internal Revenue Service is charged with the task of collecting revenue, they are also responsible for ensuring the protection of American citizens from fraud and evasion. Every day we hear the stories of corporations and individuals who seek to undermine the government through waste, mismanagement, and fraud. It is through the efforts of Special Agents like Ms. Charette that American taxpayers are saved millions in lost revenue.

Throughout her career, Leanne Charette has demonstrated a unique commitment to public service. As a Special Agent with the Criminal Investigation Division of the Internal Revenue Service, she has been an active member of several complex investigations. As a member of the Health Care Fraud Task Force, she worked with representatives from several federal agencies to identify abuses in the health care field which were used to help develop health care reforms. More recently, Ms. Charette worked on a task force investigating a massive insurance fraud responsible for bilking insurance companies in several states of assets in excess of two hundred million dollars. Her efforts helped to identify several problems with the industry and the results will go a long way in helping to establish solutions to these issues. More importantly, the task force has been able to recover most of the stolen assets which will be distributed to the victims.

Too often, we overlook the tireless efforts of those in public service. Throughout her career, Ms. Charette has exemplified all that a public servant should be. Her commitment and diligence has earned her the respect and admiration of her colleagues and all of those with whom she has worked. For her many years of dedicated service, I am proud to rise today to extend my heart-felt congratulations to Leanne G. Charette as she joins her husband, Dick, in retirement. My very best wishes to you both for many more years of health and happiness.

TRIBUTE TO DR. YJEAN CHAMBERS OF GARY, INDIANA

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. VISCLOSKY. Mr. Speaker it is with great remorse that I rise today to pay tribute to one of Gary, Indiana's most dedicated and caring citizens, Dr. YJean Chambers. YJean passed away on Wednesday, November 12th at Methodist Hospital after a longtime illness. Her efforts as a distinguished educator as well as her numerous contributions to her community are worthy of the highest commendation and recognition.

YJean and her family moved to Gary, Indiana from Kentucky when she was a young girl, seeking a better life for themselves. In 1939, she graduated from Gary Roosevelt High School ranking second in her class, and then went on to earn her Bachelor of Education degree from Illinois State University. She also went on to earn her Master of Arts degree from Purdue University, where she received Purdue University's highest award, Doctor of Humane Letters in 1993.

YJean knew how important education was to all members of her community and therefore shared her gift of knowledge and enthusiasm for learning by becoming a teacher in Madison, Illinois. After two years she began teaching speech and drama at her alma mater, Gary Roosevelt High School. In 1971, YJean became a full time professor at Purdue Calumet in Hammond, Indiana where she taught communications and was appointed Assistant Professor of Communications in 1973.

YJean gave selflessly to her community in so many ways, including being a member of several volunteer and service organizations. She served as President of the Steel City Hall of Fame, sat on the Service Academies Nomination Board, was a member of the Board of Trustees of the Gary Community Schools, and was also a member of the Board of Directors of the Indiana School Board Association. YJean made history in Northwest Indiana by becoming the first African American woman elected to the Northwest Indiana Crime Commission and the first woman to serve on the Advisory Board of the Bank of Indiana.

Although she dedicated her life to serving her community, YJean never limited the time she gave to her loving family. She is survived by her husband Mr. Herman Chambers, and their son Lanel.

Mr. Speaker, YJean Chambers was a caring and committed woman who gave of herself in so many ways to her community. I respectfully ask that you and my other distinguished colleagues join me in paying tribute to Dr. YJean Chambers, she will be remembered honorably and truly missed.

TRIBUTE TO JOSHUA PETERS

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. PENCE. Mr. Speaker, it is with great pleasure that I pay tribute today to Joshua Peters of Muncie, Indiana. Joshua is an Army

medic currently serving in the 3rd Armored Cavalry Regiment in Iraq. This soldier's recent unselfishness and courageous acts of aiding to his fellow comrades demonstrated true American heroism. The citizens of Indiana's Sixth Congressional District, joined by all Americans, are proud of Joshua's extraordinary actions displayed toward his fellow Americans.

Earlier this month, one of two Chinook helicopters transporting soldiers to Baghdad International Airport for their R&R flights home to the United States was shot down. The second helicopter did an immediate harsh landing to assist the brave men aboard the downed Chinook. As Joshua and his fellow regiment members ran to help the injured, they came under heavy gunfire without any protective gear, weapons, or medical supplies readily available. Joshua was initially the only medic at the scene and attended to the wounded for more than 2 hours. During this time, Joshua's thoughts remained solely with the health and safety of his fellow servicemen. ''God, don't let anything happen to me that would render me unable to help these guys—help me, Lord.''

Mr. Speaker, I am honored today to rise and pay tribute to Joshua Peters, a man who by his actions has demonstrated a promise to help defend America's freedom. Heroes emerge from the significant events happening in Iraq, and I am proud to say that Joshua Peters is among them.

Mr. Speaker, it is my great privilege to stand today and honor Joshua Peters of Muncie, Indiana before Congress and the Nation.

HONORING THE ARTISTIC CONTRIBUTIONS OF CLIFF SEGERBLOM

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. PORTER. Mr. Speaker, I rise today to pay tribute to the life-long artistic contributions of Cliff Segerblom to the Southern Nevada community. The Boulder City Arts Council will present ''Hanging with Cliff,'' a diverse selection of the artists works.

The works of Mr. Segerblom chronicle the history of the ever-changing Nevada landscape from his original assignment as the official photographer for the Bureau of Reclamation at the Hoover Dam in 1938 until his passing in 1980. Throughout this period, Cliff used a variety of media in portraying our environs in Southern Nevada, from the natural beauty that surrounds us to the feats of human endeavor that inspire us. I wish to thank Boulder City's most famous artist, and I urge all residents of Nevada to acquaint themselves with the powerful work of Mr. Cliff Segerblom.

RECOGNIZING VINCENT M. COULDRY FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Vincent M. Couldry, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 60, and in earning the most prestigious award of Eagle Scout.

Vincent has been very active with his troop, participating in many Scout activities. Over the 9 years Vincent has been involved with Scouting, he has earned over 60 merit badges and has held numerous leadership positions, serving as patrol leader, chaplain, quartermaster, and Cub Scout leader. Vincent had been involved with the Tribe of Mic-O-Say for 3 years and is in the Warrior Class.

For his Eagle Scout project, Vincent landscaped an area around Savannah High School and Savannah City Tennis Courts in Savannah, Missouri. With the assistance of 22 other Scouts and leaders, Vincent planned, gathered the needed materials, and mulched 78 trees.

Mr. Speaker, I proudly ask you to join me in commending Vincent M. Couldry for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO TIM MCCARTHY

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. McINNIS. Mr. Speaker, it is with a solemn heart that I rise today to pay tribute to the passing of a great man from my district. Tim McCarthy, a descendant of one of Pueblo, Colorado's pioneer families, was an enthusiastic figure who was known for his knowledge about Pueblo and its residents. His passing is a great loss for the Pueblo community, and I would like to take this opportunity to remember his life before this body of Congress.

After graduating from Pueblo Catholic High School, Tim spent a year studying Theater at the Pasadena Playhouse before completing a music degree at Northwestern University. Upon graduation, Tim moved back to Pueblo and became a dynamic music teacher who inspired his students to respect their fellow man. In 1957, Tim joined his father in the family funeral home business. He was a well-known art and theater enthusiast, and organized Tri-Hi Inc., a group dedicated to entertaining troops at military bases.

Tim loved to share his knowledge of Pueblo's history with others. On any given day, he could be found explaining historical events to his many friends and family members throughout town. Tim was a caring man who loved tradition and sought to keep it alive through educating his community on its past.

Mr. Speaker, Tim McCarthy was a compassionate human being who touched the lives of everyone he met. I am honored to pay tribute to a phenomenal soul who encouraged happiness and kindness in his community. Pueblo has lost a great man who exemplified the inner beauty that comes from a life-long pursuit of community service. My thoughts and prayers go out to Tim's family during this time of bereavement.

A TRIBUTE TO RALPH DICKERSON, JR. AND GLORIA DENNA DICKERSON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. TOWNS. Mr. Speaker, I rise in honor of Ralph and Gloria Dickerson in recognition of their commitment and service to their community.

Ralph Dickerson, Jr. has served honorably as the President of United Way of New York City since May 1988. As President of United Way of New York City, he has led the organization into the position of being the largest private funder of health and human services in New York City and as a major force in forging bold new solutions to the city's most critical human care challenges.

Under his leadership, United Way of New York City's revenue has grown from $75.1 million to $135 million, making it the largest United Way in the nation. In addition, United Way of New York City has used its extensive knowledge of community-based human service agencies to broker and partner with government, foundations and business in ground breaking initiatives that are successfully addressing the city's human care issues and the high dropout rate.

Ralph has held key executive positions for 30 years in local United Ways including St. Louis, Missouri; Madison, Wisconsin; Cleveland, Ohio; and Pittsburgh, Pennsylvania. He holds a B.S. in Business Administration; and he received a M.B.A. from the University of Wisconsin.

Ralph and Gloria are the proud parents of two children, daughter, Maria Renee (deceased), and Ralph III. Their son, Ralph III and daughter-in-law, Michelle, have given them two grandsons, Cameron and Garrett and a granddaughter, Lauren.

Gloria is the President of Maral Enterprises, Inc., The Learning Tree, and Copy Bee, which she started in May 1988. Maral is a children's book distribution company while the Learning Tree, and Copy Bee are retail stores offering teachers, parents and children a full line of educational books, materials and learning guides. This entrepreneurial business came about as a result of Mrs. Dickerson's written bibliography and review of children's books mostly written by African-American authors.

Prior to this business venture, she served as Assistant Dean at the University of Wisconsin and Cleveland State University. She began her career as a special education teacher. Gloria holds a B.S. in Special Education, an M.S. degree, and completed her work toward a Ph.D. in educational psychology at the University of Missouri.

Gloria serves on educational, civic and volunteer organizations, boards and as a Trustee at her daughter's school, The Winchester Thurston in Pittsburgh. She is a member of several professional organizations including the Alpha Kappa Alpha National Sorority.

Ralph has served as a Director with several civic and corporate organizations and has received numerous city awards and honorary degrees. He was also inducted into the Alpha Kappa Psi Honorary Business Fraternity.

Mr. Speaker, Ralph and Gloria Dickerson have both made significant contributions to

their community through both their professional and voluntary endeavors. As such, they are more than worthy of receiving our recognition today and I urge my colleagues to join me in honoring these truly remarkable people.

COMMENDING THE NATIONAL ASSOCIATION OF BROADCASTERS AND THE ARMED FORCES RELIEF TRUST

HON. ROY BLUNT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. BLUNT. Mr. Speaker, I rise in support of an important initiative undertaken by the National Association of Broadcasters and the Armed Forces Relief Trust.

With over 140,000 troops stationed in Iraq, in Afghanistan, and around the world, military families' budgets are stretched thin. In many cases, the personnel deployed are the sole breadwinners for their family, making it difficult to cope with unexpected expenses.

Last year, the relief agencies for each branch of the military raised and distributed over $109 million in assistance to military families in need. This year, with the support of the National Association of Broadcasters and its local radio and television station members, the four relief agencies have come together to form the Armed Forces Relief Trust.

In support of that effort—and to help respond to the escalating needs of military families, the NAB and its 6,000 radio station and 1,000 television station members have produced, distributed and aired Public Service Announcements to raise monies for the Trust.

Considering recent events in Iraq, I think Americans everywhere are looking for ways to support our troops. The AFRT provides valuable services to the family members of our brave men and women who are fighting terrorism abroad. The program pays for airfare so personnel can fly home to the funeral of a loved one.

It provides needed medical attention for the spouses of military personnel. It can help offset the cost of college tuition for the child of a soldier. While the military is dedicated to taking care of its own, the needs will only continue to escalate as the length of deployments stretch out. The Trust can help make up for some of the shortfall.

By providing access to the airwaves, local television and radio stations are supporting what I believe to be an important and timely cause.

I'm therefore well aware that deployments are not only emotionally trying for military families, but financially trying as well.

I therefore commend the AFRT for providing needed relief to these families and the National Association of Broadcasters for helping get out the word.

PERSONAL EXPLANATION

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. ORTIZ. Mr. Speaker, due to business in my district, I was unable to vote during the following rollcall votes. Had I been present, I would have voted as indicated below.

Rollcall No. 612, ''yes''; rollcall No. 613, ''yes''; rollcall No. 614, ''yes''; rollcall No. 615, ''yes''; rollcall No. 616. ''yes''; rollcall No. 617. ''yes''; rollcall No. 618, ''no''' rollcall No. 619, ''yes.''

RECOGNIZING SHAUN THOMAS DIAMOND FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Shaun Thomas Diamond, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 374, and in earning the most prestigious award of Eagle Scout.

Shaun has been very active with his troop, participating in many Scout activities. Over the 9 years Shaun has been involved with Scouting, he has held numerous leadership positions, serving as assistant senior patrol leader, assistant patrol leader, patrol leader, and librarian. Shaun has been involved with the Tribe of Mic-O-Say and is a Keeper of the Sacred Bundle. He also served on staff for 2 years at H. Roe Bartle Scout Reservation.

For his Eagle Scout project, Shaun led a group of boys and adults in the removal of the obsolete woodland trail header and in the construction of a new woodland trail header for Martha Lafite Thompson Nature Sanctuary. The new header will be enjoyed by many visitors and has increased the safety of the trail.

Mr. Speaker, I proudly ask you to join me in commending Shaun Thomas Diamond for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO STAR BAR

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. McINNIS. Mr. Speaker, I rise before you today to pay tribute to a remarkable small business in my district. The Star Bar in Pueblo, Colorado has been serving customers and its community for nearly a century, and it is my privilege to recognize its longevity and dedication to its customers here today.

Over the years, a variety of owners have operated the renowned Star Bar. The bar's current proprietors, Louis and Linda DeNiro, bought the establishment approximately five years ago. Despite changes in ownership, the Star Bar has remained a constant in the lives of many Puebloans. In fact, little has changed since the business was featured in an issue of National Geographic. Due to its undeniable appeal, The Star Bar has been bringing customers back for decades, and will surely continue to do so for years to come.

Mr. Speaker, dining establishments such as the Star Bar hold a special and important place in communities across the nation. Their customers find comfort in the consistently warm and friendly service. I am honored to stand here today before this body of Congress and this nation to recognize Pueblo's Star Bar and its many years of tremendous service.

A TRIBUTE TO CHARLES E. SIMPSON, ESQ.

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. TOWNS. Mr. Speaker, I rise in honor of Charles E. Simpson, in recognition of his commitment and service to his community and his outstanding accomplishments in the field of law.

Charles is an attorney and a partner of Windels Marx Lane & Mittendorf, LLP., and chairs the firm's Bankruptcy, Corporate Restructuring and Workouts Practice Group. He is also a member of the Litigation and Real Estate Practice Groups.

Since 1981, Charles has served as one of the counsels to the Honorable Edolphus Towns of the 10th Congressional District, Brooklyn, New York. In addition, he is a former member of the Board of Directors of the Brooklyn Children's Museum, the Brooklyn Red Cross, the Queens Society for the Prevention of Cruelty to Children, and the Brooklyn Area Council of the Boy Scouts of America. From 1983 through 1987, Mr. Simpson served as Brooklyn's Representative on the Board of Directors of the then New York City Public Development Corporation. He also served as counsel to the Bed-Stuy/Crown Heights Area Health Plan and the Brooklyn Navy Yard Development Corporation. He was a member of the New York State Bar Association's Committee on Minorities in the Profession from 1987 to 1992.

Charles, who served in the U.S. Army from 1969–1972, graduated magna cum laude from Pepperdine University in Los Angeles, California in 1974 and received his law degree in 1977 from Harvard. He was named a Martin Luther King Jr. Fellow in 1974.

Mr. Speaker, Charles E. Simpson has dedicated his time to an array of local activities and causes, often using his legal expertise for the betterment of the community. As such, he is more than worthy of receiving our recognition today and I urge my colleagues to join me in honoring this truly remarkable person.

COMMENDING STUDENTS IN FREE ENTERPRISE 2003 WORLD CUP CHAMPION TEAM FROM DRURY UNIVERSITY

HON. ROY BLUNT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. BLUNT. Mr. Speaker, I rise today to commend the Students In Free Enterprise (SIFE) 2003 World Cup Champion Team from Drury University in Springfield, Missouri. These exceptional university students demonstrated on an international stage what it means to practice free enterprise with common sense in a socially and ethically responsible manner. Drury University's SIFE team

prepared both a live presentation and a written report of their activities over the past year and competed against students from 30 countries to receive this prestigious award. A panel of 18 international business leaders, including representatives from KPMG, Wal-Mart, Sara Lee and Pepsi-Co, named Drury University's SIFE Team World Cup Champions for the second time in three years.

SIFE students are making a positive impact in their community and beyond, through service projects that teach entrepreneurship, market economics, ethics and financial responsibility to struggling business owners, school children and economically disadvantaged individuals. By applying the concepts they are learning in the classroom to everyday life, they are taking the guesswork out of economic theory.

Drury University's SIFE team worked on a number of projects over the past year, helping high school students develop a t-shirt company that is self-sustaining and student-run. The Drury team also established an entrepreneurial camp to teach young people in southwest Missouri's growing Hispanic communities the entrepreneurial skills needed to develop their own businesses.

Drury University SIFE team volunteered more than 5,000 hours of service to their community last year. The students at Drury, however, are not alone. SIFE teams around the world engaged in hundreds of thousands of hours of community service, impacting millions of people. Too often, the energy and idealism of our youth are never fully utilized. In SIFE, young people are given an opportunity to contribute meaningfully to their society. It is encouraging to see bright, passionate college and university students work to ''change the world'' with a common sense approach that stimulates economic empowerment.

Mr. Speaker, I commend the achievements of Alvin Rohrs, the President and CEO of Students In Free Enterprise, and his team of coworkers at the SIFE World Headquarters in Springfield, Missouri. His leadership has enabled SIFE to plant the seeds of free enterprise on campuses across our nation and around the world. Mr. Rohrs and his team work tirelessly to ensure the principles of free enterprise are firmly rooted in the hearts and minds of college and university students on more than 1,500 campuses worldwide. By encouraging social entrepreneurship among SIFE students, Mr. Rohrs and his staff have fostered real change in countries around the globe. In Ghana, SIFE teams taught impoverished villagers how to make and market soap from locally available resources. For the first time in that community, money now changes hands, and the people who live there have a source of income. Alvin Rohrs and his team are also supporting programs in places where free enterprise education is rare. In China, a SIFE team is helping managers of a state-owned enterprise privatize the business and develop a plan for success in the face of an emerging market economy.

The success of SIFE has been well documented by both the national and international business community. Business and industry leaders frequently participate in SIFE competitions, judging SIFE teams and scouting future business leaders. They see and understand the importance of SIFE to the economic future of our nation and our world, as we all learn to compete in a global market that emphasizes education and communication.

Mr. Speaker, I want to congratulate the students from Drury University's SIFE team. These students may be completing their studies on a small campus in southwest Missouri, but they are making a difference. Along with their peers in 37 countries, these young people are changing the world, one person, one community and one project at a time.

HONORING GLEN AND LYNN TOBIAS

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mrs. LOWEY. Mr. Speaker, I rise today to congratulate my friends Glen and Lynn Tobias as they are honored for their distinguished leadership by the Anti-Defamation League. The Tobias' years of service, integrity, and commitment should serve as an example to all of us. I ask unanimous consent to submit a letter of congratulations I recently sent them.

NOVEMBER 10, 2003.

GLEN AND LYNN TOBIAS
Anti-Defamation League,
New York, NY.

DEAR GLEN AND LYNN: I write with such respect, admiration, and gratitude for your invaluable contributions to the Anti-Defamation League. The ADL's Distinguished Leadership Award is a fitting tribute to your years of service to this vital institution, and I am proud to join with those who honor you as you receive the recognition you both so deeply deserve.

A key aspect of your leadership has been your constant willingness to battle against all forms of racism and intolerance. The dramatic rise in global anti-Semitism over the past few years threatens to undermine the stability and progress we seek in the Middle East, Europe, and around the world. Through your efforts, the ADL has led the counter-attack against this scourge, by seeking to measure the rise in anti-Semitism and to address it in meetings with key heads of state and foreign ministers, as well as at an international conference meant to bring Jewish and non-Jewish leaders together to create a strategy to combat the problem.

On our own shores, your efforts to educate the public have been greatly appreciated. You have led crucial initiatives to expand ADL's education programs on campuses and schools, especially about hate crime prevention. You also educated the public and Members of Congress on the threats to religious liberty and civil rights by federal and state voucher programs for private and religious schools—an effort greatly welcomed by myself and my colleagues on the Hill.

For all these reasons and many more, you are richly deserving of the ADL's Distinguished Leadership Award. I would like to thank you once again for your friendship and years of service to ADL, to the United States, and to the global community, which have all benefited from your wisdom, your diligence, and your desire for equity and peace.

Sincerely,

NITA M. LOWEY,
Member of Congress.

RECOGNIZING SAMUEL THEODORE HUCKE IV FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Samuel Theodore Hucke IV, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 374, and in earning the most prestigious award of Eagle Scout.

Sammy has been very active with his troop, participating in many scout activities. Over the years Sammy has been involved with Scouting, he has earned 38 merit badges and has held numerous leadership positions, serving as Patrol Leader, Assistant Patrol Leader, Den Chief, and Assistant Senior Patrol Leader. Sammy has been involved with the Tribe of Mic-O-Say and is a Keeper of the Sacred Bundle. He also served on staff for three years at H. Roe Bartle Scout Reservation.

For his Eagle Scout project, Sammy constructed three road signs for Camp Shawnee, a Campfire USA camp. The new signs will help direct new campers and visitors to the camp facilities.

Mr. Speaker, I proudly ask you to join me in commending Samuel Theodore Hucke IV for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO HAROLD JAMES BOYD

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. McINNIS. Mr. Speaker, it is with a solemn heart that I rise to pay tribute to the passing of a great man from my District. Harold James Boyd, better known as Father Theo, served the Old Snowmass Saint Benedict's Monastery with dedication and commitment until his death on October 8th of this year. Father Theo will be remembered as a valued member of the Snowmass community, and I am honored to bring his many contributions to his community to the attention of this body of Congress.

Father Theo entered the monastic life in 1950 at St. Joseph's Abbey in Spencer, Massachusetts. After his first charge, he spent the rest of his years at Saint Benedict's Monastery, where he served as retreat director, confessor, and cantor. Father Theo was also an accomplished author who published a book entitled ''Tales of the Magic Monastery'' in 1981.

Mr. Speaker, Harold James Boyd was a warm and generous soul who selflessly gave his life to inspire others. Throughout his life, Father Theo touched many lives and I am honored to pay tribute to such an extraordinary man.

A TRIBUTE TO WESNER MOISE, M.D.

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. TOWNS. Mr. Speaker, I rise in honor of Wesner Moise, M.D. in recognition of his commitment and service to his community and his outstanding accomplishments in the field of medicine.

Wesner is the director of Geriatric Medicine at Interfaith Medical Center. He has been a solo practitioner at the same Brooklyn location for 27 years. He earned his medical degree from the State University of Haiti. He joined St. Johns Episcopal Hospital, now Interfaith Medical Center, for a rotative internship after completing an additional six-month rotation in pathology. He spent the next three years in the Department of Medicine and became chief resident. He remained very active in the Institution and served on different committees: Quality Assurance, Infection Control and the Medical Executive Committee.

Wesner has always had a special interest in the elderly. He provides free seminars to senior centers, screening examinations and flu vaccine. He is also a founding member of the Haitian Association of Physicians Abroad (AMHE), New York Chapter and frequently lectures on health care issues affecting the Haitian community. He is a member of the American College of Physicians, the New York State Medical Society, Kings County Medical Society and American Geriatric Society.

Dr. Moise and his wife Mireille, an artist, have been married for thirty-three years. They are very proud of their three children who all graduated from Harvard University. Patrick, an entrepreneur, is developing a software company in Seattle, Washington. Astrid is an aspiring academic cardiovascular surgeon. She is presently doing research on stem cells and angiogenesis at the University of Pennsylvania. Michael, a financial analyst, is presently pursuing his MBA at Columbia University. The Moises are the quintessential ''Interfaith Family.'' His wife and four sisters all worked as registered nurses at Interfaith.

Dr. Moise's philosophy can be summarized as follows: Be all you can be, make a difference for your community, be a role model for your children, and be supportive of your family.

Mr. Speaker, Wesner Moise, M.D. has dedicated his time and medical expertise to the community through his own practice and his work at Interfaith Medical Center. As such, he is more than worthy of receiving our recognition today and I urge my colleagues to join me in honoring this truly remarkable person.

IN HONOR OF GARY A. BELLER

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mrs. MALONEY. Mr. Speaker, I rise today to pay tribute to Gary A. Beller of New York, in recognition of his retirement from an extraordinarily accomplished and distinguished career of over thirty years in the corporate legal profession.

The practice of law is itself a worthy pursuit. It is an accomplishment to do outstanding work for outstanding companies, as Mr. Beller has done for two venerable giants of the financial services industry—American Express early in his career and more recently MetLife. But what I have learned is that the preeminent characteristic of the career of Gary Beller is his devotion to best practices and legal excellence; setting the standard for highly ethical and skilled legal work and consistently exceeding that standard out of sheer energy, talent, and sense of responsibility.

As 2003 draws to a close, Gary Beller retires from his position as senior executive vice president and general counsel for MetLife. Mr. Beller joined MetLife in November 1994 and has since overseen the company's extensive legal affairs group as well as the mergers and acquisitions department. One of the notable accomplishments of his tenure at MetLife was his contribution to bringing the company public in 2003 from its previous status as a mutual company. MetLife became one of the most widely held public stocks as result of the successful completion of the transaction.

This is the kind of high quality work that has made Gary Beller well known and respected professionally. To those who know him and work with him, Mr. Beller personifies the best of the corporate legal profession. The perfect example is his chairmanship of the Insurance Marketplace Standards Association, an organization devoted to establishing the best in ethical market conduct for the insurance industry.

In addition to his professional success, Mr. Beller has also been a leader in his community. He served as Chairman of the Board of Directors of the Citizens Crime Commission of New York for 10 years and remains a Vice Chairman today. He is also a member of the Board of Directors of Lenox Hill Neighborhood House, one of New York City's renowned social service agencies.

In recognition of his outstanding accomplishments, I ask my colleagues to join me in honoring the dedication and service of Gary Beller as he retires from MetLife. He is a role model of civic involvement, corporate loyalty and professionalism, and service to the legal profession. He deserves our congratulations and well wishes as he begins his retirement.

RECOGNIZING JAMES RILEY TEETER FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize James Riley Teeter, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 351, and in earning the most prestigious award of Eagle Scout.

James has been very active with his troop, participating in many scout activities. Over the 4 years James has been involved with scouting, he has earned 32 merit badges and has held numerous leadership positions, serving as Patrol Leader, Quartermaster, Scribe, Assistant Patrol Leader, and Troop Guide. James is also a Brotherhood Member in the Order of the Arrow and is a Warrior in the Tribe of Mic-O-Say.

For his Eagle Scout project, James repaired the restroom facilities at the Platte County Fairgrounds in Tracy, Missouri. He pressure washed, painted, and mortared the restrooms, and also cleaned up the surrounding ground.

Mr. Speaker, I proudly ask you to join me in commending James Riley Teeter for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO AL KELLY

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. McINNIS. Mr. Speaker, it is my honor to rise and pay tribute to a remarkable man from my district. Alfred E. Kelly from Alamosa, Colorado. He has dedicated his life to the betterment of others, and I am proud to call his contributions to this body of Congress.

Al has been the Director of the San Luis Valley Health Education Center for the last 25 years. His tenure in this position has been defined by his brilliance and unwavering dedication. Over the past quarter century, Al has been instrumental in the creation and administration of numerous charitable organizations, including the Tu Casa battered women's program, Hospice De Valle, and the Casa de Oro Center.

Al is also a founding member of the Valley Community Fund, an organization that assists 31 non-profit organizations in their fund raising efforts. He has also spearheaded numerous community programs for the benefit of low-income students, senior citizens and patients.

Despite his steadfast dedication to those in need, Al is a loving and devoted father, husband and friend. His engaging personality, integrity and conviction result in Al having a positive impact on everyone he meets. Scores of people throughout the San Luis Valley and our State have had their lives enhanced as the result of their interactions with Al.

Mr. Speaker, it is my honor to pay tribute to Al Kelly. Al's selfless dedication to serving those in need is a shining example to all Americans. The many charitable organizations that Al has supported are a testament to his altruistic spirit. On behalf of the countless people he has helped, and a grateful Nation, I would like to thank Al for all that he has done.

CONGRATULATIONS TO SENATOR RICHARD J. CODEY, PRESIDENT OF THE NEW JERSEY SENATE

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. PAYNE. Mr. Speaker, I am pleased to rise today to recognize an outstanding public servant from my home state, Senator Richard J. Codey; as he ascends to the position of President of the New Jersey Senate. Senator Codey is being honored by his many friends and family members at a special ceremony at the Essex County Hall of Records in Newark.

Senator Codey has established an outstanding reputation for both his legislative achievements and his contributions to the community. Senator Codey was elected to the Assembly in 1973 and re-elected three times. He has served in the Senate since 1981. He represents the 27th legislative district, which includes Caldwell, Essex Fells, Fairfield, Livingston, Maplewood, North Caldwell, Orange, Roseland, South Orange, West Orange, and part of Newark. Senator Codey was selected Senate Co-President for the 210th Legislative Session beginning January 8, 2002. He will be selected President at the 211th Session of the Legislature in January, 2004. Senator Codey was Senate Minority leader from 1998 until 2002. He chaired the Senate Health, Institutions and Welfare Committee from 1982 to 1992, and has been a champion of the mentally ill and disabled in state institutions and group homes statewide. As a result of an undercover investigation he initiated, strict background checks and improved training standards for all employees of state psychiatric institutions were put into effect.

Senator Codey has received numerous honors and awards, including the state Psychiatric Association's ''Citizen of the Year'' award and the state Mental Health Association's service award.

A graduate of Fairleigh Dickinson University, Senator Codey is a licensed insurance broker and president of the Olympic Agency. He is married to the former Mary Jo Rolli. They are the proud parents of two sons, Kevin and Christopher.

Mr. Speaker, I ask my colleagues here in the U.S. House of Representatives to join me in congratulating Senator Codey and wishing him all the best as he continues his outstanding public service.

THE IMPORTANCE OF SELECTING MIAMI AS THE PERMANENT SECRETARIAT OF THE FREE TRADE AREA OF THE AMERICAS AND THE VITAL PROTECTION OF FLORIDA CITRUS

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Ms. ROS-LEHTINEN. Mr. Speaker, South Florida is honored, as leaders from over thirty nations from the Western Hemisphere convene in my beautiful hometown of Miami to discuss what is to be one of the largest free trade agreements in history.

The FTAA would be the world's largest free market, with combined GDP of nearly $13 trillion in over 30 countries, and nearly 800 million consumers. The creation of the FTAA would foster economic growth and opportunity, promote regional integration and good governance. In concert with my colleagues in the U.S. Congress, I have corresponded and met numerous times with Ambassadors Zoellick and Cobb to discuss at length the selection of Miami as the headquarters for the Secretariat.

Miami is a perfect location for the Secretariat due to its bustling economy, multilingual population and its role as the hub for Latin America.

I have supported efforts on behalf of Miami that involve the Permanent Secretariat of the Free Trade Area of the Americas; especially the most current appropriations of $8.5 million that will assist our local South Florida community.

Free trade cannot encompass nations that are dictatorial, ruthless, and that lack regard for freedom and human rights. Ruthless regimes cannot be allowed entry into any free trade agreements as they lack the fundamental premise for market-based trade to succeed freedom. Without a democratic system of government, free trade cannot flourish. Brutal dictatorships in our Hemisphere should not have access into any form of free trade agreements until they hold independent elections, free its political prisoners, allow freedom of press, and respect and upheld other basic liberties.

It is the hope of our South Florida community that the Administration will select Miami as the U.S. candidate city to serve as home to the FTAA Secretariat, when an agreement is completed. Miami's special and close relationship with our Latin neighbors make the city a natural choice to play this important role.

As leaders of the Western Hemisphere meet to discuss the vital issue of a tentative FTAA, it is important to remember our local citrus industry.

As we strive to open new markets and expand opportunities for U.S. workers and businesses through seeking new trade agreements, we must ensure that our workers and businesses have fair opportunities to compete in the increasingly global marketplace.

Any reduction of tariffs on imported orange juice would impede these important objectives. These tariffs help to promote competition, enabling us to compete on a level playing field in the global marketplace.

It is very clear that any reduction in the tariff would have serious consequences on Florida's citrus industry and could potentially devastate the State's economy. The citrus industry is the State's second largest, contributing over $9 billion to our economy. In addition, the citrus industry accounts for nearly 90,000 direct and indirect jobs throughout Florida and the country.

As delegates congregate in South Florida to discuss the future of trade in the Western Hemisphere, I call upon our leaders of the Hemisphere to not forget the hard workers of Florida and the importance of Florida Citrus.

PAYING TRIBUTE TO AL HOMANN

SPEECH OF

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 11, 2003

Mr. McINNIS. Mr. Speaker, it is my honor to rise and pay tribute to a remarkable man from my district. Al Homann from Silverton, CO was recently named Silverton's ''Citizen of the Year,'' and I am proud to call his contributions to the attention of this body of Congress.

The charitable acts that culminated in Al's recognition as ''Citizen of the Year'' are too numerous to list. He is an active member of the American Legion, and an organizer of the ''Hoop Shoot,'' a yearly event that raises funds for local scholarships. In addition, Al has spread his joy for life to countless audience members as a performer in the Miner's Union Theater. Al has also volunteered in countless community events, including Fourth of July parades and sporting events. Silverton is truly a better place as the result of Al's selfless dedication

Mr. Speaker, it is my honor to pay tribute to Al Homann. His selfless dedication to serving others is a shining example to all Americans. The many charitable events that Al has supported are a testament to his altruistic spirit. On behalf of the countless people he has helped, and a grateful nation, I would like to thank Al Homann for all that he has done, and congratulate him on his receipt of a well-deserved award.

RECOGNIZING PATRICK TAYLOR SAMPSELL FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Patrick Taylor Sampsell, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 351, and in earning the most prestigious award of Eagle Scout.

Patrick has been very active with his troop, participating in many scout activities. Over the three years Patrick has been involved with scouting, he has earned 44 merit badges and has held numerous leadership positions, serving as Patrol Leader, Quartermaster, Scribe, Assistant Patrol Leader, and Senior Patrol Leader. Patrick has also received the honor of Arrow of Light, is a Brotherhood Member in the Order of the Arrow, and is a Brave in the Tribe of Mic-O-Say.

For his Eagle Scout project, Patrick refurbished 60 fire hydrants in Platte City, Missouri by scraping, cleaning, and repainting the hydrants orange and black. He also cleaned the area surrounding the hydrants.

Mr. Speaker, I proudly ask you to join me in commending Patrick Taylor Sampsell for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RED HOT MAMAS

HON. C.L. ''BUTCH'' OTTER

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. OTTER. Mr. Speaker, I rise today to recognize and praise the efforts of a group of women known across America as ''Idaho's Ambassadors of Fun.'' They are the Red Hot Mamas—a family oriented musical-comedy troupe from Coeur d'Alene, ID. These are women in the prime of their lives, all over the age of 30, who revel in sharing their good humor and infectious high spirits. The ladies wear brightly colored house dresses and 5-foot-tall hats made from empty grocery cartons, milk jugs, balloons or other household items. They can be found most days in one parking lot or another in Coeur d'Alene, practicing their precision drill-team routines. The

Red Hot Mamas performed at the 54th Presidential Inaugural Parade in Washington, D.C., on ABC's ''Good Morning America'' and ''Nightline'' programs, at Philadelphia's Independence Day Parade; Hershey, Pennsylvania's Centennial Anniversary Parade; the Fiesta Bowl Parade in Tempe, Arizona; the Holiday Bowl Parade in San Diego; the Seafair Parade in Seattle and many more. Many of their performances have raised money for various charities. They soon will be traveling to England to perform in London's New Year's Day Parade—the world's largest. Once again they will be spreading the word about their beautiful home state of Idaho, and spreading joy in the process. I want to thank these unique, fun-loving ladies and let them know their efforts are appreciated.

TRIBUTE TO ABIGAIL RICE

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 11, 2003

Mr. McINNIS. Mr. Speaker, it is with profound sadness that I rise today to recognize the life and contributions of Abigail Rice from Durango, CO. Abi's life was recently cut short in a tragic accident. As her family mourns their loss, I think it is appropriate to call her tremendous contributions to the attention of this body of Congress and our Nation.

Abi was an excellent student. A member of the Dean's List at Colorado State University, she was majoring in Natural Sciences. Abi was also a member of the PreMedica Club, and the Air Force ROTC. She had plans to attend medical school following graduation and her dream was to serve her country in the United States Air Force as a flight surgeon.

Abi also excelled in athletics. She was a High School Barrel Racing State Champion, an accomplished participant in 4–H, and a co-captain of Colorado State's Varsity Trap and Skeet Team.

Despite Abi's many academic and athletic talents, those who knew her well say that her greatest attribute was her loving and caring personality. Abi had an infectious love of life and her many friends and family will miss her deeply.

Mr. Speaker, it is my honor to rise and pay tribute to Abigail Rice. Abi was an amazing young woman and my heart goes out to her family and friends during this difficult time.

RECOGNIZING KYLE D. SNYDER FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Kyle D. Snyder, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 351, and in earning the most prestigious award of Eagle Scout.

Kyle has been very active with his troop, participating in many Scout activities. Over the three years Kyle has been involved with Scouting, he has earned 40 merit badges and has held numerous leadership positions, serving as Assistant Patrol Leader, Patrol Leader, Quartermaster, and Chaplain Aide. Kyle has also received the honor of Arrow of Light, is a Brotherhood Member in the Order of the Arrow, and is a Brave in the Tribe of Mic-O-Say.

For his Eagle Scout project, Kyle planned and built ten blue birdhouses and one wood duck house. He then placed them along a nature trail and the pond at Riverview Park in Platte City, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Kyle D. Snyder for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING THE RETIREMENT OF JIM L. RIDLING OF MONTGOMERY, ALABAMA

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. ROGERS of Alabama. Mr. Speaker, I rise today to pay tribute to Jim L. Ridling of Montgomery, Alabama, on the occasion of his retirement as President, CEO and Chairman of the Board of Southern Guaranty, a part of Winterthur Insurance Company.

Jim was born and raised in Arkansas. He began his professional career as a Management Trainee with Fireman's Fund Insurance Companies in 1967. By 1984, he was Executive Vice President of United States Operations. In 1987, he traded his ownership in Fireman's Fund for ownership in Southern Guaranty Insurance Company, then a subsidiary of Fireman's Fund, and moved to Montgomery, Alabama, as President and CEO of Southern Guaranty.

Throughout his business career, Jim Ridling has been involved in varied professional organizations. He is a member of the International Insurance Society and the National Association of Independent Insurers. He is a past member of the University of Alabama School of Business' Board of Advisors; the Advisory Board of the University of Arkansas Business School; and a graduate of Stanford University's Inaugural Leadership Effectiveness Studies Program. Currently, he is a member of the School of Business Advisory Council for Troy State University.

Jim Ridling continues to be very much involved in his community. He is a member of the Executive Board of the Montgomery Air Force Association; a member of the Board of Directors of the Business Council of Alabama; a member of the Board of Directors of the Montgomery Area Chamber of Commerce and Chairman of their Military Council; and a member of the Montgomery Area Committee of 100. Jim is also President of the Board of Directors of the Montgomery Ballet; a member of the Board of Directors of the Montgomery Museum of Fine Arts and a Boy Scouts Board of Director.

I congratulate Jim Ridling for his accomplishments and his willingness to share of himself in service to his new adopted state. On the special occasion of his retirement celebration on November 20, I wish him, his lovely wife Cathy and their two daughters, Erin and Hannah, the very best in the future.

FREEDOM FOR NORMANDO HERNÁNDEZ GONZÁLEZ

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise to inform this Congress about Normando Hernández González, a prisoner of conscience in totalitarian Cuba.

Mr. Hernández, age 32, and the director of the College of Independent Journalists, has been a chronicler of truth amid the lies and deceit of Castor's villainous regime. As a journalist who exposed the ruthless repression and failed policies of Cuba's totalitarian dictator, Mr. Hernández has been continuously harassed by Castro's political police. He was detained and released miles from his home on at least two occasions and his telephone has been cut off since June 15, 2002.

Men and women who seek truth and freedom are the enemies of Castro's totalitarian dictatorship. On March 24, 2003, Mr. Hernández was sentenced to 25 years in the Cuban totalitarian gulag. According to the sham indictment ''He prepared reports . . . in which he attacked the health system (and) the education provided in this country, questioned the justice system, tourism, culture, agriculture. . . .''

Mr. Hernández, for the ''crime'' of reporting truth instead of government mandated lies, is languishing in Castro's gulag. According to a statement by his wife, Yarai Reyes, on September 3, 2003, the food in the gulag was often rotten, Mr. Hernández had no electricity in his cell and was being refused all medical care.

Mr. Speaker, last Thursday, in his address at the 20th anniversary of the National Endowment for Democracy, President George W. Bush said ''Communism, and militarism and rule by the capricious and corrupt are the relics of a passing era. And we will stand with these oppressed peoples until the day of their freedom finally arrives.'' President Bush went on to state, ''The advance of freedom is the calling of our time; it is the calling of our country.''

My Colleagues, I applaud President Bush's stirring remarks and I ask that we answer his call to advance freedom by demanding liberty for every prisoner of conscience. Today I ask the entire Congress to cry with one, united, voice for the immediate release of Normando Hernández González.

RECOGNIZING BRETT MICHAEL BABCOCK FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Brett Michael Babcock, a very special young man who has exemplified the

finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 351, and in earning the most prestigious award of Eagle Scout.

Brett has been very active with his troop, participating in many Scout activities. Over the two years Brett has been involved with Scouting, he has earned 27 merit badges and has held numerous leadership positions, serving as Patrol Leader, Librarian, Senior Patrol Leader, and Assistant Senior Patrol Leader. Brett is also a Brotherhood Member in the Order of the Arrow and is a Brave in the Tribe of Mic-O-Say.

For his Eagle Scout project, Brett did landscaping for the courtyard at Heritage Village Assisted Living Center in Platte City, Missouri. Brett planted and mulched two trees, built a birdfeeder, and also constructed two wooden benches that were placed in the courtyard for use by the residents.

Mr. Speaker, I proudly ask you to join me in commending Brett Michael Babcock for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PAYING TRIBUTE TO VERNA TOWNE

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. McINNIS. Mr. Speaker, it is my honor to rise and pay tribute to a remarkable woman from my district. Verna Towne from Mancos, Colorado was recently named ''Citizen of the Year'' for the Mancos Valley. I am proud to call her contributions to the attention of this body of Congress and this nation today.

The charitable acts that culminated in Verna's recognition as ''Citizen of the Year'' are too numerous to list. She is an active member of the VFW and Lioness clubs, volunteers her time at the Mancos Senior Center, and is instrumental in the organization of the USDA Commodity Give-Away. Although she donates her time in many ways, Verna is best known for her excellent cooking. She often serves meals at a church breakfast club for teens, the Good Samaritan Center, and 9 Health Fairs as well.

Verna always extends a hand to those in need. She can often be seen shoveling snow from a friend's driveway, or delivering food to those in need of a home-cooked meal. Verna's dedication can best be described as tireless altruism and her hard work on behalf of others often extends late into the night. Verna is truly a compassionate and loving woman and Mancos is lucky to have her.

Mr. Speaker, it is my honor to pay tribute to Verna Towne. Verna's selfless dedication to serving others is a shining example to all Americans. The many charitable events Verna has supported over the years are a testament to her vibrant and altruistic spirit. On behalf of the countless people she has helped, and a grateful nation, I would like to thank Verna for all she has done, and congratulate her on the receipt of a well-deserved award.

HONORING THE CONFEDERATED TRIBES OF SILETZ INDIANS ON THE 26TH ANNIVERSARY OF THE RESTORATION TO FEDERAL RECOGNITION

HON. DARLENE HOOLEY

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Ms. HOOLEY of Oregon. Mr. Speaker, I rise today to honor the Confederated Tribes of Siletz Indians as they celebrate their 26th anniversary of the Restoration to Federal Recognition on November 15, 2003.

The Confederated Tribes of Siletz Indians is a confederation of 27 tribes which originally ranged from Northern California to Southern Washington. In 1954, the Confederated Tribes of Siletz Indians were one of many tribes whose federal status was terminated by Congress, and all their lands were taken away. The Siletz reservation, which once exceeded 1.1 million acres was completely gone, and the confederation was no longer recognized.

While nothing could destroy the tribes' culture and traditions that were passed from generation to generation, the lack of federal recognition and support hurt the Siletz.

In the late 1960s, a group of tribal members which recognized the severe effects that the termination was having on the tribe began to work to reverse the effects. They restored the tribal cemetery and created programs for drug and alcohol rehabilitation, job training, and other social services. As they worked to fight against the ills that termination had brought on, the group realized that it must regain its federal recognition.

After many years of intense lobbying, the tribe regained its federal recognition on November 18th, 1977 when President Carter signed an act of Congress restoring the Siletz. The Confederated Tribes of Siletz Indians were the second tribe in the Untied States and the first in Oregon to have their federal recognition restored.

Since being restored, the tribe has blossomed and re-established nearly all of its institutions of government. This re-establishment of tribal government has led to better service programs and economic growth which in turn has led to greater preservation of tribal history and tradition.

With its recognition restored and tribal government re-established, the tribe began to grow, and that growth continues to this day. In 1983, a community center was built, serving as an all-purpose gathering place for tribal and non-tribal activities. 1991 brought the addition of a community health clinic which serves all members of the community, tribal and non-tribal. An administration building was developed in 1995 which provides many services to tribal members on the reservation and in eleven surrounding counties in Oregon.

In 1995 the tribe developed its biggest economic project to date, the Chinook Winds Casino and Convention Center. This venture, combined with the other tribal projects, made the tribe one of the largest employers in Lincoln County.

This growth didn't end with the creation of the casino and convention center. Since 1995, the tribe has built a Dance House, the Siletz Tribal Business Corporation, and most recently the Siletz Valley School. The school, a public charter school that serves 170 children from the surrounding community, was opened after the local school closed due to budget cuts.

As you can see, since their successful fight to regain federal recognition, the Confederated Tribes of Siletz Indians have been dedicated to improving the lives of their 4,000 members as well as the lives of the people of Oregon. One of the best examples of this dedication to improvement is the Siletz Tribal Charitable Contribution Fund, which has distributed more than $1.5 million to projects in Oregon.

Today it is my pleasure to honor and recognize the Confederated Tribes of Siletz Indians as they celebrate their 26th anniversary of their Restoration to Federal Recognition.

RECOGNIZING MR. FRED SALEM

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. KILDEE. Mr. Speaker, I rise before you today to recognize the accomplishments of my longtime friend Mr. Fred Salem. Fred Salem is a child advocate and philanthropist. His hard work and dedication to the people of Genesee County is without doubt commendable. On November 12, 2003, the community along with his family gathered to say thank you during a party held at the Ramada Inn located in my hometown of Flint, Michigan.

Fred Salem has been a resident of Mt. Morris Township for 35 years. If one could sum up the character of Fred Salem, it would be said that he is a concerned, compassionate, loyal and dedicated citizen. Fred is a humanitarian. Fred has dedicated numerous hours and dollars toward worthy causes. Through his efforts many children and organizations have been able to fulfill dreams that would have otherwise been dismissed. Fred is currently affiliated with a number of organizations, those organizations include but not limited to, the Whaley Children's Center, St. John Vianney Day Care, New Life Childcare & Preschool, Girl Scouts and Brownies Troops of Genesee County, Boy Scouts, The Sylvester Broome Center, Big Brothers and Sisters Organization. Fred is also involved with the Flushing Community Church of the Nazarene, Dr. John Socey and staff, Dr. Chambers & Staff, St. Pius Church and Bible groups, St. George, New Life Christian Fellowship, St. Robert's Pre-K classes (all), St. Robert's Kindergarten classes, Flushing Kindergarten, St. Agnes Church, 96.1 and 93.7 radio stations' picnic, Johnny Burke Birthday Party, and the Northern High School Class Reunion.

On a personal note, each year Fred and his wife Cindy host the annual Community Fourth of July fireworks display in their backyard. Fred steps up when the Government can't. At his residence Fred has transposed his backyard into a miniature Disney Land. Children from ages 2 and beyond come to partake in the fun festivities that are held there year around. One attraction that children enjoy is the go-cart course he had installed and also the historical walkthrough, which includes an old fashion store, antique cars and trucks.

Aside from being an outstanding leader and role model, he is a wonderful devoted family man to his wife Cindy.

Mr. Speaker, as a member of Congress, I ask my colleagues in the 108th Congress to please join me in congratulating my friend Fred Salem. He has served his community with enthusiasm and concern. I wish him all the best in the future.

RECOGNIZING MARCUS W. PHILLIPS FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Marcus W. Phillips, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 362, and in earning the most prestigious award of Eagle Scout.

Marcus has been very active with his troop, participating in many Scout activities. Over the ten years Marcus has been involved with scouting, he has earned 21 merit badges and has held numerous leadership positions, serving as Chaplain Aide, Quartermaster, Patrol Leader, and Scribe. Marcus earned the honor of Brave, Warrior, and Firebuilder in the Tribe of Mic-O-Say and served on staff at H. Roe Bartle Scout Reservation teaching younger scouts woodworking.

For his Eagle Scout project, Marcus organized and supervised ten other Scouts in the landscaping of a section of the Children's Garden at Duncan Road Baptist Church in Blue Springs, Missouri. They spent 150 hours planting trees and shrubs, placing decorative rock, and adding both edging and fencing to the Garden.

Mr. Speaker, I proudly ask you to join me in commending Marcus W. Phillips for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO PAULA SCHAEFER

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. McINNIS. Mr. Speaker, it is with profound sadness that I rise today to recognize the life and contributions of a remarkable woman from my district. Paula Schaefer from Durango, Colorado passed away recently at the age of 54. She will long be remembered for charitable acts in her community, her friendly disposition, and her unyielding love for her family.

Paula was born in Wichita Falls, Texas in 1948. It was there that she met and married Lyndall, her husband of 36 years. Upon moving to Durango, Paula became an accomplished Businesswoman. She served as the President of the Durango area Association of Realtors, and was recognized as ''Realtor of the Year'' in 2003.

Paula's contributions to the Durango community were extensive. As a member of the Lion's Club, and co-founder of the local chapter of Habitat for Humanity, Paula was dedicated to helping those in need. There is no doubt that countless people are better off as the result of Paula's selfless commitment to others.

Mr. Speaker, the dedication and integrity demonstrated throughout Paula Schaefer's life certainly deserves the recognition of this body of Congress and our nation. There is no question that Paula will be remembered as a great businesswoman. However, she will best be remembered as a selfless person, a great friend, and a dedicated mother and wife. My heart goes out to Paula's loved ones in this difficult time of bereavement.

TRIBUTE TO WILLIAM AUSTIN

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. MATSUI. Mr. Speaker, I would like to congratulate William Austin on being honored with the National Caring Award for his efforts to help hearing-impaired children around the world. Through his tireless work at the Starkey Hearing Foundation, William has helped provide over 80,000 hearing aids to children in 70 countries since 2000.

William has worked constantly on innovative ways to improve hearing technology and serves many high profile celebrities and athletes. But his true calling lies in helping children around the world who suffer from hearing impairment. By donating hearing aids, batteries and other hearing products to countless needy children, he has given them the ultimate gift—the gift of hearing. Where there was once silence, thousands of children can now hear their mother's voice, the falling rain, and the sweet sound of music.

The Caring Institute, who honored William with the award, seeks to promote the values of caring, integrity and public service. Those selected to receive the National Caring Award, including William, represent the best of these qualities.

Again, I congratulate William. And thank you for all your work for hearing impaired children around the world.

TRIBUTE TO MR. ALBERT H. VIERLING, JR.

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. ANDREWS. Mr. Speaker, I rise today to pay tribute to Mr. Albert H. Vierling, Jr., a community leader and veterans advocate from Berlin, New Jersey who died suddenly on October 24, 2003.

A decorated Army Veteran of the Korean War, Al was a member of ANMAC VFW Post #6253 where he served as Service Officer and was the Commander for 12 years. He was a member, Service Officer, and past commander of American Legion Post #271. Al was the Commander of Camden County VFW District 1984–1985 receiving the All American District Commander Award. He was a 1977 founding member of the Camden County Veteran Advisory Committee. Al was a volunteer with the Camden County Veterans Affairs Office since 1990, becoming a part time employee with the Office while serving as Supervisor of Veterans Interment for Camden County.

Al was also a leader in the greater Philadelphia labor community. Retiring in 1977, Al was the Shop Steward for Teamsters Union Local 628 of Philadelphia where he worked for over 25 years. He was the building maintenance supervisor for the borough of Berlin for over 10 years. Additionally, Al was very active in community athletics as a founder and past president of the Interboro Athletic Association, former coach of the Overbrook Cowboys, and former member and coach of the Berlin Athletic Association.

Whether he was helping veterans navigate the Veterans Administration bureaucracy, selling poppies each May to raise money for South Jersey veterans or organizing scores of events to pay tribute to our nation's heroes, Mr. Vierling worked tirelessly to assist and honor veterans. Al did everything in his power to make sure that our government upheld the promises it made to veterans and that the American people did not forget the sacrifices made and the freedom won by those who served our nation in uniform. Additionally, on the athletic field, Al taught scores of South Jersey youth the value of hard work and dedication.

Mr. Speaker, Al Vierling left the First Congressional District of New Jersey a better place. He touched the lives of hundreds of people in South Jersey. His lifelong service will not be forgotten.

TRIBUTE TO JOSE MACARIO VALDEZ

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. McINNIS. Mr. Speaker, it is with a solemn heart that I pay tribute to Jose Macario Valdez of Trinidad, Colorado. Jose passed away recently at the age of 79, and as I look back on his life, I see the story of a great American. As his family mourns their loss, I think it is appropriate that we remember Jose's life, and celebrate the outstanding contributions that he made to the community of Trinidad, and this country.

Jose was born in Trinidad in 1924. During World War II, he answered his country's call to duty and joined the Army Air Corps. As an Air Transportation Technician in the Pacific Theater, Jose served with remarkable valor and courage on nearly 100 missions. For his heroism, Jose was awarded the Distinguished Flying Cross, the Bronze Star, a Good Conduct Medal, and the Burma Asiatic Pacific Service Medal. Jose's awards are illustrative of the courage and valor that defined his selfless protection of our country.

Upon returning to Trinidad, Jose met and married Prospera Lovato, his wife of 56 years. He went to work for CF&I Steel for eight years. He then became a coal miner before going to work for the City of Trinidad as a power plant fireman, a position he held for 24 years. Jose was deeply involved in the Trinidad community. He was an active member of the Sociedad De San Antonia de Padua and the Holy Trinity Church as well.

Mr. Speaker, it is my honor to pay tribute today to a fine American. A loving and devoted husband, father, grandfather and great grandfather, Jose Macario Valdez will be deeply missed by his family and the Trinidad community. I am proud to call Jose's valiant protection of our country, and selfless dedication to the Trinidad community to the attention of this body of Congress and this nation here today. My thoughts go out to his family in this difficult time.

TRIBUTE TO PETE HAUTZINGER

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 17, 2003

Mr. MCINNIS. Mr. Speaker, it is my honor to rise and pay tribute to a remarkable man from my district. Pete Hautzinger of Mesa, Colorado was recently named ''Prosecutor of the Year.'' As a District Attorney, Pete works tirelessly for the betterment of his community, and I am pleased to call his contributions to the attention of this body of Congress, and this Nation here today.

Pete graduated from the University of Colorado School of law in 1988, and upon graduation, he became a Deputy District Attorney for Adams County. Later, Pete took a position with the 21St Judicial District Attorney's Office in 1992, where he currently serves as a Chief Deputy District Attorney. Pete's experience is vast. He has tried 97 jury trials, 51 of which have been at the felony level.

Pete approaches his job with the best interests of his district's citizens in mind. As a leading advocate for the victims of domestic violence, Pete works tirelessly in conjunction with police and victims to assure that justice is achieved. Pete also works with various domestic violence organizations such as Men Against Violence, the Domestic Violence Taskforce, and the Western Slope Center for Children. He is truly dedicated to protecting women and children from the terrors of domestic violence.

Pete's contributions reach far beyond the courtroom. Despite his untiring dedication to his work, Pete manages to find time to be a great father and is the volunteer coach for his children's soccer and basketball teams. Pete is also involved in passing along his knowledge and ethics to the next generation of prosecutors and police officers. Each year, he teaches a number of classes and supervises a number of young Deputy District Attorneys.

Mr. Speaker, Pete Hautzinger is truly a tremendous asset to his community. I know that the people of Mesa, Colorado feel safer as the result of his tireless dedication to the pursuit of justice. I am proud to join the people of Mesa in thanking Pete for his service and congratulating him for his achievements.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, November 18, 2003 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

NOVEMBER 19

9 a.m.
Armed Services
To hold hearings to examine current Army issues.
SH–216

9:30 a.m.
Governmental Affairs
To hold hearings to examine the threat of agroterrorism.
SD–342

Judiciary
To hold hearings to examine pending judicial nominations.
SD–226

10 a.m.
Health, Education, Labor, and Pensions
To hold hearings to examine S. 741, to amend the Federal Food, Drug, and Cosmetic Act with regard to new animal drugs, proposed Mammography Quality Standards Reauthorization Act, proposed Medical Device Technical Corrections Act, proposed Organ Donation and Recovery Improvement Act, and pending nominations.
SD–430

2:30 p.m.
Governmental Affairs
Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee
To resume hearings to examine the August 2003 Northeast blackouts and the Federal role in managing the nation's electricity.
SD–342

NOVEMBER 20

Time to be announced
Governmental Affairs
Business meeting to consider the nominations of James M. Loy, of Virginia, to be Deputy Secretary of Homeland Security, and Scott J. Bloch, of Kansas, to be Special Counsel, Office of Special Counsel.
Room to be announced

9 a.m.
Governmental Affairs
Investigations Subcommittee
To resume hearings to examine the role of professional organizations like accounting firms, law firms, and financial institutions in developing, marketing and implementing tax shelters.
SH–216

9:30 a.m.
Commerce, Science, and Transportation
To hold hearings to examine drug importation.
SR–253

10 a.m.
Banking, Housing, and Urban Affairs
Business meeting to consider S. 1531, to require the Secretary of the Treasury to mint coins in commemoration of Chief Justice John Marshall, and the nominations of Alicia R. Castaneda, of the District of Columbia, to be a Director of the Federal Housing Finance Board, and Thomas J. Curry, of Massachusetts, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation; to be immediately followed by a hearing on improving the corporate governance of the NYSE.
SD–538

2 p.m.
Banking, Housing, and Urban Affairs
To resume hearings to examine current investigations and regulatory actions regarding the mutual fund industry.
SD–538

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S14923–S14971

Measures Introduced: Eight bills were introduced, as follows: S. 1868–1875. **Pages S14964–65**

Measures Reported:

S. 720, to amend title IX of the Public Health Service Act to provide for the improvement of patient safety and to reduce the incidence of events that adversely effect patient safety, with an amendment in the nature of a substitute. (S. Rept. No. 108–196)

S. 1136, to restate, clarify, and revise the Soldiers' and Sailors' Civil Relief Act of 1940, with an amendment in the nature of a substitute. (S. Rept. No. 108–197)

S. 793, to provide for increased energy savings and environmental benefits through the increased use of recovered mineral component in federally funded projects involving procurement of cement or concrete, with an amendment in the nature of a substitute. (S. Rept. No. 108–198)

S. Res. 253, to recognize the evolution and importance of motorsports. **Page S14964**

Measures Passed:

Private Security Officer Employment Authorization Act: Senate passed S. 1743, to permit reviews of criminal records of applicants for private security officer employment. **Pages S14969–70**

VA–HUD Appropriations Act: Senate resumed consideration of H.R. 2861, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, taking action on the following amendments proposed thereto: **Pages S14932–40**

Adopted:

Bond (for Reid/Graham (FL)) Amendment No. 2194 (to Amendment No. 2150), to express the sense of Congress on damages caused by the regime of Saddam Hussein during the First Gulf War. **Pages S14932–34**

Durbin Amendment No. 2195 (to Amendment No. 2150), to provide that none of the funds provided in this Act may be expended to apply, in a numerical estimate of the benefits of an agency action prepared pursuant to Executive Order 12866 or section 812 of the Clean Air Act, monetary values for adult premature mortality that differ based on the age of the adult. **Pages S14934–36**

Bond (for Daschle) Amendment No. 2196 (to Amendment No. 2150), to provide for epidemiological studies on Vietnam veterans exposed to Agent Orange and other herbicides used in Vietnam. **Pages S14937–38**

Bond (for Feingold) Amendment No. 2197 (to Amendment No. 2150), to prohibit the use of funds by the Department of Veterans Affairs to implement policies that prohibit the Veterans Integrated Service Networks from conducting outreach or marketing to enroll new veterans in such Networks. **Page S14938**

Bond (for Cantwell) Amendment No. 2198 (to Amendment No. 2150), to require a study of the Moving to Work demonstration program. **Pages S14938–39**

Withdrawn:

Clinton Amendment No. 2152 (to Amendment No. 2150), to permit the use of funds for the Capital Asset Realignment for Enhanced Services (CARES) initiative of the Department of Veterans Affairs for purposes of enhanced services while limiting the use of funds for the initiative for purposes of the closure or reduction of services pending a modification of the initiative to take into account long-term care, domiciliary care, and mental health services and other matters. **Page S14937**

Pending:

Bond/Mikulski Amendment No. 2150, in the nature of a substitute. **Page S14932**

Dayton Amendment No. 2193 (to Amendment No. 2150), to fully fund the Paul and Sheila Wellstone Center for Community Building. **Pages S14936–37**

A unanimous-consent agreement was reached providing for further consideration of the bill and certain amendments on Tuesday, November 18, 2003. **Page S14971**

Federal Aviation Administration Authorization—Conference Report: Senate resumed consideration of the conference report on H.R. 2115, to amend title 49, United States Code, to reauthorize programs for the Federal Aviation Administration.

Pages S14940–52

During consideration of this measure, Senate also took the following actions:

By 45 yeas to 43 nays (Vote No. 453), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the conference report.

Page S14951

Senator Frist entered a motion to reconsider the vote by which the motion to invoke cloture on the conference report failed. **Pages S14951–52**

Agriculture Appropriations—Additional Conferees: A unanimous-consent agreement was reached to expand the number of conferees to H.R. 2675, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004, to include the following members on the part of the Senate: Senators Domenici, Shelby, Gregg, Campbell, Hutchison, DeWine, Inouye, Hollings, Leahy, Mikulski, Reid, and Murray.

Page S14971

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

Cybercrime Convention (Treaty Doc. No. 108–11).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Page S14969**

Appointment:

Congressional Award Board: The Chair, on behalf of the Majority Leader, pursuant to Public Law 96–114, as amended, announced the appointment of John M. Falk, of Washington, D.C., to be Chairman of the Congressional Award Board. **Page S14969**

Nominations Received: Senate received the following nominations:

Francis Mulvey, of Maryland, to be a Member of the Surface Transportation Board for a term expiring December 31, 2007.

W. Douglas Buttrey, of Tennessee, to be a Member of the Surface Transportation Board for a term expiring December 31, 2008.

James C. Oberwetter, of Texas, to be Ambassador to the Kingdom of Saudi Arabia.

Glyn T. Davies, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during his tenure of service as the Political Director for the United States Presidency of the G–8.

Gay Hart Gaines, of Florida, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2010.

Routine lists in the Air Force, Army. **Page S14971**

Measures Read First Time: **Page S14964**

Executive Communications: **Page S14964**

Executive Reports of Committees: **Page S14964**

Additional Cosponsors: **Page S14965**

Statements on Introduced Bills/Resolutions: **Pages S14965–67**

Additional Statements: **Pages S14961–64**

Amendments Submitted: **Pages S14967–69**

Authority for Committees to Meet: **Page S14969**

Privilege of the Floor: **Page S14969**

Record Votes: One record vote was taken today. (Total–453) **Page S14951**

Adjournment: Senate met at 12 noon and adjourned at 7:41 p.m. until 9:30 a.m. on Tuesday, November 18, 2003. (For Senate's Program, see the remarks of the Acting Majority Leader in today's Record on page S14971).

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. Res. 253, to recognize the evolution and importance of motorsports; and

The nominations of Michael J. Garcia, of New York, to be an Assistant Secretary of Homeland Security, and James B. Comey, of New York, to be Deputy Attorney General, and Federico Lawrence Rocha, of California, to be United States Marshal for the Northern District of California, both of the Department of Justice.

House of Representatives

Chamber Action

Measures Introduced: Measures introduced will appear in the next issue of the Record.

Additional Cosponsors: **(See next issue.)**

Reports Filed: Reports were filed as follows today:

H.R. 154, to exclude certain properties from the John H. Chafee Coastal Barrier Resources System, amended, (H. Rept. 108–359);

H.R. 521, to establish the Steel Industry National Historic Site in the Commonwealth of Pennsylvania, amended, (H. Rept. 108–360);

H.R. 1594, to direct the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the St. Croix National Heritage Area in St. Croix, United States Virgin Islands, amended, (H. Rept. 108–361);

H.R. 1618, to establish the Arabia Mountain National Heritage Area in the State of Georgia, amended, (H. Rept. 108–362);

H.R. 1648, to authorize the Secretary of the Interior to convey certain water distribution systems of the Cachuma Project, California, to the Carpinteria Valley Water District and the Montecito Water District (H. Rept. 108–363);

H.R. 1732, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Williamson County, Texas, Water Recycling and Reuse Project, (H. Rept. 108–364);

H.R. 1798, to establish the Upper Housatonic Valley National Heritage Area in the State of Connecticut and the Commonwealth of Massachusetts, amended, (H. Rept. 108–365);

H.R. 1862, to establish the Oil Region National Heritage Area, amended, (H. Rept.108–366);

H.R. 2425, to provide for the use and distribution of the funds awarded to the Quinault Indian Nation under United States Claims Court Dockets 772–71, 773–71, 774–71, and 775–71, amended, (H. Rept. 108–367);

H.R. 2489, to provide for the distribution of judgment funds to the Cowlitz Indian Tribe, amended, (H. Rept. 108–368);

S. 625, to authorize the Bureau of Reclamation to conduct certain feasibility studies in the Tualatin River Basin in Oregon (H. Rept. 108–369);

H.R. 280, to establish the National Aviation Heritage Area, amended, (H. Rept. 108–370);

H.R. 421, to reauthorize the United States Institute for Environmental Conflict Resolution (H. Rept. 108–371, Pt. 1);

S. 1233, to authorize assistance for the National Great Blacks in Wax Museum and Justice Learning Center (H. Rept. 108–372, Pt. 1); and

H.R. 1964, to establish the Highlands Stewardship Area in the States of Connecticut, New Jersey, New York, and Pennsylvania, amended, (H. Rept. 108–373, Pt. 1);

S. 523, to make technical corrections to law relating to Native Americans (H. Rept. 108–374, Pt. 1). **Page H11205**

Speaker: Read a letter from the Speaker wherein he appointed Representative Pence to act as Speaker Pro Tempore for today. **Page H11161**

Recess: The House recessed at 12:44 p.m. and reconvened at 2 p.m. **Page H11163**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Recognizing the Agricultural Research Service of the Department of Agriculture: S.J. Res. 22, recognizing the Agricultural Research Service of the Department of Agriculture for 50 years of outstanding service to the Nation through agricultural research by a 2/3 yea-and-nay vote of 332 yeas with none voting ''nay'', Roll No. 620—clearing the measure for the President; **Pages H11163–64, H11183–84**

Authorizing the Secretary of Agriculture to conduct a loan repayment program: H.R. 1367, amended, to authorize the Secretary of Agriculture to conduct a loan repayment program regarding the provision of veterinary services in shortage situations; **Pages H11164–67**

Apalachicola National Forest Land Conveyance Act: H.R. 3217, to provide for the conveyance of several small parcels of National Forest System land in the Apalachicola National Forest, Florida, to resolve boundary discrepancies involving the Mt. Trial Primitive Baptist Church of Wakulla County, Florida; **Pages H11166–67**

Providing for the designation of a Department of Agriculture disaster liasion: H.R. 3157, amended, to provide for the designation of a Department of Agriculture disaster liaison to assist State and local employees of the Department in coordination with other disaster agencies in response to a federally declared disaster area as a result of a disaster; **Pages H11167–69**

Resolving boundary conflicts around Mark Twain National Forest in Missouri: H.R. 2304, amended, to resolve boundary conflicts in the vicinity of the Mark Twain National Forest in Barry and

Stone Counties, Missouri, that resulted from private landowner reliance on a subsequent Federal survey; **Pages H11169–70**

George Henry White Post Office Building Designation Act: H.R. 3353, to designate the facility of the United States Postal Service located at 525 Main Street in Tarboro, North Carolina, as the George Henry White Post Office Building; **Pages H11170–71**

James E. Davis Post Office Building Designation Act: S. 1590, to redesignate the facility of the United States Postal Service, located at 315 Empire Boulevard in Crown Heights, Brooklyn, New York, as the James E. Davis Post Office Building—clearing the measure for the President; **Pages H11171–72**

Hugh Gregg Post Office Building Designation Act: H.R. 3185, to designate the facility of the United States Postal Service located at 38 Spring Street in Nashua, New Hampshire, as the Hugh Gregg Post Office Building; **Pages H11172–74**

Commending the Inspectors General for their service to the Federal Government: S.J. Res. 18, commending the Inspectors General for their efforts to prevent and detect waste, fraud, abuse, and mismanagement, and to promote economy, efficiency, and effectiveness in the Federal Government during the past 25 years by a 2/3 yea-and-nay vote of 326 yeas to 3 nays, Roll No. 621 clearing the measure for the President; **Pages H11174, H11184**

Honoring Mr. Sargent Shriver: H. Con. Res. 299, honoring Mr. Sargent Shriver for his dedication and service to the United States of America, for his service in the United States Navy, and for his lifetime of work as an ambassador for the poor and powerless citizens of the United States of America by a 2/3 yea-and-nay vote of 325 yeas to 3 nays, Roll No. 622; **Pages H11174–77, H11185**

John F. Kennedy Center Reauthorization Act of 2003: H.R. 3198, to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts; **Pages H11177–79**

Amending the Reclamation Project Authorization Act of 1972: H.R. 3209, to amend the Reclamation Project Authorization Act of 1972 to clarify the acreage for which the North Loup division is authorized to provide irrigation water under the Missouri River Basin project; **Page H11180**

Williamson County Water Recycling Act of 2003: H.R. 1732, amended, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Williamson County, Texas, Water Recycling and Reuse Project; **Pages H11180–81**

Correcting a technical error from Unit T–07 of the John H. Chafee Coastal Barrier Resources System: S. 1066, to correct a technical error from Unit T–07 of the John H. Chafee Coastal Barrier Resources System—clearing the measure for the President; **Pages H11181–82**

Carpinteria and Montecito Water Distribution Systems Conveyance Act of 2003: H.R. 1648, to authorize the Secretary of the Interior to convey certain water distribution systems of the Cachuma Project, California, to the Carpinteria Valley Water District and the Montecito Water District; **Pages H11182–83**

Congratulating John Gagliardi, football coach of St. John's University: H. Res. 438, congratulating John Gagliardi, football coach of St. John's University, on the occasion of his becoming the all-time winningest coach in collegiate football history. **Pages H11187–88**

Honoring the Rice University Owls Baseball team: H. Res. 379, honoring the Rice University Owls baseball team for winning the NCAA baseball champions; and **Pages H11188–90**

Suspensions Postponed: The following measures were debated under suspension of the rules. Further proceedings were postponed until Tuesday, November 18.

Walter F. Ehrnfelt, Jr. Post Office Building Designation Act: H.R. 3300, to designate the facility of the United States Postal Service located at 15500 Pearl Road in Strongsville, Ohio, as the Walter F. Ehrnfelt, Jr. Post Office Building; and **Page H11177**

Directing the Administrator of General Services to convey to Fresno County, California, the existing Federal courthouse in that county: H.R. 1274, amended, to direct the Administrator of General Services to convey to Fresno County, California, the existing Federal courthouse in that county. **Pages H11179–80**

Recess: The House recessed at 2:34 p.m. and reconvened at 2:48 p.m. **Page H11170**

Recess: The House recessed at 4:04 p.m. and reconvened at 7 p.m. **Page H11183**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 10 a.m. on Tuesday, November 18 for morning hour debate, by a recorded vote of 296 ayes to 25 noes, Roll No. 623. **Page H11186**

Medicare Prescription Drug and Modernization Act of 2003—Motion to Instruct Conferees: Representative Berkley announced her intention to offer a motion to instruct conferees on H.R. 1, to amend title XVIII of the Social Security Act to provide for

a voluntary prescription drug benefit under the medicare program and to strengthen and improve the medicare program. **Page H11186**

Labor/HHS Appropriations—Motion to Instruct Conferees: Representative Kennedy of Rhode Island announced his intention to offer a motion to instruct conferees on H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004. **Pages H11186–87**

Energy Policy Act of 2003: Agreed that the managers on the part of the House have until 6 a.m. on Tuesday, November 18 to file a conference report on H.R. 6, to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people. **Page H11190**

Senate Message: Messages received from the Senate today appear on page H11161.

Senate Referrals: S. 1824 was ordered held at the desk. **Page H11161**

Adjournment: The House met at 12:30 p.m. and at 10:35 p.m. stands in recess subject to the call of the chair.

Committee Meetings

No committee meetings were held.

COMMITTEE MEETINGS FOR TUESDAY, NOVEMBER 18, 2003

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: Subcommittee on Strategic Forces, to hold hearings to examine space acquisition policies and processes, 2 p.m., SR–232A.

Full Committee, to hold hearings to examine the nomination of Michael W. Wynne, of Florida, to be Under Secretary of Defense for Acquisition, Technology, and Logistics, 4 p.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine current investigations and regulatory actions regarding the mutual fund industry, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: business meeting to consider pending nominations, time to be announced, S–216, Capitol.

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests, to hold hearings to examine S. 1209, to provide for the acquisition of property in Washington County, Utah, for implementation of a desert tortoise habitat conservation plan, H.R. 708, to require the conveyance of certain National Forest System lands in Mendocino National Forest, California, to provide for the use of the proceeds from such conveyance for National Forest purposes, S. 1467, to establish the Rio Grande Outstanding Natural Area in the State of Colorado, S. 1167, to resolve the boundary conflicts in Barry and Stone Counties in the State of Missouri, and S. 1848, to amend the Bend Pine Nursery Land Conveyance Act to direct the Secretary of Agriculture to sell the Bend Pine Nursery Administration Site in the State of Oregon, 2:30 p.m., SD–366.

Committee on Finance: to hold hearings to examine the nomination of Steven J. Simmons, of Connecticut, to be a Member of the Broadcasting Board of Governors, 10 a.m., SD–215.

Full Committee, to hold hearings to examine the nomination of Arnold I. Havens, of Virginia, to be General Counsel for the Department of the Treasury, 10 a.m., SD–215.

Committee on Governmental Affairs: Permanent Subcommittee on Investigations, to hold hearings to examine the role of professional organizations like accounting firms, law firms, and financial institutions in developing, marketing and implementing tax shelters, 9 a.m., SH–216.

Full Committee, to hold hearings to examine the nomination of James M. Loy, of Virginia, to be Deputy Secretary of Homeland Security, 2:30 p.m., SD–342.

Committee on the Judiciary: to hold hearings to examine America after the 9/11 terrorist attacks, 9:30 a.m., SD–226

House

No committee meetings are scheduled.

(Continued from page D1286)

(4) H.R. 1204, to amend the National Wildlife Refuge System Administration Act of 1966 to establish requirements for the award of concessions in the National Wildlife Refuge System, to provide for maintenance and repair of properties located in the System by concessionaires authorized to use such properties;

(5) H.R. 1651, Sierra National Forest Land Exchange Act of 2003;

(6) H.R. 2907, Northern Arizona National Forest Land Exchange Act of 2003;

(7) H.R. 280, National Aviation Heritage Area Act;

(8) S. 254, Kaloko-Honokohau National Historical Park Addition Act of 2003;

(9) H.R. 1189, to increase the waiver requirement for certain local matching requirements for grants provided to American Samoa, Guam, the Virgin Islands, or the Commonwealth of the Northern Mariana Islands;

(10) H. Con. Res. 313, to urge the President, on behalf of the United States, to present the Presidential Medal of Freedom to His Holiness, Pope John Paul II, in recognition of his significant, enduring, and historic contributions to the causes of freedom, human dignity, and peace and to commemorate the Silver Jubilee of His Holiness' inauguration of his ministry as Bishop of Rome and Supreme Pastor of the Catholic Church;

(11) H.R. 2130, New Bridge Landing Post Office Redesignation Act;

(12) S. 1718, Senator James B. Pearson Post Office Designation Act;

(13) S. 867, Ronald Reagan Post Office Building Designation Act;

(14) H.Con.Res. 69, expressing the sense of Congress that Althea Gibson should be recognized for her ground breaking achievements in athletics and her commitment to ending racial discrimination and prejudice within the world of sports;

(15) H. Con. Res. 320, expressing the sense of the Congress regarding the importance of motorsports;

(16) H. Con. Res. 288, Honoring Seeds of Peace;

(17) H.R. 3287, to award congressional gold medals posthumously on behalf of Reverend Joseph A. DeLaine, Harry and Eliza Briggs, and Levi Pearson;

(18) H. Res. 427, expressing the sense of the House of Representatives regarding the courageous leadership of the Unified Buddhist Church of Vietnam and the urgent need for religious freedom and related human rights in the Socialist Republic of Vietnam;

(19) H. Res. 423, recognizing the 5th anniversary of the signing of the International Religious Freedom Act of 1998 and urging a renewed commitment to eliminating violations of the internationally recognized right to freedom of religion and protecting fundamental human rights;

(20) H. Res. 393, commending Afghan women for their participation in Afghan government and civil society, encouraging the inclusion of Afghan women in the political and economic life of Afghanistan, and advocating the protection of Afghan women's human rights in the Afghanistan Constitution;

(21) H. Con. Res. 83, honoring the victims of the Cambodian genocide that took place from April 1975 to January 1979;

(22) H.R. 1813, Torture Victims Relief Reauthorization Act of 2003;

(23) H.R. 3140, Fairness to Contact Lens Consumers Act;

(24) H.R. 2218, Federal Food, Drug, and Cosmetic Act Amendment;

(25) S. 286, Birth Defects and Developmental Disabilities Prevention Act of 2003;

(26) S. Con. Res. 48, supporting the goals and ideals of "National Epilepsy Awareness Month" and urging support for epilepsy research and service programs; and

(27) S. 650, Pediatric Research Equity Act of 2003.

Next Meeting of the SENATE

9:30 a.m., Tuesday, November 18

Senate Chamber

Program for Tuesday: Senate will resume consideration of the nominations of Thomas C. Dorr to be Under Secretary of Agriculture for Rural Development, and to be a Member of the Board of Directors of the Commodity Credit Corporation, with votes on the respective motions to invoke cloture to occur beginning at 10:30 a.m; following which, Senate will continue consideration of H.R. 2861, VA–HUD Appropriations Act.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Tuesday, November 18

House Chamber

Program for Tuesday: Consideration of the conference report on H.R. 2754, Energy and Water Development Appropriations Act for Fiscal Year 2004 (Subject to a Rule).

Consideration of Suspensions:

(1) H. Res. 411, expressing the sense of the House that John Wooden should be honored for his contributions to sports and education;

(2) H. Res. 391, congratulating the University of Illinois Fighting Illini men's tennis team;

(3) H.R. 1006, Captive Wildlife Safety Act;

(Continued on page D1285)

Extensions of Remarks, as inserted in this issue

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