The House met at 9 a.m. The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

O Lord, down through the ages You have taught us to seek Your kingdom. In our search we will not lose our way if we approach You with the free abandon of trust and the sheer delight of a child.

May pride not steel our hearts or arrogance distort our vision so that we would go after things far beyond us.

Rather, give peace to the soul of this Nation and the Members of this House. Free us from any restlessness in silence that we may listen more deeply to Your word in human hearts.

As a child takes rest in the wrapped arms of a parent, may our trust in You, Lord, be full-weighted and lasting.

O America, hope in the Lord both now and forever.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day’s proceedings and announces to the House his approval thereof. Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

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

Mr. Frost led the Pledge of Allegiance.

The Speaker. The gentlewoman from North Carolina (Mrs. Myrick) is recognized for 1 hour.

Mrs. MYRICK. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. Frost), pending which I yield myself such time as I may consume. During consideration of the resolution, all time yielded is for purposes of debate only.

Yesterday, the Committee on Rules met and granted a normal conference report rule for H.R. 2216, the fiscal year 2001 Emergency Supplemental Appropriations Act. The rule waives all points of order against the conference report and against its consideration. The rule also provides that the conference report shall be considered as read.

Mr. Speaker, this should not be a controversial rule. It is the type of rule that we grant for almost every conference report. Meanwhile, the underlying bill provides vital relief to our Nation’s Armed Forces, and aid to areas that have been devastated by natural disasters. It does all this without busting the budget caps by designating pet projects as emergency spending.

I cannot remember the last time we passed an emergency supplemental bill through this House without resorting to the “emergency spending” gimmick that we use, and the administration deserves credit for holding the line on this one.

Our military needs our help. Without this bill and without the help from Congress, our Nation may fall short on its promise to provide adequate health care for our men and women in uniform. So today we provide more than $1 billion for the defense health program.

At the same time, we are providing more than $36 billion, largely to help our military maintain its facilities and its topnotch training and equipment, and we are helping the military deal with the energy crisis, they have a problem with that like the rest of us do, by providing $735 million just to deal with rising energy costs in the daily routine they have. We are not only taking care of the emergency needs of our military, though. Several communities in the Midwest have recently been devastated by floods and tornadoes, so we are giving the Army Corps of Engineers money to mitigate the damages from these natural disasters.

We are also helping low-income families deal with high heating costs by adding money to the LIHEAP program. That is the program that helps them with their energy bills. And we are giving the IRS additional resources so they can mail out the tax rebate checks this summer. I know everybody is going to be glad to hear that.

I urge my colleagues to support this normal conference report rule, and to support the underlying bill. This legislation is a strong step forward as we work to care for our military personnel and to take care of all of those who are hurting at home.

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

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

Mr. Speaker, in this bill, I think it is appropriate to paraphrase the promise of the President and the Vice President to our military and say that some help is on the way.
Mr. Speaker, this is a good conference agreement as far as it goes, since it provides $5.6 billion for the urgent needs of our Armed Forces. But frankly, Mr. Speaker, the administration is remiss for not requesting even more funds early in its term so that the Congress could truly ensure that help is on the way.

I do have to take just a moment to point out that this conference agreement provides $735 million to address the Pentagon’s rising energy costs. This would like to echo what my friend from Texas said during the discussion on the rule; that this is more or less a band-aid on our real needs. And I want to emphasize housing and quality of life. There are so many needs in military housing that we should be ashamed of the way we make some of our military personnel live. Some of the facilities that they live in are just totally unacceptable. This bill takes a step towards solving that problem, but we have a lot more to do and a long way to go. We were, however, constrained to stay within the $6.5 billion and so we did that.

I would also add that while this is a supplemental, there are no emergency designations. We did not declare anything an emergency as a way to get over and above the $6.5 billion, so there are no emergency declarations in this bill.

In addition to the funds for the military that I mentioned briefly we included an additional $92 million for the Coast Guard operational requirements. The Coast Guard has been falling behind in their infrastructure, and they do such a tremendous job. When the Coast Guard goes out for a search and rescue, or when they go out for port security, or drug interdiction, or the many, many risky missions they take on, sometimes they go with equipment that is not up to date. They also have a spare parts problem and they have an operational expense problem that we tried to address in this bill too. But like the other military uniformed services, they need more money than this bill provides. It does provide, however, $92 million.

There is $300 million funded for natural disaster assistance, including relief to communities that were impacted by recent floods and ice storms in Illinois, Iowa, Minnesota, Wisconsin, New Mexico, Oklahoma, Texas, and the Seattle earthquake, and for other natural disasters.

The President, in his supplemental request, asked for $150 million for the Low Income Home and Energy Assistance Program, LIHEAP, a program that is strongly supported by the Congress. This bill includes $300 million, the amount requested by the President, and brings the program to the highest level in history.

An additional $100 million is provided for international bilateral assistance for the President's HIV-AIDS through the child survival and disease program, and $161 million is provided to implement last year’s conference agreement on title I, education for the disadvantaged.
Mr. Speaker, I urge all of our colleagues to support this conference report. It is very timely. Our military services have already spent well into their fourth quarter funding because of the rising fuel costs and the additional medical care expenses, and so we really need to expedite consideration of this bill here and in the other body to get it to the President.

There is available a one-page table that lists most of the items that are included in this bill, and that is available for any Member who would like it.

Mr. Speaker, I thank my colleagues for listening attentively, and I submit for the RECORD a chart reflecting the amounts allocated in the supplemental.
### H.R. 2216 - SUPPLEMENTAL APPROPRIATIONS ACT, 2001

(Amounts in thousands)

<table>
<thead>
<tr>
<th>Supplemental Request</th>
<th>House</th>
<th>Senate</th>
<th>Conference</th>
<th>Conference vs. House</th>
<th>Conference vs. Senate</th>
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### H.R. 2216 - SUPPLEMENTAL APPROPRIATIONS ACT, 2001 — continued
(Amounts in thousands)

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<tr>
<th>Supplemental Request</th>
<th>House</th>
<th>Senate</th>
<th>Conference vs. House</th>
<th>Conference vs. Senate</th>
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| **CHAPTER 3**
DEPARTMENT OF ENERGY
National Nuclear Security Administration

| Weapons Activities | 140,000 | 140,000 | 140,000 | 126,625 | -13,375 | -13,375 |
| Military construction

| Military construction, Army | 67,400 | 22,000 | -45,400 | +22,000 |
| Recision (sec. 1403) | -12,800 | -12,800 | -12,800 | -12,800 |
| Military construction, Navy | 10,500 | 9,400 | -1,100 | +9,400 |
| Recision (sec. 1403) | -8,213 | -8,213 | -8,213 | -8,213 |
| Military construction, Air Force | 16,000 | 16,000 | 16,000 | 16,000 |
| Recision (sec. 1403) | -4,935 | -4,935 | -4,935 | -4,935 |
| Military construction, Defense-wide (rescission) (sec. 1403) | -6,700 | -14,376 | -14,376 | -7,676 |
| Military construction, Air National Guard | 6,700 | 6,700 | 6,700 |
| Recision, Army | -1,000 | -1,000 | -1,000 | -1,000 |
| Family Housing, Army (offset) | 20,290 | 20,290 | 20,290 | 20,290 |
| Rescission | -70,000 | -70,000 | -70,000 | -70,000 |
| **Total, chapter 4 (net)** | 92,500 | 92,500 | 92,500 | 92,500 | -13,095 | -13,095 |
| Appropriations | (92,500) | (102,600) | (112,000) | (125,800) | (33,300) | (39,300) |
| Recisions | (70,000) | (7,000) | (45,000) | (23,745) | (39,000) |
| **Total, title I, National Security Matters (net)** | 5,840,800 | 5,845,852 | 5,916,800 | 5,834,050 | -11,802 | -64,750 |

### TITLE II - OTHER SUPPLEMENTAL APPROPRIATIONS

#### CHAPTER 1
DEPARTMENT OF AGRICULTURE
Production, Processing, and Marketing

| Office of the Secretary | 3,000 | 3,000 | 3,000 | 3,000 |
| Animal and Plant Health Inspection Service | 35,500 | 35,500 | 5,000 | 5,000 | 5,000 |

| Farm Service Agency | 35,500 | 35,500 | 5,000 | 5,000 | 5,000 |
| Agricultural conservation program (rescission) | -45,000 | -45,000 | -45,000 | -45,000 |
| **Water and flood prevention operations** | 5,000 | 5,000 | 5,000 | 5,000 | 5,000 |
| **General Provisions** | 20,000 | 20,000 | 20,000 | 20,000 | 20,000 |

<p>| Sec. 2004 (continued) | 20,000 | 20,000 | 20,000 | 20,000 | 20,000 |
| Sec. 2106 Food Stamps program (Employment &amp; Training) | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 |
| Sec. 2107 (continued) | 35,500 | 35,500 | 35,500 | 35,500 | 35,500 |
| <strong>Total, General Provisions</strong> | 20,000 | 20,000 | 20,000 | 20,000 | 20,000 |</p>
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<th>Supplemental Request</th>
<th>House</th>
<th>Senate</th>
<th>Conference</th>
<th>Conference vs. House</th>
<th>Conference vs. Senate</th>
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<td>-22,000</td>
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<td>(65,000)</td>
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</table>

CHAPTER 2
DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

Coastal and Ocean activities | 8,000 | 8,000 | +8,000 |
Recissions | -8,000 | -8,000 | -8,000 |

Departmental Management

Emergency Oil and Gas guaranteed loan program (recission) | -114,800 | -114,800 | -114,800 |

RELATED AGENCIES
Small Business Administration

Salaries and expenses | 30,000 | 30,000 | +30,000 |
Recissions | -30,000 | -30,000 | -30,000 |

Business Loans Program Account:

Guaranteed loans subsidy | 22,000 | 22,000 | +22,000 |
Recissions | -22,000 | -22,000 | -22,000 |

Total, chapter 2 (net) | -114,800 | -114,800 | -114,800 |
Appropriations | (60,000) | (60,000) | (-60,000) |
Recissions | (-174,800) | (-174,800) | (-174,800) |

CHAPTER 3
FEDERAL FUNDS

Federal payment to the Chief Financial Officer (by transfer) | 750 | +750 | +750 |

DISTRICT OF COLUMBIA FUNDS
General Fund

Governmental direction and support (incl recission) | (5,150) | (5,150) | (5,150) | (5,150) | (5,150) | (-250) |
Economic development and regulation | (1,685) | (1,685) | (1,685) | (1,685) | (1,685) | (-100) |
Public safety and justice (including recission) | (8,871) | (8,871) | (8,871) | (8,871) | (8,871) | (+101) |
Public education system (by transfer) | (13,000) | (13,000) | (13,000) | (13,000) | (13,000) | (-750) |
Human support services | (28,000) | (28,000) | (28,000) | (28,000) | (28,000) | (-125) |
Public works | (131) | (131) | (131) | (131) | (131) | (+10) |
Workforce investments | (40,500) | (40,500) | (40,500) | (40,500) | (40,500) | (-125) |
Wilson Building | (7,100) | (7,100) | (7,100) | (7,100) | (7,100) | (-75) |

Total, general fund (including transfer) | (104,437) | (105,278) | (104,929) | (104,437) | (104,437) | (-839) |

Enterprise and Other Funds

Water and Sewer Authority and the Washington Aqueduct | (2,151) | (2,151) | (2,151) | (2,151) | (2,151) |

Total, DC Funds (including transfer) | (106,588) | (107,427) | (105,777) | (106,588) | (106,588) | (-336) |

Total, chapter 3 | 750 | +750 | +750 |

CHAPTER 4
DEPARTMENT OF DEFENSE - CIVIL
Department of the Army

Corps of Engineers - Civil

Flood Control, Mississippi River and Tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee | 9,000 | +9,000 | +9,000 |
Emergency appropriations | 18,000 | 18,000 | 18,000 | +18,000 |
Operation and Maintenance, General | 86,500 | 86,500 | 86,500 | +86,500 |
Emergency appropriations | 115,500 | 115,500 | 115,500 | +115,500 |
Flood Control and Coastal Emergencies | 50,000 | 50,000 | 50,000 | +50,000 |
Emergency appropriations | 50,000 | 50,000 | 50,000 | +50,000 |

Total, Corps of Engineers | 50,000 | 183,500 | 50,000 | 145,500 | -38,000 | +85,500 |

DEPARTMENT OF ENERGY

Energy Programs

Non-Defense Environmental Management | 11,400 | 11,400 | 11,400 | +11,400 |
Uranium Facilities Maintenance and Remediation | 16,000 | 16,000 | 16,000 | +16,000 |
Power Marketing Administrations

Construction, Rehabilitation, Operation & Maintenance, Western Area Power Administration | 1,578 | 1,578 | 1,578 | +1,578 |

Total, Department of Energy | 29,400 | 31,528 | 29,400 | 43,528 | +12,000 | +14,128 |
### H.R. 2216 - SUPPLEMENTAL APPROPRIATIONS ACT, 2001 — continued
(Amounts in thousands)

<table>
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<th>Conference vs. Senate</th>
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| Total, chapter 6: |         |          |                      |                       |
| Appropriations:  |         |          |                      |                       |
| Emergency appropriations: |         |          |                      |                       |
| (By transfer) |         |          |                      |                       |
### H.R. 2216 - SUPPLEMENTAL APPROPRIATIONS ACT, 2001 — continued

(Amounts in thousands)

<table>
<thead>
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<th>Supplemental Request</th>
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<th>Senate</th>
<th>Conference</th>
<th>Conference vs. House</th>
<th>Conference vs. Senate</th>
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<td>(161,000)</td>
<td>(161,000)</td>
<td>(161,000)</td>
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<td>(250,000)</td>
<td>(250,000)</td>
<td>(-211,000)</td>
<td>(-211,000)</td>
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### CHAPTER 8

#### LEGISLATIVE BRANCH

Congressional Operations

House of Representatives

Payments to Widows and Heirs of Deceased Members of Congress

| Grant, deceased Members (Stelley, Moakley) | 290 | 290 | +290 |

<table>
<thead>
<tr>
<th>Salaries and Expenses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Members' Representation Allocations, Standing Committees, Special and Select Committees on Appropriations, Allowances and Expenses</td>
</tr>
<tr>
<td>Salaries, Officers and Employees</td>
</tr>
</tbody>
</table>

| Total, House of Representatives | 61,662 | 61,662 | 61,662 | +61,662 |

### Joint Items

Capitol Police Board

| Salaries | 514 | 514 |
| General expenses | 486 | 486 |

Office of Compliance

| Salaries and expenses | 35 | 35 | 35 | 35 |

Government Printing Office

| Congressional Printing and Binding | 9,900 | 11,900 | 9,900 | 9,800 | -2,000 |
| Government Printing Office Revolving Fund | 6,000 | 6,000 | 5,000 | 6,000 |

Library of Congress

| Salaries and expenses | 600 | 600 | +600 |

General Accounting Office

| Salaries and expenses | 2,900 | 2,900 |

| Total, chapter 8 | 80,197 | 80,467 | 15,935 | 79,497 | -1,000 | +63,552 |

### CHAPTER 9

#### DEPARTMENT OF "TRANSPORTATION"

Office of the Secretary

| Rental payments (recission) | -440 | -440 | -440 |

Coast Guard

| Operating Expenses | 92,000 | 92,000 | 92,000 | 92,000 |

| Acquisition, construction, and improvements: |
| Shore facilities & aids to navigation facilities | 4,000 | 4,000 | +4,000 |

| Recission | -12,000 | -12,000 | -12,000 |

| Total, Coast Guard | 82,000 | 92,000 | 92,000 | 84,000 | -8,000 | -12,000 |

Federal Aviation Administration

| Grants-in-aid for airports (Airport and Airway Trust Fund) (recission of contract authorization) | -30,000 | -30,000 | -30,000 |

Emergency highway restoration (Highway Trust Fund)

| Federal-aid highways (Highway Trust Fund) (recissions) | 12,800 | 37,600 | -27,800 | +14,800 |

### RELATED AGENCY

United States-Canada Railroad Commission

| Total, chapter 9 (net) | 92,000 | 92,000 | 92,000 | 92,000 | +5,242 | +14,800 |

| Appropriations | (92,000) | (92,000) | (118,800) | (135,600) | (+33,600) | (+14,800) |

| Recissions | (-30,000) | (-44,000) | (-58,558) | (-26,358) | (-14,258) |

### CHAPTER 10

#### DEPARTMENT OF THE TREASURY

Departmental Offices

| Salaries and Expenses (Winter Olympics security) | 60,601 | 59,956 | 59,956 | +5,956 |

| Tax Rebate Implementation | 115,776 |

Financial Management Service

| Salaries and expenses | 46,576 | 46,576 | 46,576 |
### H.R. 2216 - SUPPLEMENTAL APPROPRIATIONS ACT, 2001 — continued

(Amounts in thousands)

<table>
<thead>
<tr>
<th>Item</th>
<th>Supplemental Request</th>
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<th>Senate</th>
<th>Conference</th>
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<th>Conference vs. Senate</th>
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<td></td>
</tr>
<tr>
<td>Rescission of emergency appropriations</td>
<td>-389,200</td>
<td></td>
<td></td>
<td>+389,200</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total, chapter 11 (net)</strong></td>
<td>976,413</td>
<td>473,156</td>
<td>942,413</td>
<td>822,113</td>
<td>+348,507</td>
<td>-120,300</td>
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<tr>
<td>Rescissions</td>
<td>-114,300</td>
<td></td>
<td></td>
<td>-114,300</td>
<td></td>
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<tr>
<td>Rescission of emergency appropriations</td>
<td>-389,200</td>
<td></td>
<td></td>
<td>+389,200</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total, title II, Other Supplements (net)</strong></td>
<td>1,338,387</td>
<td>1,614,847</td>
<td>1,559,490</td>
<td>1,623,852</td>
<td>+9,005</td>
<td>+64,372</td>
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<tr>
<td><strong>GENERAL PROVISIONS</strong></td>
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<td></td>
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<tr>
<td>U.S. - China Security Review Commission</td>
<td></td>
<td>1,700</td>
<td>1,700</td>
<td>+1,700</td>
<td></td>
<td></td>
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<tr>
<td>Grand total (net)</td>
<td>7,480,187</td>
<td>7,460,699</td>
<td>7,479,880</td>
<td>7,458,620</td>
<td>-1,067</td>
<td>-20,376</td>
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<tr>
<td>Appropriations</td>
<td>(8,066,187)</td>
<td>(8,025,599)</td>
<td>(8,067,680)</td>
<td>(8,028,715)</td>
<td>(+556,118)</td>
<td>(+1,414,035)</td>
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<tr>
<td>Rescissions</td>
<td>(-525,000)</td>
<td>(-1,048,200)</td>
<td>(-1,284,700)</td>
<td>(-1,819,113)</td>
<td>(-770,313)</td>
<td>(-454,413)</td>
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<tr>
<td>Rescissions of emergency appropriations</td>
<td>(-389,200)</td>
<td></td>
<td></td>
<td>+389,200</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Offsets</td>
<td>(-61,000)</td>
<td>(-3,000)</td>
<td>(-3,000)</td>
<td>(-3,000)</td>
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<td></td>
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<tr>
<td>Emergency appropriations</td>
<td>(-473,100)</td>
<td></td>
<td></td>
<td>+473,100</td>
<td></td>
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<tr>
<td>(By transfer)</td>
<td>(19,000)</td>
<td>(19,000)</td>
<td>(24,400)</td>
<td>(20,290)</td>
<td>(+1,250)</td>
<td>(-150)</td>
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<tr>
<td><strong>SCOREKEEPING ADJUSTMENTS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>EPA: State &amp; Tribal Assistance Grants</td>
<td></td>
<td>20,564</td>
<td>20,564</td>
<td>+20,564</td>
<td></td>
<td></td>
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<tr>
<td><strong>Total mandatory and discretionary</strong></td>
<td>7,480,187</td>
<td>7,461,283</td>
<td>7,479,880</td>
<td>7,460,186</td>
<td>-1,067</td>
<td>+206</td>
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<tr>
<td>Mandatory</td>
<td>936,413</td>
<td>936,703</td>
<td>936,413</td>
<td>936,703</td>
<td></td>
<td>+290</td>
</tr>
<tr>
<td>Discretionary</td>
<td>6,543,774</td>
<td>6,544,580</td>
<td>6,543,567</td>
<td>6,543,483</td>
<td>-1,067</td>
<td>-84</td>
</tr>
</tbody>
</table>

**CONGRESSIONAL BUDGET RECAP**

| Scorekeeping adjustments: |                      | 20,564    | 20,564    | +20,564    |                      |                      |
| **Total mandatory and discretionary**              | 7,480,187            | 7,461,283 | 7,479,880 | 7,460,186  | -1,067               | +206                 |
| Mandatory                                          | 936,413              | 936,703   | 936,413   | 936,703    |                      | +290                 |
| Discretionary                                      | 6,543,774            | 6,544,580 | 6,543,567 | 6,543,483  | -1,067               | -84                  |
Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself 8 minutes.

Mr. Speaker, this is certainly a far better bill than we had when it left the House. This is certainly a far more honest bill than was the case when it left the House.

The House will recall that at the time of going to conference we asked the House to consider doing three things in our motion to instruct. The first was to ask the House to drop the rescission of $389 million in previously appropriated disaster money for FEMA. The majority at that time declined to support that motion. But this conference, in fact, did adopt that position, and I think that was the correct position to take.

We also asked the House at that time to provide additional funding for the victims of radiation related sickness, because clearly each of them were in fact the victims of the conduct of their own government. This is an important issue out west. And while, again, the majority did not support the motion to recommit, we are happy that in the end they did provide a recognition that these people are tied to this compensation, and I am happy that the matter was addressed in conference.

We also asked in that motion that the House support direct funding to enable the Department of Agriculture to deal with the threats of foot and mouth disease and mad cow disease. The conferees there did provide $5 million of direct funding and they provided support for $30 million in indirect funding. So I think on those three items certainly this bill is a much better bill than we had when the bill first left the House.

I should make some other points. This bill will have broad bipartisan support, but there are certainly a number of areas where this bill should have acted but chose not to.

I also wish that this bill had been passed faster. Certainly the committees in both Houses moved the bill as quickly as they got it, but the administration chose to withhold their request quickly as they got it, but the administration in both Houses moved the bill as quickly as they could. And I think the work that has been done by our very fine staff on both sides of the aisle has expedited this process.

I really wanted to rise for just a couple of reasons. First, to bring to the attention of our ranking member, the gentleman from Wisconsin (Mr. OBEY), that the last time we were here on the floor with this bill he was suffering from laryngitis and helped us a lot in expediting the process. I want to congratulate him on the progress he has made between now and then.

But I really also wanted to point out one other item to him, and that is that it was not so long ago that it was my privilege to be chairman of the sub-committee that deals with FEMA funding, and the gentleman may recall that this Member certainly did not stand by and allow too much rescission of FEMA funding. Indeed, the challenges of emergencies across the country are an item that I recognize very clearly.

From there, I believe the work of the committee, relative to the amount of money in the bill reflecting the problem of the caps we are dealing with in this budget process, is as far as we can go.

I am very, very pleased with the expression of concern on both sides of the aisle about the need for more adequate funding for our national security. Indeed, bear with me, for as we move towards September, I am certain we are going to be able to have a very healthy discussion about just how far we should go in connection with making sure the troops are taken care of and we are prepared for whatever emergencies might be out there.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. Price).

Mr. PRICE of North Carolina. Mr. Speaker, I yield.

Mr. PRICE of North Carolina (Mr. PRICE). I am particularly glad to see that the conference report does not include any rescissions in FEMA's disaster relief account.

So, in short, this bill has some shortcomings, but I think it is good that the committee moved as fast as it did to finish action on it. I think that we will have broad support on both sides of the aisle. I would urge support of the bill.

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

Mr. YOUNG of Florida. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. LEWIS), who is chairman of the Subcommittee on Appropriations of the Committee on Appropriations.

Mr. LEWIS of California. Mr. Speaker, it is not my intention to take any significant amount of time, for the work that has been done by our very fine staff on both sides of the aisle has expedited this process.

I really wanted to rise for just a couple of reasons. First, to bring to the attention of our ranking member, the gentleman from Wisconsin (Mr. OBEY), that the last time we were here on the floor with this bill he was suffering from laryngitis and helped us a lot in expediting the process. I want to congratulate him on the progress he has made between now and then.

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I am very, very pleased with the expression of concern on both sides of the aisle about the need for more adequate funding for our national security. Indeed, bear with me, for as we move towards September, I am certain we are going to be able to have a very healthy discussion about just how far we should go in connection with making sure the troops are taken care of and we are prepared for whatever emergencies might be out there.
Included in the supplemental is $5 million for the Department of Agriculture’s Animal Plant Health Inspection Service to guard against the threat of foreign animal disease, including foot and mouth disease and mad cow disease. I have expressed serious concern about the threat that many other Members about the devastating impact that these diseases would have on American agriculture should any outbreak occur in this country.

Because of the concentration of livestock in the State of North Carolina, a foot and mouth disease outbreak would be an incredible catastrophe. An outbreak in eastern North Carolina could require the destruction of 2.8 million hogs within a mere 20 mile radius. That number is greater than the amount of animals killed in the entire country of England.

My State has worked hard and continues to be vigilant to prepare for an emergency and, most importantly, prevent it from occurring.

Five million dollars was not the amount that the USDA requested, nor was it the amount that experts in the field felt was adequate. Frankly, I am disappointed that the full $35 million requested for this effort was not agreed to. But now the decision has been made, and we must count on the ability of the Commodity Credit Corporation not only to culture to use funds from the Commodity Credit Corporation for the emergency and, most importantly, prevent an outbreak before it occurs.

Mr. Speaker, I rise in support of the conference report.

Mr. Speaker, I rise in support of the conference report.

As many of my colleagues know, the gentleman from Missouri (Mrs. Emerson) and I have introduced legislation, H.R. 1700, to establish the Global Food for Education program as a permanent program. Over 70 Members of this House have joined us in this bipartisan effort. This conference report ensures that the pilot program can now proceed along a more constructive and productive path.

Mr. Speaker, I want to thank the gentleman from Florida (Mr. Young), the gentleman from Wisconsin (Mr. Obe), the gentleman from Ohio (Ms. Kaptur), and all the other conference members for helping make these funds available. I believe they have made an important contribution to alleviating hunger and increasing education opportunities for millions of the world’s neediest children.

Mr. Speaker, I yield 1 minute to the gentleman from Utah (Mr. Matheson).

Mr. Speaker, I thank the gentleman from Wisconsin (Mr. Obe) for his good work on the bill. In fact, I want to stand up and say how pleased I am that the supplemental does include an effort to compensate folks that have been victims of radiation exposure.

Years ago Congress admitted that there was fault and admitted we need to compensate victims. Yet we have not put up the money. There are people in my region of the country that have letters from the Government right now, IOUs saying, “Well, yeah, you deserve the money, but we don’t have the money.” We have come up now with some money. I am a little disappointed that of the $84 million we were looking for, only $20 million is in this supplemental and now we have got to do something about next year’s budget as well to accommodate that, but it is a step in the right direction. We are going to keep fighting for this. We want to make sure that the people who were inappropriately exposed to harm, and the government has admitted it, be able to make sure those people are adequately compensated. I am pleased that this supplemental takes a step in that direction.

Mr. Speaker, when we have regular appropriations bills on the floor, often times we hear comments about the tremendous work of the staff and the mention of the subcommittee staffs, but I want to take just a few minutes to thank all those who were players in reaching the point that we are at today. While it appears this ended up as a fairly noncontroversial bill, it was not easy to get here. There were a lot of differences between the House and the Senate. It required the work of both Houses to get it to the Senate position and the administration position with FEMA and not going forward with the rescission. These moneys are greatly needed in my district and throughout the greater Houston area and in 29 other counties in Texas. I think we are going to need more money before the fiscal year is over. I think the committee stands ready to deal with that. I just want to commend the chairman and the ranking member for the hard work they did on that.

Mr. Speaker, I yield back the balance of my time.
Ms. HOOLEY of Oregon. Mr. Speaker, I intend to support this legislation. In particular, I am extremely pleased the conference has included $20 million in emergency assistance to farmers in the Klamath River Basin in Oregon and Northern California. The farmers and communities in this area have been devastated by one of the most severe droughts to ever hit the Pacific Northwest. While the federal government doesn’t have any control over the weather, at the very least we should provide emergency aid to alleviate the situation.

That said, one of the more troubling aspects of this legislation is that among the $1.8 billion in spending for the conferees have agreed to take away $178 million from dislocated worker-training funds. With layoffs and unemployment increasing in headlines across the United States—and rising electricity costs threatening to further weigh the already overburdened workers—the decision to slash available funding to dislocated workers just doesn’t make any sense.

The underlying intent of block grants are to give states flexibility in how they spend federal funds. Crisis don’t happen overnight, and it is unrealistic to expect to disburse ever or obligate all of their funds upon the beginning of the program year. In fact, Congress recognized this in the Workforce Investment Act, which explicitly gives individual states three years to expend their unobligated funds—the first year they are appropriated and the two subsequent years.

As such, I bitterly oppose the decision to take funding away from Oregon and other states before they have had the chance to fully implement their employment programs. Currently, I am working with my colleagues Representative Mike CAPUANO from Massachusetts and Representative Jack QUINN from New York to ensure that the Workforce Investment Act receives its full funding in fiscal year 2002, and invite every member of the House to join us.

Mr. UDALL of Colorado. Mr. Speaker, I will support this conference report, because while it is not perfect it is a great improvement over the bill as originally passed by the House last month.

The House bill did include some very good things. It provided for an additional $100 million for essential environmental restoration and waste management at Savannah River, Hanford, and other sites in the DOE complex and for acquisition of additional containers for shipping wastes to the Waste Isolation Pilot Plant. These are important for Colorado, because our ability to have the Rocky Flats site cleaned up and closed by 2006 depends on the ability of other sites in the complex to play their roles in that process. So, I was—and remain—pleased the conferees committee has responded to these needs. Similarly, the House bill’s additional $300 million for low-income housing energy assistance will enable that important program to provide much needed assistance this year, even if it will not meet all our needs.

But for me all the good things in the bill were outweighed by one glaring omission—the total absence of any funds to pay fully approved claims under the Radiation Exposure Compensation Act, or “RECA.” RECA provides for payments to individuals who contracted certain cancers and other serious diseases because of exposure to radiation released during above-ground nuclear weapons tests or as a result of their exposure to radiation during employment in underground nuclear facilities. Some of these claims are covered by RECA, as are hundreds of other Coloradans and residents of New Mexico and other states.

Last year, the Congress amended RECA to cover more people and to make other important modifications. I supported it. But there was one needed change that was not made—we did not make the payments automatic. Unless and until we make that change, the RECA payments can only be made when Congress appropriates money for that purpose.

And the undeniable fact is that we in the Congress have not appropriated enough money to pay everyone who is entitled to be paid under RECA. As a result, people who should be getting checks are instead getting letters from the Justice Department. Those letters—IOUs, you could call them—that payments must await further appropriations. What they mean is that we in the Congress have failed to meet a solemn obligation. We failed to meet it when we passed the regular appropriations bill for the Justice Department and as the bill passed the House originally, it again failed to meet that obligation.

So, I am very glad that the conference report provides for $84 million for paying these claims. I understand that the way that has been scored could mean that not all that amount will be paid before October. I hope that the Administration will do all that is needed to assure that payments are made as soon as possible, because these people have already waited too long as it is.

Of course, this conference report is only a stopgap resolution of the bigger problem with RECA. We need to do more.

We should change the law so that future RECA payments will not depend on annual appropriations, but instead will be paid automatically in the way that we now have provided for payments under new reauthorisation program for certain nuclear-weapons workers made sick by exposure to radiation, beryllium, and other hazards. I have joined in sponsoring legislation to make that change. But, meanwhile, I urge approval of the conference report.

Mr. YOUNG of Florida. Mr. Speaker, I yield back the balance of my time.
The SPEAKER pro tempore (Mr. HANSEN). Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 375, nays 30, not voting 28, as follows:

(Roll No. 256)

**YEAS—375**

Abercrombie  DeGette  Issa
Ackerman  Delahunt  Jackson (IL)
Aderholt  DeLauro  Jackson-Lee
Akin  DeMint  (TX)
Allen  Deutch  Jefferson
Andrews  Diaz-Balart  Jenkins
Baca  Dingell  Johnson (CT)
Bachus  Dingell  Johnson (MI)
Balanced  Doyle  Jones (NC)
Baldwin  Dunn  Jones (OH)
Ballenger  Edwards  Kansansky
Barr  Emerson  Kaptur
Beauch  English  Kelly
Beccerra  Essex  Kennedy (MN)
Bereuter  Evans  Kennedy (RI)
Berkley  Everett  Keras
Berman  Farr  Kildee
Berry  Ferguson  Kilpatrick
Biggert  Fletcher  King (NY)
Billings  Foley  Kingston
Bishop  Forbes  Kirk
Blagoevich  Ford  Kno llenberg
Blunt  Fossella  Koli
Boehlert  Frelinghuysen  LaFalce
Boozh  Frost  LaHood
Bonilla  Galey  Largent
Boren  Ganske  Langer
Bono  Geback  Lantos
Borah  Gerhardt  Larpert
Bowser  Gibbons  Larson (WA)
Boucher  Gilchrest  Larson (CT)
Boyle  Gillmor  Latham
Brady (PA)  Gilman  LaTourette
Brady (TX)  Gonzales  Leach
Brown (OH)  Goodlatte  Lewis (CA)
Brown (SC)  Goodloe  Lewis (KY)
Burke  Graham  Lindner
Buyer  Granger  LoBiondo
Calhoun  Green (TX)  Logon
Calvert  Green (MD)  Lowery
Camp  Greenwood  Lucas (OK)
Cannon  Gruceri  Luther
Capuano  Gattamesh  Maloney (NY)
Capito  Gattamesh  Maloney (NY)
Capp  Hall (OH)  Manzullo
Cappano  Hall (TX)  Marko
Cardin  Hansen  Masca
Carson (OK)  Hart  Maten
Castle  Hastings (FL)  McCarthy (NY)
Chambliss  Hastings (WA)  McCarthy (NY)
Clay  Hayes  McCollom
Clayton  Hayworth  McDermott
Clement  Hefley  McGovern
Clyburn  Hefley  McCl人民服务
Collins  Hefley  McCl人民服务
Combett  Hilliard  McKeon
Conditt  Hincheny  McNulty
Cooksey  Hinopos  Meek (FL)
Costello  Hobson  Meeks (NY)
Coyle  Lo Bianco  Mendendez
Cramer  Holt  Mica
Crenshaw  Honda  Millender-
Crowley  Hopen  Millender-
Cubin  Horn  Miller, Gary
Cullerson  Hostetler  Miller, George
Cummings  Houghton  Mink
Cunningham  Hoyer  Mohoian
Davis (CA)  Hunter  Moran (KS)
Davis (FL)  Hutchinson  Moran (WA)
Davis (IL)  Hyde  Morelia
Davis, Jo Ann  Inlee  Martha
Davis, Tom  Jackson  Myrick
Deal  Israeli  Nadler
Napolitano  Rogers (KY)
Neal  Rogers (MI)
Nethercutt  Rohrabacher
New  Ros-Lehtinen
Northrup  Rothman
Norwood  Roybal-Alliard
O'Leary  Rush
Orr  Ryan (WI)
Osborne  Ryan (KS)
Sabo  Sawyer
Ostler  Sandlin
Oxley  Sauerbrey
Palone  Saxton
Pascarell  Schakowsky
Pastor  Schiff
Pelosi  Schrock
Pence  Scott
Peterson (MN)  Serrano
Peterson (PA)  Sessions
Phillips  Shaw
Pickering  Sherman
Pitts  Sherwood
Plata  Shimkus
Pomeroy  Simmons
Portman  Simpson
Putin  Smith (NJ)
Radnich  Smith (TX)
Rahall  Smith (WA)
Ramstad  Solis
Rangel  Souder
Rehberg  Stearns
Reyes  Stearns
Reynolds  Stenholm
Rivers  Strickland
Rodriguez  Sununu

**NAYS—30**

Army  Roettka
Barrett  Rodrigues
Barton  Rockefeller
Chabot  Kennin
Cuny  Lee
DeFazio  Paul
Duncan  Petri
Ehlers  Roemer
Flake  Royce
Frank  Sanders
Francisco  Sweeney

**NOT VOTING—28**

Baucus  Brown  (FL)
Bereuter  Brown (OH)
Borum  Brady (PA)
Brady (TX)  Brooks
Brown (OH)  Brown (OK)
Brown (SC)  Brown (NJ)
Burkett  Burton
Burr  Burton
Buyer  Broun
Calhoun  Carino
Camp  Carnahan
Cannon  Carper
Capuano  Carter (NY)
Cappo  Carter (PA)
Cardin  Carte
Carson (OK)  Carter (TX)
Castle  Castle
Chambliss  Chabot
Clay  Cart
Clayton  Cart
Clement  Chaffetz
Clyburn  Chaffetz
Collins  Cicilline
Combett  Chabot
Conditt  Chabot
Cooksey  Cicilline
Costello  Columbus
Cox  Coyle
Coyle  Coyle
Cramer  Crenshaw
Crowley  Crowley
Cubin  Crowley
Davis (CA)  Davis (FL)
Davis (IL)  Davis (NJ)
Davis, Jo Ann  Davis, Tom
Deal  Delahunt

**1010**

Mr. STARK and Mr. KUCINICH changed their vote from "yea" to "nay."

So the conference report was agreed to as above recorded.

The result of the vote was announced as follows.

A motion to reconsider was laid on the table:

Stated for:

Mr. BURTON of Indiana. On July 20, 2001, due to a family commitment, I was unavailable for rollcall vote No. 256. Had I been here I would have voted "aye."

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 256, I was carrying out official duties in my district and missed this vote. Had I been present, I would have voted "nay."

**LEGISLATIVE PROGRAM**

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

Mr. BONIO. Speaker, I rise for the purpose of inquiring of the gentleman from Texas (Mr. ARMY), the majority leader, the schedule for the remainder of the week and for next week.

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

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

Mr. ARMY. Mr. Speaker, I am pleased to announce that the House has completed its legislative business for the week.

The House will meet for legislative business on Monday, July 23, at 12:30 p.m. for morning hour and 2 o'clock p.m. for legislative business. The House will consider a number of measures under suspension of the rules, a list of which will be distributed to Members' offices later today. On Monday, no recorded votes are expected before 6 o'clock p.m.

On Tuesday and the balance of the week, the House will consider the following measures, and we will complete consideration of H.R. 2506, the Foreign Operations Appropriations Act; H.J. Res. 55, concerning trade relations with respect to Vietnam; the Treasury and Postal Appropriations Act; and the Patients' Bill of Rights. And, Mr. Speaker, we will also consider legislation for Veterans Affairs, Housing, Urban Development and Independent Agencies Appropriations Act.

Members should understand that this is going to be another busy week, and we should expect some late evenings next week.

Mr. Speaker, I thank the gentleman for yielding.

Mr. BONIO. Mr. Speaker, I might ask my colleague, when does he expect the Patients' Bill of Rights Bill to come up next week?

Mr. ARMY. Mr. Speaker, if the gentleman will yield, I thank the gentleman for the inquiry. I would expect us to see that bill on the floor on Thursday of next week, probably late in the day.

Mr. BONIO. Mr. Speaker, how about the energy bill? When can we expect to see the energy bill?

Mr. BONIO. Mr. Speaker, if the gentleman will again yield, I think the committees have completed their work on that. We will probably work with the Committee on Rules and the other committees on that, and we expect it to be following next week.

Mr. BONIO. Mr. Speaker, is Fast Track coming up before the recess, and does the gentleman expect a markup in the Committee on Ways and Means next week on Fast Track?

Mr. ARMY. Mr. Speaker, if the gentleman will continue to yield, I do expect that markup to take place; and we do anticipate that being on the floor before we retire for the August recess.

July 20, 2001

CONGRESSIONAL RECORD—HOUSE

H4367
Mr. BONIOR. Finally, I would ask my colleague from Texas if he has any plans, or if the leadership has discussed, bringing up the railroad retirement bill to the floor. As the gentleman may recall, it had very strong bipartisan support in the previous Congress.

Mr. ARMLEY. Mr. Speaker, I thank the gentleman for asking, and I thank the gentleman for continuing to yield.

Mr. Speaker, the Railroad Retirement Act that the gentleman from Michigan asked about is important legislation; and we have had extensive discussions about it in our leadership meetings and in our planning meetings. While I am confident that we will have this bill under consideration before we complete our work for the year, we have no immediate plans for its schedule.

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

ADJOURNMENT TO MONDAY, JULY 23, 2001

Mr. ARMLEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

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

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

There was no objection.

ON THE DEATH OF FORMER WASHINGTON POST PUBLISHER KATHARINE GRAHAM

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

Mrs. MORELLA of Maryland, former publisher of The Washington Post, died at age 82.

Mrs. MORELLA. Mr. Speaker, the city of Washington, the Nation, and the people around the world who appreciate an independent and vigorous free press lost a true pioneer this week when Katharine Graham, former publisher of The Washington Post, died at age 82.

Much has been said over the past 3 days in praise of Katharine Graham. It is appropriate that we in Congress honor her passing, as well. But just as her legacy remains evident in the pages of the newspaper she dedicated her life to, her mark will long stand in the corridors of Congress and in the neighborhoods of the District of Columbia, her beloved hometown.

Actually, she avoided the glare of celebrity status so often, but her listed charitable works, particularly in the realms of education and of the arts, helping to build a student center at Gallaudet University, giving an FM radio station to Howard University, helping to fund a 23 auditorium for the Freer Gallery, establishing day care centers in otherwise neglected parts of the District of Columbia, and strongly supporting the Shakespeare Theater, and the arts, to name just a few, is long and impressive.

She proved, first by her actions and then in her own words, that a woman could be a mother, a leader of industry, a friend, a philanthropist, and an artist, and all at the same time.

Quite simply, Katharine Graham made The Washington Post what it is today: a wildly successful business and a powerful check on those of us in government. Her leadership enabled Kay Graham to evolve into the woman, the philanthropist, the pioneer, whom we honor today.

Her legacy remains, but Washington will not be the same without Kay Graham the person. She will be sorely missed.

AMERICA NEEDS A BALANCED APPROACH TO ENERGY DEVELOPMENT, INCLUDING SEEKING ALTERNATIVE ENERGY SOURCES

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

Mr. BARTLETT of Maryland. Mr. Speaker, the United States has about 2 percent of the known reserves of oil in the world. We use 25 percent of the world’s oil, and we now import 56 percent of the oil that we use. This is up from 34 percent that we imported at the time of the Arab oil embargo.

Since 1970, except for a short blip produced by Prudhoe Bay, every year in the United States we have found less oil and pumped less oil.

Mr. Speaker, it does not make good sense to me that if we have only 2 percent of the known reserves of oil in the world, that we should rush out and find it and pump it. If we were able to do that tomorrow, what would we do the day after tomorrow?

Mr. Speaker, we need a balanced approach, which means we need to rely very heavily on alternatives, and we need to start moving in that direction.

VOTE FOR EXPANSION OF MEDICAL SAVINGS ACCOUNTS TO HELP THE WORKING UNINSURED

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, with all this talk about a patients’ bill of rights, the most important thing we should talk about, I think, is the working uninsured, those who have gone without, because none of these rights mean a thing if one does not have health insurance.

I want to help the 43 million uninsured Americans, primarily small-business owners, their families, their employees, their loved ones, help them join health ranks of the insured. The goal of a patients’ bill of rights should be to help these people. These are the people who need access to affordable health care.

One good way to do that is to expand the Medical Savings Accounts, or MSAs. Medical Savings Accounts help people get the care they need from the doctor they choose.

The GOP House bill, the Fletcher bill, is the only bill that totally opens up Medical Savings Accounts. Vote to increase the number of insured. Vote for our bill. It is the right thing to do.

SPECIAL ORDERS

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

(Mr. BARTLETT of Maryland addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

(Mr. BROWN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

(Mrs. MORELLA addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

FAST TRACK LEGISLATION SHOULD BE DEFEATED IN CONGRESS AGAIN THIS YEAR

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, the Department of Labor recently reported a very conservative estimate that NAFTA alone has been responsible for the loss of more than 300,000 jobs. Other estimates have shown NAFTA job losses at upwards of 1 million jobs.
While our trade agreements go to great lengths to protect investors and to protect property rights, these agreements do not typically include enforceable provisions to protect workers, either in the United States or around the world. Yet, the Bush administration would have the Congress condone the corporatocentric process that has resulted in tried agreements like NAFTA.

In the global marketplace, labor and environmental concerns in the developing world are never on the list of corporate priorities. CEOs of multinational corporations tell us that allowing globalization will stimulate development and allow nations to improve their labor and environmental records. They say interaction with the developing world will spread democracy.

But as we engage with developing countries in trade and investment, democratic countries of the developing world are forced to subsist with more authoritarian regimes. Democratic nations such as India are losing out to more totalitarian governments such as China. Democratic nations such as Taiwan lose out to authoritarian nations such as Indonesia, where profits come before any kind of environmental regulations or human rights.

In manufacturing goods, for example, developing democracies' share of developing country exports fell 22 percentage points, from 57 percent to 35 percent. Corporations relocate their manufacturing bases to countries with more authoritarian regimes where even the most minimal labor, environment, and human rights standards do not exist.

Western corporations want to invest in countries that have poor environmental standards, have below-poverty wages, have no labor rights, and no opportunity to bargain collectively. As American investment moves abroad, American working families lose out.

Now President Bush says he will be asking for fast track authority that puts corporate interests before working American families. Future trade deals with a take-it-or-leave-it approach would only add to the long line of ill-conceived trade policies.

Flawed trade policies cost American jobs, put downward pressure on U.S. wages, and U.S. working conditions, and erode the ability of governments to protect public health and protect the environment.

In 1998, under the leadership of progressive Members of this body, fast track was defeated in Congress overwhelmingly, 243 to 180. Fast track should be defeated in Congress again this year. More and more Members of Congress are joining the ranks calling for trade agreements that respond to the social ramifications of a global economy.

We need to press for a U.S. trade policy, Mr. Speaker, that is good for American families.

BIRTHDAY OF A CUBAN HERO

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

Mr. DIAZ-BALART. Mr. Speaker, today is the 40th birthday of a brave human rights activist and democracy leader, Dr. Perla Biscet. Biscet, who at this moment finds himself serving a prison sentence in a Cuban gulag for peacefully protesting for democracy in Cuba, after being taken before a farce of a trial in Havana on February 25 of last year.

Dr. Biscet was born in Havana on July 20, 1961. In 1985, he obtained a degree in medicine, and late in that decade he began to openly oppose the totalitarian regime that oppresses the Cuban people.

In 1997, Dr. Biscet was one of the founders of the Lawton Foundation for Human Rights, a humanitarian organization created to demand fundamental human rights from the Cuban totalitarian regime.

In February of 1998, Dr. Biscet was officially expelled from the Cuban health system and he was prohibited from practicing medicine. That same year, he and his family were thrown out of their home and his wife was fired from her employment due to her pro-human rights activities. Both of them, in fact, were forced to depend on the charity of their friends and of those who wished to see Cuba free.

On October 2, 1999, Dr. Biscet held a press conference before the Ibero-American Summit began in Havana. During the press conference, along with other pro-democracy activists, Dr. Biscet announced that they would carry out a march calling for the release of all political prisoners and for the respect of the human rights of the Cuban people.

During the press conference, two Cuban flags were exhibited upside down as a symbol of protest for the innumerable human rights violations that the regime commits continuously.

On November 3 of 1999, just a few days later, Dr. Biscet was arrested and taken to a dungeon known as “Cien y Alabado”, where he was thrown into a cell with common criminals for the alleged crimes of ''abuse of national symbols, public disorder, and inciting delinquency.”

Dr. Biscet represents the noblest aspirations of the Cuban people. His efforts as founder and leader of the Lawton Foundation for Human Rights have won him the respect and admiration of human rights activists throughout the world, and have inspired many to continue the struggle for freedom in Cuba.

The Castro tyranny, fearful of the effectiveness of Dr. Biscet's message, has arrested him more than two dozen times in the last few years. It has fired his job, thrown him out of his house, he has been subjected to psychiatric examinations, and has been constantly pressured by the regime to leave the island, something that he refuses to do.

Before being sentenced at his farcical trial, Dr. Biscet asked all Cubans, those living in the oppression on the island and those in exile, and all others throughout the world who support freedom for Cuba, to unite in prayer for the freedom of all political prisoners and of all the Cuban people. From his cell, he has remained firm in his principles and has asked the international community to demand justice for the people of Cuba.

It is most appropriate that as we send our message of solidarity to Dr. Biscet today on his birthday, we commit ourselves to working with all devotion and dedication so that freedom-loving individuals like Dr. Biscet do not have to spend their precious lives in the isolation and inhuman conditions of totalitarian dungeons.

There is a program that has been set up to try to help Cuban political prisoners by having families in the United States adopt, if you will, the family of a Cuban political prisoner for at least a year.

A well-known pro-democracy activist, Vicki Ruiz-Labrit, is coordinating the program. They have a phone number. We all should help. It is 305-461-6700. We should all help by adopting the family of a Cuban political prisoner, and in that way, helping the most suffering, those who suffer the most in the totalitarian island just a few miles from our shores.

Dr. Biscet, on your birthday, inside your prison cell I know that you cannot now hear my words, but I salute you and express my profound admiration for you, and through you, for all Cuban political prisoners.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair must remind all Members that remarks in debate should be addressed to the Chair and not to others.

FEMA FUNDING

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, just a few minutes ago we voted on the emergency supplemental appropriations; and I voted yes, partly of course to acknowledge the fact that the debate we had a couple of weeks ago had been vindicated. That debate was over whether or not FEMA was running out of money or whether or not they could stand a $329 million cut in their budget.

Consolidating the diversity in topography of this Nation and the weather of this Nation, we realize that those of us in the southern region are now in the
hurricane season, from the month of June through at least September or October. Throughout the Nation, because of the differences in weather and, of course, the potential of global warming, we have had erratic weather activities.

We, in Houston, a couple of weeks ago, experienced that with Tropical Storm Allison with the fall of 36 inches of rain that fell in our area in a 24-hour period. That caused an enormous amount of damage, some 5,000 homes damaged by water to the roof levels, that many of our residential areas, and a whole litany of damage that was not expected.

For example, we noted that the medical center, one of the prized medical centers of this Nation, suffered about $2 billion in damage, and that number is growing. In touring that site, we saw the enormous impact in research, in hospital beds, in emergency facilities that it all lost.

Additionally, in the 18th Congressional District, which I represent, St. Joseph’s Hospital, which is a pivotal hospital in the downtown community, the downtown business community, with thousands and thousands of employees, the downtown three emergency trauma center, which is still not open. In a tour that I took this last week, 154 patient beds were lost, as was their kitchen facilities, able to serve not only patients but employees, and, as I indicated, not only their emergency trauma unit, which leaves the downtown business community without a nearby trauma unit for emergency purposes, but also research and other laboratory facilities. Gone.

In addition to the medical centers of St. Joseph Hospital, we have found that the academic institutions, which are about to start to be opened, and the secondary schools in our public school systems, have been damaged. And, in addition, major damage has confronted our universities.

I toured the University of Houston. At that time they thought their damage was about $100 million. Now it is rising to $250 million, and insurance is way under $100 million. In looking at that damage, I noted precious resources, such as books, research facilities, school classrooms, equipment, and teacher offices were damaged.

Texas Southern University, which is about its mitigation process, likewise has an enormous amount of damage in their law library as well as the various buildings that have been impacted by the damage, mostly in the basement levels.

Mr. Speaker, I raise these issues because I think it would be foolish for this House to debate and play around with the needs of the American citizens. Houston may not be the only place that will suffer some sort of weather damage and some sort of catastrophe, but it warrants the intervention of FEMA. Right now, my district has a number of FEMA representatives and offices around the community trying to work with those who have been devastated not only physically and property-wise but also psychologically.

I was appalled that we would stand on the floor of the House and actually debate cutting FEMA. My understanding is that we are trying to submit supplemental dollars into the VA-HUD bill for FEMA. And that is not only for Houston, Texas, but may be for other disasters that we certainly do not wish for but may happen. But the dilemma is the administration has not seen the need to stand up and request the dollars, to work with us in Congress to acknowledge that their funds are depleted.

I recall very vividly when we were on the floor debating and arguing against cutting FEMA that I had an amendment to add those monies back in, and we were then being told that FEMA had $1 billion in its account. Twenty-four hours after that debate, we were told that, in actuality, they only had $178 million, and, in fact, even 24 hours later maybe that would be gone. We in Texas had to request that our matching dollars be lessened to 10 percent and that FEMA would pay up to 90 percent.

We are now in the midst of trying to rebuild lives. In fact, our local community agencies have come together to give washing machines and refrigerators and other necessities. In addition, I have been able to secure matching monies totaling $4 million from one of our utility companies. Reily, to be able to add dollars for people who have been displaced because of the damage, and also compounded by the enormous heat that we face in Houston.

This is time now, Mr. Speaker, for us to gather together, to take the smoke and mirrors away, to stand on the floor of the House and work for the monies for FEMA, but as well for the administration to be able to stand up and request these dollars so that all America can be protected in the time of disaster.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate had passed a bill of the following title in which the concur-
ence of the House is requested.
S. 180. An act to faciliate famine relief ef-
forts and a comprehensive solution to the war in Sudan.

PAYING RESPECT TO SERGEANT STARNES

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

Mr. KERNS. Mr. Speaker, last weekend, we laid to rest an officer killed in the line of duty in Martinsville, Indiana, who was shot in the head, and was served with his country. His name was Serjeant Starnes. Sergeant Starnes was more than just a peace officer. It is through their commitment to serve and protect us that we have peace of mind and a sense of security.

Sergeant Starnes was more than just a peace officer. He was a husband and a father and a friend to so many, and his loss weighs heavy on us all.

Over this past weekend, thousands of law enforcement officers from across Indiana and our great Nation turned out to honor Sergeant Starnes. And while his death has shocked people in Martinsville and throughout Indiana, it has also brought the community together in an outpouring of support and love for the Starnes family and those in law enforcement who put their lives on the line each day.

During the funeral procession through town, people lined the streets with either their head bowed, their hand over their heart, or flying an American flag to pay respect. During such a difficult time, it was uplifting to know that the community cared and demonstrated its respect.

Today, our thoughts and prayers are with the Starnes family, the Morgan County Sheriff’s Department, and the entire Morgan County community for their loss. While words alone may not console Sergeant Starnes’ family and friends, I hope that the knowledge that he is now with Our Father in heaven gives us some comfort and gives them comfort as well.

During times like these, it is only natural to ask why, why do we have to lose such an outstanding person and an officer? While I cannot begin to answer such questions, I can only say that I find collective strength in my faith, and I pray that God grants the Starnes family and their friends both comfort and strength during this time of mourning.

DEBT RELIEF

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

Ms. WATERS. Mr. Speaker, this coming weekend, from July 20 to July 22, President George W. Bush will be meeting with the heads of government at the G-8 Summit in Genoa, Italy, to discuss international economic issues. I urge the President to support the comprehensive solution to this most pressing issue: that the world’s poorest countries owe the International Monetary Fund and the World Bank.
The Enhanced Heavily Indebted Poor Countries Initiative, referred to as HIPC, was developed in 1999 to provide debt relief to the world’s poorest countries. The HIPC Initiative requires countries to invest the savings from debt relief in HIV/AIDS treatment and prevention, health care, education, and poverty reduction programs.

Unfortunately, the IMF and the World Bank have not provided their fair share to make debt relief a reality for poor countries and their people. Most of these countries are still spending more money on debt payments than they are on health care.

Zambia is a deeply impoverished country with a per capita income of only $330. The infant mortality rate exceeds 1 percent of the population is infected with the AIDS virus and 650,000 children have been orphaned by AIDS. Zambia has also been ravaged by the HIV/AIDS pandemic. Almost 10 percent of the population is infected with the AIDS virus and 650,000 children have been orphaned by AIDS. Zambia has also been ravaged by the HIV/AIDS pandemic. Almost 10 percent of the population is infected with the AIDS virus and 650,000 children have been orphaned by AIDS.

On April 26, 2001, I introduced H.R. 1642, the Debt Cancellation for the New Millennium Initiative. This bill would require the IMF and the World Bank to provide complete cancellation of 100 percent of the debts owed to them by all 32 impoverished countries that are expected to qualify for the HIPC Initiative. The bill would also allow three additional impoverished countries, Bangladesh, Haiti, and Nigeria, to participate in the HIPC Initiative. Furthermore, the bill would prohibit the imposition of user fees for education and health care and the use of debt relief to wipe out the debts of wealthy nations.

The IMF and the World Bank have sufficient resources to completely wipe away poor countries’ debts. It is time for the IMF and the World Bank to do their share to make debt relief a reality for poor countries and their people. It is time for the IMF and the World Bank to allow these countries to invest their resources in health, education, and the elimination of poverty.

I urge President Bush and the world leaders who attend the G-8 summit to tell the IMF and the World Bank to completely cancel 100 percent of the debts of the world’s most impoverished countries once and for all.

ELECTION REFORM

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

Ms. WATSON of California. Mr. Speaker, it has now been almost 9 months since the election fiasco of the year 2000, and for 9 months America’s leaders have talked about election reform, but little has been done.

This week yet another report was released detailing the breakdown of our voting process in America. A joint study by CalTech and MIT found that 4 to 6 million Americans lost their right to vote because of outdated or faulty voting equipment and processes.

This might come as a shock to some people, but it should not. Last week my colleagues and I on the House Committee on Government Reform released another study detailing the same problem. Too many Americans are forced to use outdated or faulty voting equipment and too many of these faulty machines are concentrated in the communities of the poor and minority voters.

Mr. Speaker, we have had 9 months of study, 9 months of research, months of reports. Now the American people want and deserve action. Mr. Speaker, please make election reform the number one priority of this House in time to make real lasting changes before next year’s election.

BRINGING SOCIAL SECURITY INTO THE 21ST CENTURY

The SPEAKER pro tempore (Mr. KEEN). Under a previous order of the House, Mr. DeFAZIO is recognized for 5 minutes.

Mr. DeFAZIO. Mr. Speaker, today the scare tactics began. A year ago today we had in hand a Social Security Trustees’ report that was actually kind of optimistic. Things were looking up for the system. The day in which it would not be able to pay 100 percent of benefits was put off until the year 2039. That is, Social Security had in hand, under conservative estimates, enough money in the Social Security Trust Fund to pay 75 percent of the benefits of working people, not the wealthy, because they do not pay any income tax. The day in which it would not be able to pay 100 percent of benefits was put off until the year 2039. That is, Social Security had in hand, under conservative estimates, enough money in the Social Security Trust Fund to pay 75 percent of the benefits of working people, not the wealthy, because they do not pay any income tax.

Mr. Speaker, it was time for us to take another look at the Social Security Trust Fund and see what we can do to extend the solvent date. We did that and I introduced legislation (H.R. 1045) to extend the date.

Mr. Speaker, as it stands today, the Social Security Trust Fund is solvent until the year 2042. If we do nothing, it will be insolvent in 2046. That is why I am introducing legislation to extend the date.

No question. After that, with no changes, under pessimistic assumptions, it would only be able to pay 73 percent of the benefits. But here comes the Bush administration and the so-called Bipartisan Commission on Social Security loaded with people who have been trying to destroy the system, including, sadly, a couple of Members of the House and Senate who are ostensibly Democrats for more than a quarter of a century. They are doing the work of Wall Street.

Wall Street cannot wait to mandate that individuals put money into individual accounts. When they can charge 250 million people a little bit of money to maintain accounts, they make tens of billions of dollars. Guess where the tens of billions of dollars comes from? It comes from future benefits that people would have realized under the current system.

This document is extraordinary in that it echoes Treasury Secretary O’Neill. It says that the United States government might not honor the trillions of dollars of obligations it has in special bonds to the Social Security Trust Fund. They are saying the crisis starts the day Social Security has to begin drawing on the funds, the savings we have put aside for our retirement.

This document is extraordinary in that it echoes Treasury Secretary O’Neill. It says that the United States government might not honor the trillions of dollars of obligations it has in special bonds to the Social Security Trust Fund. They are saying the crisis starts the day Social Security has to begin drawing on the funds, the savings we have put aside for our retirement.

Mr. Speaker, this is an unbelievable distortion of the facts. There is a simple solution to the Social Security problem, but we will not hear it from this administration or Secretary O’Neill who is worth hundreds of millions of dollars, or President Bush who is worth tens of millions of dollars, because it would require that they pay the same amount as every other American. They would rather talk about defaulting on the obligations of the Federal Treasury to honor Social Security Trust Funds than talk about the easiest way to solve this problem: Make every American pay the same amount of Social Security tax on every dollar they earn. They consider that a radical proposal.

If that one simple step were taken, if we lifted that cap, if people who earned over $80,000, that small percentage of the people, if they paid in the same Social Security tax that a minimum wage earner pays, a flat tax, I hear from the other side of the aisle, give us a flat tax, that individual would give them the same obligation to pay as working people.

If we took that one step, Social Security under current assumptions would
be solvent forever; and, in fact, there would be so much money flowing into Social Security that we could give a tax break to working Americans. We could say you do not have to pay any Social Security tax on the first $4,000 or $5,000 of income, a big tax break to minimum wage people and others at the lower end of the spectrum.

Mr. Speaker, all we have to do to secure the future of Social Security is just say, hey, the Bill Gates of the world, all of those other people earning hundreds of millions of dollars, the head of Enron, the company which is ripping off ratepayers by manipulating energy prices, he got $123 million in stock options this year. If he paid Social Security taxes on that, on $123 million, tens of thousands of Americans would be assured that their retirement would be made good.

The scare tactics have begun, and the American people are not going to stand for it.

THE SPREAD OF GAMBLING

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

Mr. WOLF. Mr. Speaker: 2 weeks ago The Washington Post did a front page story about how the gambling industry targets one of our Nation's most vulnerable groups, our senior citizen population.

According to the article, it says, "Casinos are trying harder than ever to attract retirees. Some are dispatching buses to senior centers or vans to trailer parks and timing their offers for free rides to coincide with the arrival of Social Security checks."

The gambling industry goes to great lengths to prey on our Nation's most vulnerable groups, the young, the poor, and perhaps most frequently the elderly. A study recently revealed over one-half of all senior citizens had gambled recently. This is more than double the rate of one generation ago.

The gambling industry targets this audience because they have two attractive attributes: time and money. Often those who are lonely become quickly addicted. It is not long before the marketing strategy succeeds as gambling eats up seniors' life savings and Social Security checks.

Mr. Speaker, while I was saddened to read this story, I was not surprised. I am not surprised because very few are actually speaking out against the spread of gambling. I am not surprised because very few of our political leaders have spoken out. I am not surprised because most religious leaders have not spoken out. I am not surprised because most advocates for the poor have not spoken out. I am not surprised because most traditional advocates for the elderly have not spoken out. Saddened, yes; but surprised, no.

Only 30 years ago gambling was illegal in most States and was generally considered to be a vice contrary to the American work ethic. Let me say that one more time. Only 30 years ago gambling was illegal in most States and was generally considered to be a vice contrary to the American work ethic.

Mr. Speaker, 2 weeks ago the gambling industry traveled to Nevada for cameo play, and States had not yet plunged into the lottery mania. Today the lottery is played in 37 States, plus the District of Columbia. All but three States have legalized some form of gambling. Gambling expansion jumped from $1 billion in 1980 to well over $50 billion today. That means that Americans lose on average over $137 million every day. Americans lose on an average $137 million every day a year from gambling.

What has the spread of gambling meant for the country? First, gambling comes with a high social cost. Some 15.4 million Americans already suffer from problem and pathological gambling, also called gambling addiction, which is often devastating to the individual and his or her family.

The National Academy of Sciences found that pathological gamblers engage in destructive behaviors. They tend to lose control of their gambling, relational problems with family and friends, and they kill themselves. Pathological gambling is defined by the American Psychiatric Association as an impulse control disorder with symptoms similar to those of drug and alcohol addiction. The gambling addict experiences tolerances, needing more gambling, withdrawal from trying to stop, a loss of control and cannot stop even after trying, and often lying and illegal acts such as stealing to support the habit.

The effects of this addiction are wide-ranging and often impact many who are not involved with gambling. It is not unusual for a gambling addict to end up in bankruptcy with a broken family facing criminal charges from his or her employer.

Youth introduced to gambling are particularly at a high risk for gambling addiction. Over half of those with problem gambling disorders, 7.9 million, are adolescents. For instance, a Louisiana survey of 12,000 adolescents found that 10 percent had bet on horse racing, and 25 percent had played video poker.

Adolescents are more likely to become problem or pathological gamblers since they are more vulnerable to risk-taking behavior. According to the National Gambling Impact Study, a study which Congress created and which released its report in 1999, adolescent gambling is associated with alcohol and drug use, truancy, low grades, and problematic gambling in parents and illegal activities to finance gambling.

This has led to tragic outcomes. One 16-year-old boy attempted suicide after losing $6,000 on lottery tickets. There is a tremendous need for prevention, research and treatment for gambling addiction. Unfortunately, all three are in short supply. A person who needs treatment is likely to find there is little available and what is available is not covered by insurance.

How quickly can addiction develop? Story after story recounts the heartbreak.

Consider the story of Debbie. She and her husband visited a new casino built near them in Blackhawk, Colorado. The novelty soon wore off, but her husband started going four or five nights a week. Within 3 months of their first visit Debbie learned he would have to file for bankruptcy. Her husband had lost close to $40,000. This did not stop her husband from gambling, and eventually they divorced. So much for family values. She said, “The husband I divorced was not the husband I married. He is a total stranger to me. He became a liar, a cheat. He engaged in criminal, illegal activities.”

Gambling has negative economic impacts. Revenues are drained from local businesses and services. Gambling is a shift in consumer spending from small business groups and services which produce local employment. There is an increased cost to the State from bankruptcy, addiction, treatment centers and the penal system.

The Gambling Commission has estimated that direct gambling costs borne by the government are currently about $6 billion a year. This does not count indirect costs such as loss of productivity in the workplace, divorce consequences for families. It is reasonable to suggest that the more gambling a State offers, the more costs it must bear.

Gambling is associated with breakdown of the democratic political process. The Gambling Commission concluded that local and State governments tend to become a dependent partner to the gambling industry and become reliant on their vast funds and can be influenced by campaign contributions.

In States after State, the gambling industry pours money into the coffers of local politicians from both political parties in hopes of advancing their interests. In States after State, opponents of a gambling proposal are outfinanced, outgunned and outmanned. The fact that gambling has not spread further is a tribute to the tireless efforts of a few grassroots activists in States. These advocacy efforts, often outspoken by rates of 20 to 1, have held the levy against even further encroachment by the gambling industry into every community in America.

On the Federal level, the NCAA gambling bill introduced on the House side by the gentleman from South Carolina (Mr. GRAHAM) and the gentleman from Indiana (Mr. ROBINSON) to close the loophole allowing the betting on college sports in Nevada is indefinitely on hold, even though if it were brought up to the floor most people know it would pass overwhelmingly.

How do you support the bill? Almost every university with athletics programs, the NCAA, almost every college coach in America, including Joe Paterno, Lou
Mr. Speaker, I would like to share a understood by actually hearing about the spread of gambling can only be un-parties.

While the gambling industry has fought the bill vigorously, the bill comes from the gambling industry which has fought the bill vigorously and is among the highest contributors to campaign funds of both political parties.

Sometimes, though, the real story of the spread of gambling can only be understated by actually hearing about the real-life stories that show the true consequences of the spread of gambling. Mr. Speaker, I would like to share a few.

Gambling can lead to death. “A gambler losing big dollars in the high-roll-er area of the Motor City Casino in Detroit pulled out a gun, shot himself in the head and died, police said. Terrified gamblers fled from the blackjack table where off-duty Oak Park Police Sgt. Solomon Bell had been consistently losing large bets, witnesses said. Detroit police said Bell had been gambling earlier in the day at MGM Grand Detroit, was hoping to come up for some losses there. They said he lost between $15,000 and $20,000 in the two casinos during the day.” That was in the Detroit Free Press.

“A former employee at Trump Marina Hotel and Casino in Atlantic City leaped to his death from the gambling hall’s self-parking garage. Charles LeVere’s death marked the fifth suicide plunge from a casino facility in less than a year.” Atlantic City Press.

So much for family values, family values on both sides as Members are taking the money from the gambling interests.

“A Hancock County, Mississippi woman says she killed her mother and husband last year as part of a suicide pact made in despair over large gambling debts the trio had run up at Gulf Coast casinos. Julie Winborn pleaded guilty to the deaths of her husband, Grady Winborn, 57, and her mother, Inez Bouis, 66. She was sentenced Thursday to two life sentences. She had testified that the three lost $50,000 at casinos and decided to end their lives because they could not repay bank and credit union loans.” Associated Press, 9/10/99.

Gambling can lead to crime. “An insidious new kind of crime is taking hold, radiating out across southern New England from the two In-dian casinos in eastern Connecticut. It is embezzlement committed by des-perate gamblers, usually compulsive gamblers, who work in positions of trust. A sampling of criminal cases over the past two years shows that the amounts of money can be staggering and that an increasing number of the gamblers are women. In all these cases, the money was used to gamble at the Foxwoods Resort Casino or the Mohe-gan Sun casino, authorities said.” Hartford Courant.

“One-third of 120 compulsive gam-blers participating in a pioneering treatment study have either filed for bankruptcy or are in the process of fil-ing, a University of Connecticut re-searcher said Tuesday. Nancy Petry said she recently gave a talk to a group of people addicted to gambling.” Associated Press.

Gambling affects families. “Children have been left unattended at Indiana’s riverboat casinos more than three dozen times while their par-ents or other guardians were gambling during the past 14 months. A Courier-Journal review of Indiana Gaming Commission records found 37 instances involving an estimated 72 abandoned children since May of 1999 when the State first began keeping track of such episodes. In one case, an infant had to be revived with oxygen.” Louisville Courier-Journal.

Gambling affects families. We hear so much talk about family values on this floor. When I think of both political parties taking money from the gambling interests, they should read this story. There is an ugly undercurrent that’s sweeping away thousands of Missourians, people whose addiction to gam-bl ing has led to debt, divorce and crime. This is a world of people like Vicky, 36, a St. Charles woman who regularly left her newborn son with babysitters to go gambling and who considered suicide after losing $100,000. And Kathy, a homemaker and mother of two from Brentwood, who would drop her kids at school and spend the entire day at a casino playing blackjack. She used a secret credit card that her husband didn’t know about to rack up more than $30,000 in debt.” St. Louis Post-Dispatch.
In short, while the explosion of various forms of gambling across America has, of course, generated some revenue for States and for the gambling industry, it has left in its wake human misery that is only now beginning to be understood. This misery ends up coming to States rather than it receding and creates a vicious cycle as the needs of social services dramatically increases. Whether it is a State lottery, a casino, or a cruise to nowhere, gambling is a poor bet for funding legitimate social needs.

And soon gambling will be in every home in America with an Internet connection. More than 850 Internet gambling sites worldwide had revenues in 1999 of $1.67 billion, up more than 80 percent from 1998 according to Christiansen Capital Advisors, which tracks the industry. Revenues are expected to top $3 billion by 2002.

I want this Congress, I want this Congress and this country, I want this administration, who talks about family values also to reflect on the seriousness of this issue. Frankly, I have heard no one in this administration speak out on this issue, although to their credit they are new, but we have sent letter after letter and they have not spoken out on this issue. This is not about whether or not one makes a decision of choice to travel to Las Vegas or Atlantic City and gamble for recreation. The reality is that such a choice takes planning and some time. As gambling spreads throughout the country, there is less planning time and much more availability for potential addicts to gamble. Imagine this availability being just one click away. This Congress and this administration needs to consider the seriousness of not passing an Internet gambling ban. Are we really ready to have a virtual casino in every home in America with an Internet connection?

Mr. Speaker, with all this hard evidence, who is speaking out against the spread of gambling? Crime, corruption, family breakdown, suicide, bankruptcy and yet the silence is deafening. In fact, in this body, they passed a faith-based proposal yesterday which I supported, and the broken bodies will be helped by that faith-based community. Yet the Bush administration, whether it be Secretary Norton at Commerce or the White House itself has not spoken out on this issue. Where is the Bush administration on this issue?

I want to conclude by asking our political leaders, good people on both sides of the aisle, I want to ask our religious leaders, I want to ask those who care about the poor, that care about the poor that Jesus talked about in Matthew 25, I want to ask those who care about the elderly, I want to ask those who are always talking about family values to speak up on this issue, because if you do not speak up on behalf of the Nation’s most vulnerable, who will?

VETERANS’ HEALTH CARE NEEDS

The SPEAKER pro tempore (Mr. KERNS). The Chair reallocates 5 minutes of the balance of the majority leader’s hour to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Speaker, I am delighted to speak today. I have been traveling the State of Florida for the past several months meeting with editorial boards trying to enlist their support on an issue that I consider vitally important to veterans in my State and throughout the country. Veterans have fought for our country. Now they are forced to fight for their health care. 1.6 plus million veterans now live in the great State of Florida. Regrettably, with the State with the second largest population of veterans, we have one benefits claims center, in St. Petersburg. The average backlog of cases for veterans processing their claims is anywhere from 170 days to 270 days. As I tell my constituents who are returning vets who are desperate to find answers to their claims, “The answers you get may not be the ones you want. I cannot guarantee you the answer satisfies your claim. They may reject your claim.” But, by God, they have an answer. We owe them, yes, you are approved for benefits or, no, you are not so they can at least go on to the appeals process. My good friend the gentleman from California (Mr. HUNTER), that brings me to my point. That is on a moment on military issues. I am chagrined that people who are brought to this fight to help us take down totalitarian regimes, to protect and provide freedom for our allies, who have fought wars like World War I, in fact, I have a veteran of World War I who lives in my community, 98 years old, Mr. Ross, veterans of World War II, Korea, Desert Storm, Vietnam and others are made to wait in line and wait for months to get answers to very simple questions.

I am thrilled the gentleman from New York (Mr. WALSH) and his committee on the supplemental just passed included at the request of myself and many, many Members of Congress an additional $19 million for veterans benefit administration for unexpected claims processing costs. We should not have considered them unexpected claims processing costs because we should have known that this backlog existed fixed it for months. We have pleaded with the past administration. I am delighted Secretary Principi has been actively involved in this issue.

Mr. Bush, when he campaigned for President and now as our Commander in Chief, spoke eloquently about the need to make certain that our fighting forces were well provided for and that we made troop readiness and troop morale a keystone of this administration. I applaud him for that and I certainly appreciate the work that he and others have done in the pursuit of revising and providing leadership at the VA. I know he has answered many of my phone calls andletters personally by telling me that he will be in the forefront of the fight to make certain that the efficiencies that we have long sought will finally come to bear.

The military has often told me that they are having a difficult time in recruiting people because in the armed services of our country.

It may be that the veterans who have served before are telling them that it is not at all what it is cracked up to be. I think if we decide to emphasize the need to provide these expedited claims processes, we would find more veterans thrilled with the idea that their government is standing by them, as they stood by us. Maybe you would find young recruits thinking about engaging in military service, when they asked a veteran, that they would get that gold-plated assurance that we, the government, will look after them. If we are to be the kind of Nation that leads others to prosperity and peace abroad, if we are to be the Nation that holds the ideals of that flag behind the Speaker’s rostrum to the high standards we would expect, it is our Congress that believes that that flag deserves protection from desecration, that we ought to make certain that this Congress is the one that expedites the appeals process and the claims process for those valiant men and women who have risked their lives to make America strong and secure. We should do nothing less, and we must do much more.

MILITARY NEEDS MORE FUNDING

The SPEAKER pro tempore (Mr. KERNS). Under the Speaker’s announced policy of January 3, 2001, the gentleman from California (Mr. HUNTER) is recognized for 60 minutes.

Mr. HUNTER. Mr. Speaker, I have taken the floor a number of times over the last 8 years during the Clinton administration strongly criticizing the Clinton administration for what I consider to be a weakening of our national security. We had budgets that annually were short in terms of equipment being replaced, low pay for our military personnel, substandard housing for our military families, a lack of readiness, spare parts and training for our forces that might have to move around the world on a moment’s notice, and overall shortchanging of national security by substantial amounts each year in the budget.

I want to go through the facts that I have laid out over the last several years in response to what we want then the Clinton administration’s defense budget. First I pointed out that we have cut our military forces since 1991—
1992, the days of Desert Storm, by about 50 percent, and I pointed out that we had gone from 18 Army divisions to 10, we had gone from 24 fighter air wings to only 13 active air wings, we had gone from 546 Navy ships to 316, now we are down to less than that and going toward a 300 ship Navy.

I pointed out that we had declining mission-capable rates for our frontline aircraft. A mission-capable rate is if I called up a neighbor who has two cars and I ask him what his mission-capable rate is, he said Walt, a neighbor of mine, and he went out to try to start them and only one started, he would say 50 percent; one out of two.

The mission-capable rate is the ability of an airplane, whether it is a fighter plane from a Navy carrier deck or an Air Force aircraft from an air base, to be able to fly out, take off, go do its mission, whether it is reconnaissance or escort or fighter duties, and return back to that base and land. Can it do its job and complete its mission-capable missions?

The mission-capable rates of all of our frontline fighters have been dropping dramatically during the last 8 years of the Clinton administration. I pointed out that they have gone down, and this chart represents that fall in mission-capable rates. They have gone down from an average of about 83 percent to 88 percent back in the early nineties to only about 73 percent today. So that means that this small Air Force that we now have, these 13 air wings, actually are less than that, because each of those air wings has fewer aircraft that are ready to go than the air wings of the force of 1992.

I pointed out during the last 8 years of the Clinton administration that our shipbuilding rate was falling; instead of building the 9 to 10 to 11 ships that we needed each year to maintain at least a 300-ship Navy, we were consistently building only four or five or six ships, building the fleet of the 200-ship Navy. That is compared to Ronald Reagan's 600-ship Navy of the 1980s. I criticized that strongly.

I criticized the fact that the Army, by their own admission, by their own statement from the Chief of Staff of the Army, was $3 billion short of basic ammunition. One thing you do not want to run out of in a war is ammunition; yet we were $3 billion short. I criticized the fact that the Marine Corps was $200 million short of basic ammunition.

At the same time, we criticized the fact that the U.S. Air Force was at one point 700 pilots short. That got up in the Clinton administration to as high as 1,200 pilots short. The last time I talked to Secretary Peters, the Assistant Secretary of the Air Force under the Clinton administration, right at the end of the administration, at that point it had gone from 700 pilots short to 1,300 pilots short. It had gone back a little bit. We were still at 1,200 pilots short in the U.S. Air Force.

So, Mr. Speaker, I strongly criticized the Clinton administration as the chairman of the Subcommittee on Military Procurement of the Committee on Armed Services for what I consider to be an inadequate budget that did a disservice to our men and women in uniform, and, more importantly, did a disservice to national security.

Well, today we have a new administration. It is the Bush administration, and it is headed by George W. Bush, a President whom I admire, a President of great personality, great vision, good judgment, whom I think most Members of this House, whether they are Republican or Democrat, have a deep respect for.

But, Mr. Speaker, facts are stubborn things, and if we are going to maintain intellectual honesty in this body, and I think all of us try to do that as much as we possibly can, we have to be consistent. I have looked at this budget that this President has sent over to Congress, and this budget, which is the President's top priority, the President's number one seek-and-destroy mission, to add to defense $18 billion, which would take it up to a level $18 billion ahead of the last Clinton budget that was submitted and voted on and increased by this Congress, I find that that mission, that priority, is not adequate.

Facts are facts. We still have only 10 Army divisions, down from 18. We still have only 13 Air Force divisions, Air Force air wings, down from 24. This year, under this administration's budget, we are going to build five ships, which is building at a rate that would lower the U.S. Navy to less than 200 ships.

We still have the $3 billion ammo shortage in the U.S. Army. We still have the $200 million ammo shortage in the U.S. Marine Corps. We still have a major gap in pay between our military personnel and the civilian sector.

I checked the other day, Mr. Speaker. I asked the Air Force, where is the pilots? We have about a 70 to 70 percent mission-capable rate in the 1,200 in the Clinton administration?

The answer was no, we are still at 1,200, and we might even be shorter over the next several months.

Spare parts, have we got the spare parts that we need? The answer is no. We started something in the Clinton administration, Mr. Speaker, that I thought was an important tool of accountability, and that is that our great chairman, the gentleman from South Carolina (Mr. SPENCE), always asked the Secretary of Defense to give their honest answer after we had the Clinton budget. He would say, what do you really need? What is your unfunded requirement? What is that you need in terms of ammo, spare parts, pay, training, that your budget did not give you? They would send over a list.

Well, this year we have continued that practice with my President in the White House, George Bush; and the answer this year is close to $30 billion short from the military.

We had GAO do a report for us, and we asked them if you take all of our ships and tanks and trucks and planes and you figure out about how old they are and how old they will be when they have to retire, figure out how many we have to replace each year so we have a fairly modern force. Could you do that for us?

It is like telling a guy that owns 100 taxicabs, figure out how many taxicabs you have to buy each year. If each of your taxicabs has a 10-year life, how many taxicabs do you have to buy each year so your taxicabs average about 5 years old, so they are not too old, so you would not have to buy a bunch of 56 Chevys. The answer is you have to buy about 10 each year to keep that taxicab force fairly modern.

We asked the GAO, do the same things for our tanks, trucks, ships and planes; and they came back with an answer, and their answer to us was the United States of America needs to spend an additional $30 billion a year to have modern equipment for the people that wear the uniform of the United States to operate in training and in war.

We also asked them to tell us how much more money they thought we needed to spend on training if we wanted our pilots to have enough flying time to operate our ground equipment to get enough training time. They came back with an answer of about $5 billion more a year we have to spend.

We said what is it going to take if we fund our personnel and give them pay that is commensurate with the civilian sector? The answer was it is going to average about $10 billion a year.

We said how much more do we need for missile defense if we really want to have a robust missile defense? We asked a lot of experts that. We figured out we need to have between $2 and $5 billion a year more.

We asked how much for ammunition, because we are about 50 percent short. Along with the Army $3 billion shortage and the Marine Corps $200 million shortage, all the services are short in what we call precision munitions.

That is what Americans watched in the Desert Storm war against Saddam Hussein when they watched the guy that the news stations called the world's luckiest taxicab driver, the car going across a strategic bridge, and we were coming with an aircraft to knock the bridge out, and we launched a lot of bombs like we had to in the old days, the carpet bombs, and hoped to knock the bridge out; we launched one bomb at one of the struts under that bridge, and we could see on a camera that bomb going in, a laser-guided bomb, hit precisely at that strut just as the taxicab driver got to the end of the bridge, and it blew up that bridge.

That is called a precision munition. It is very important in warfare. We used it in the Kosovo campaign. So instead of having to carpet bomb with a lot of dumb bombs, you send one in that hits precisely the right point, and you get the same capability.
Well, we are about 50 percent short in those precision munitions across the board. So if you add money for the ammunition account and the munitions account, that is about another $5 billion a year we have to spend.

Mr. Speaker, that adds up to over $50 billion a year for four people, for training, for spare parts, for ammunition. I wanted to be able to stand here today and say my President, George Bush, provided that, just like my President Ronald Reagan came in in 1980 and rebuilt national defense and brought down the Russian empire under a motto, under a program that was called Peace Through Strength.

If you are strong, you can help the weaker nations in the world. If you are strong, you can help people to become free. If you are strong, you can protect your own people. If you are strong, you may be able to convince your adversary, which was then the Soviet Union, that the right way in this world is to go to the bargaining table with the United States and make a peace agreement. That happened under Ronald Reagan.

This budget this year submitted by this administration is more than $100 billion less than Ronald Reagan spent in 1985, $100 billion less. Now, it is true we do not need as much money as we needed in 1985, when the Soviets were ring us allies in Europe with SS-20 missiles, when they were developing high combat-efficient capability in the air and on the land, were developing high combat-efficient capability in Europe with SS-20s. So that was a very big commitment for the United States and make a peace agreement.

That happened under Ronald Reagan.

We needed to spend more, but we have cut too much. We cut too much in the Clinton administration, and I am sad to say that this defense budget does not do much above the Clinton administration’s level. It does a little, but it does not do much.

That takes me, Mr. Speaker, to my next subject, which is China. I spoke yesterday during the vote to give China Most Favored Nation trading status. That means we are going to give them the same privileges in trade with the United States that we give our best friends around the world. I argued that, in 1941, we were sending American steel to Japan to build the Japanese fleet, we were sending petroleum to Japan to fuel that fleet, and we had one Congressman, Carl Anderson, who said 6 months before Pearl Harbor: If we have to fight the Japanese fleet, we are going to fight a fleet that is built with American steel and powered with American petroleum. Six months later, we had thousands of Americans dead, lots of planes shot down, lots of ships destroyed by a Japanese fleet fueled with American petroleum. And we have a Congressman, Carl Anderson, who said 6 months before Pearl Harbor: If we have to fight the Japanese fleet, we are going to fight a fleet that is built with American steel and powered with American petroleum. And we have a Congressman, Carl Anderson, who said 6 months before Pearl Harbor: If we have to fight the Japanese fleet, we are going to fight a fleet that is built with American steel and powered with American petroleum.

I analogize that to China. We are sending and have sent a lot of money to China than they are sending to us, so they end up with $80 billion more American dollars than we end up with dollars from them. They are taking those dollars, Mr. Speaker, and they are buying and building a war machine that one day may kill Americans on the battlefield. They bought the Sovremenny class missile destroyers from Russia. Those were designed with a purpose: to go to Taiwan. The Soviets to Taiwan: to take down our carriers. And they bought those after they had been embarrassed over the Taiwan issue by the United States, and they vowed never to be embarrassed again.

So that is what those dollars are doing for the Russian fleet. They are buying air-to-air refueling capability from the Russians. They are buying high-performance SU-27 fighter aircraft from the Russians; and, yesterday, as we walked out of the vote giving China Most Favored Nation trading status and guaranteeing this flow of American dollars to China, we walked out to look at a headline in the Washington Post and the newspapers around the country tabloid deal that was going on with Russia to now buy 28 SU-30 aircraft. Those are attack aircraft, from Russia. And we also noted that they are now Russia’s biggest customer for Russia’s war machine.

So we spent billions of dollars offsetting Russia’s war machine during the Cold War, and now we are rebuilding that war machine with American trade dollars in China.

Now, Mr. Speaker, I would like to close on a good note. Hopefully, there is a good note here. One hope, and I think this is the hope of all Members who understand the plight of America’s military today, Democrat and Republican. I think certainly all members of the Committee on Armed Services, we need that $18 billion. We are told we might not even get the $18 billion above the Clinton budget that we thought we were going to get and which we made a place for in the budget a few months ago.

If we do not get that $18 billion, Mr. Speaker, we are going to see more planes that cannot get off the ground; we are going to see more empty ammo pouches with the Army and Marine Corps personnel who have to defend this country; we are going to see more spare parts shortages throughout the services; we are going to see more substandard housing for military families; and we are going to see a continued decline of America’s military strength. We are also going to see a very phenomenal last week; and we recognized this in the House of Representatives, Mr. Speaker. That was that we did shoot down a bullet with a bullet in a national missile defense test.

Now, I have put up here, Mr. Speaker, the results of the last eight Patriot 3 tests. That is our smaller defensive system that handles Scud-type missiles, and I put it up here to show that, in fact, we are now hitting a ballistic missile with missile defense. We can shoot a Scud missile that goes faster than a .30-06 bullet, that is a high-powered rifle bullet with a Patriot 3 missile that also goes faster than a .30-06 bullet. We have had now eight out of nine successful intercepts.

Mr. Speaker, at about 11:09 on Saturday night last Saturday, 148 miles above the earth in the mid-Pacific, we had a Minuteman missile launched out of Vandenberg, California, going some 11,000 feet per second. That is about four times the speed of a .30-06 bullet. We hit it with an Interceptor from Kwajalein Island, 4,800 miles from the west. We launched that Interceptor, and it also had a speed four times faster than a .30-06 bullet, and they collided 148 miles above the earth.

That utilized radar capability, the Beal Air Force station in California, also our ex-band radar on Kwajalein, also radar at Hawaii with hundreds and hundreds of Navy and Air Force assets monitoring that test. And with some 35,000 Americans, whether they were members of the Army that helped develop the radar or the Air Force team that tracked the missile from Vandenberg Air Base or the Navy and Coast Guard that provided security, some 35,000 plus Americans, engineers, scientists, technicians, blue collar workers, participated in making that test a success.

It was a great day for the United States, but it was a chart along a very difficult road of trying to achieve missile defense.

The Bush administration has the right idea about missile defense. They know it is necessary because we live in an age of missiles. We found that out when we had a number of our personnel killed in Desert Storm by a ballistic missile launched by Saddam Hussein at an American force concentration. We can defend today, even though we have a weakened defense, we still have defenses against ships, tanks, aircraft. We have no defense against an incoming ICBM coming into this country.

So that is why the administration is working with the Russians to try to develop a cooperation that will allow us to deploy defenses, and it is why also the Bush administration has the right idea, that if we cannot make an agreement with the Russian, it is in our national interests to build a missile defense system, because it is the United States Government that has a constitutional responsibility to its people to provide for national security. National security must now and forever on include defense against incoming ballistic missiles.

So, Mr. Speaker, I would hope that the administration would work over time to try to increase this defense budget. Let us not look back on this era of relative prosperity when the American people are doing well as an era that was similar to the era immediately preceding Korea, when we decided that there would not be any more wars and that we did not need to have any more military spending. Then on June 6 of 1950, we found ourselves pushed down the Korean peninsula by a third-rate military; and when the dust
had cleared, over 30,000 Americans lay dead because we had underestimated the danger of the world; and we had also underestimated the drawdown of the American military that took place after World War II.

Mr. Speaker, we must keep a strong military. That is the underpinnings of our foreign policy, which is ultimately the underpinnings of our economic policy. So let us try to get that $18 billion, Mr. Speaker. It is crucial to everybody that wears a uniform in the United States, and it is crucial to every American.

**SPECIAL ORDERS GRANTED**

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. CRANE (at the request of Mr. ARMEY) for today on account of traveling with the Vice President.

Mr. GRAVES (at the request of Mr. ARMEY) for today on account of traveling with the President.

Mr. THOMAS (at the request of Mr. ARMEY) for today on account of traveling with the Vice President.

**LEAVE OF ABSENCE**

By unanimous consent, leave of absence was granted to:

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

Mr. GRAVES (at the request of Mr. ARMEY) for today on account of traveling with the President.

Mr. THOMAS (at the request of Mr. ARMEY) for today on account of traveling with the Vice President.

**EXECUTIVE COMMUNICATIONS.**

**ETC.**

Under clause 8 of rule XII, executive communications were taken from the Speaker’s table and referred as follows:


2978. A letter from the Legal Technician, NITSCA, Department of Transportation, transmitting the Department’s final rule—Occupy Protection Incentive Grants [Docket No. NHTSA-01-10154] (RIN: 2127-AH46) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2979. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency’s final rule—Revisions to the California State Implementation Plan, Kern County Air Pollution District, Monterey Bay Unified Air Pollution District, Modoc County Air Pollution Control District [CA03-2421a; FEL-7001-2] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2980. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency’s final rule—Revisions to the California State Implementation Plan, Bay Area Air Quality Management District, El Dorado County Air Pollution Control District [CA241-2323a; FEL-7005-1] received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2981. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy’s Proposed Letter(s) of Offer and Acceptance (LOA) to the Taipei Economic and Cultural Representative Office for defense articles and services (Transmittal No. 01-19); pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2982. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2983. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2984. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2985. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2986. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.


2988. A letter from the Administrator, General Services Administration, transmitting a report on FY 2002 Annual Performance Plan; to the Committee on Government Reform.

A letter from the Director, Office of Personnel Management, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule—Revisions to Requirements Concerning Airplane Operating Limitations and the Content of Airplane Flight Manuals for Transport Category Airplanes [Docket No. FAA-2000-581; Amendment No. 23-105] (RIN: 2120-AH2) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule—Protection of Voluntarily Submitted Information [Docket No. FAA-1999-6901; Amendment No. 23-105] (RIN: 2120-AH6) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

A letter from the the Clerk of the House of Representatives, transmitting the annual compilation of personal financial disclosure statements and amendments thereto filed with the Clerk of the House of Representatives, pursuant to Rule XXVII, clause 1, of the House Rules; (H. Doc. No. 107-104); to the Committee on Standards of Official Conduct and ordered to be printed.

**PUBLIC BILLS AND RESOLUTIONS**

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. LAFAUCHE:

H.R. 2580. A bill to provide authority to control exports, and for other purposes; to the Committee on International Relations, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PORTMAN, and Mr. LA TOURRIERETTE:

H.R. 2581. A bill to establish grants for drug treatment alternatative to prison programs administered by State or local prosecutors; to the Committee on the Judiciary.

By Mr. GILMAN:

H.R. 2582. A bill to provide authority to control exports, and for other purposes; to the Committee on International Relations, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MICA (for himself, Mr. DAVIS of Illinois, Mr. OSE, Mr. GRAVES, and Mr. KELLER):

H.R. 2582. A bill to combat the trafficking, distribution, and abuse of Ecstasy (and other club drugs) in the United States; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MICA:

H.R. 2583. A bill to establish a national clearinghouse for information on incidents...
of environmental terrorism and to establish a program to reduce environmental terrorism; to the Committee on the Judiciary.

By Mr. UDALL of Colorado (for himself and Ms. DeGETTE):

H.R. 2584. A bill to amend the Act of March 3, 1875, to permit the State of Colorado to use land held in trust by the State as open space; to the Committee on Resources.

By Mr. WALDEN of Oregon (for himself, Mr. CALVET, Ms. HOOLEY of Oregon, Mr. SIMPSON, Mr. DEFAZIO, Mr. HASTINGS of Washington, Mr. POMBO, Mr. HANSN, and Mr. GIBBONS):

H.R. 2585. A bill to authorize the Secretary of the Interior to conduct a study of the feasibility of providing adequate upstream and downstream passage for fish at the Chiloquin Dam on the Sprague River, Oregon; to the Committee on Resources.

By Mrs. KELLY:

H. Con. Res. 189. Concurrent resolution expressing the sense of the Congress regarding inflammatory bowel disease; to the Committee on Energy and Commerce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 156: Mr. BARRETT.
H.R. 303: Mr. HASTINGS of Florida.
H.R. 583: Mrs. MORELLA.
H.R. 638: Mr. LAFALCE.
H.R. 661: Mr. GONZALEZ and Mr. DEMINT.
H.R. 817: Mr. MOORE.
H.R. 827: Mr. CARSON of Oklahoma.
H.R. 902: Mr. BENTSEN.
H.R. 951: Mr. FILNER, Mr. FORD, Mr. FORRES, Mr. ADELHOLT, Mr. CONDIT, Mr. BALLENGER, Mr. PETERSON of Pennsylvania, Mrs. MALONEY of New York, Mr. ENGEL, and Mr. SMITH of New Jersey.
H.R. 975: Mr. ACKERMAN, Mr. HASTINGS of Washington, and Mr. BORSKI.
H.R. 961: Mr. BOREN and Mr. STEARNS.
H.R. 1084: Mr. LAHOOD and Mr. NETHERCUTT.
H.R. 1092: Mr. FRANK, Mr. McINTyre, Mr. TIERNEY, and Mr. BOEHLERT.
H.R. 1100: Mr. CONDIT.
H.R. 1238: Mr. LEVIN, Mr. BECERRA, and Mr. RIUS.
H.R. 1296: Mr. ACKERMAN, Mr. GONZALEZ, and Mr. STARK.
H.R. 1293: Mr. SKEEN.
H.R. 1350: Mr. GONZALEZ.
H.R. 1485: Mr. CUMMINGS, Mr. FRANK, and Mr. TOWNS.
H.R. 1462: Mr. GIBBONS and Mr. NETHERCUTT.
H.R. 1506: Mr. BARR of Georgia.
H.R. 1535: Mr. BACH.
H.R. 1577: Mr. TAYLOR of North Carolina, Mr. WAMP, Mrs. JONES of Ohio, Mr. PICKERING, Ms. VELAZQUEZ, Mr. NETHERCUTT, Mr. FLETCHER, Mr. RYAN of Wisconsin, Mr. CLEMENT, and Mrs. CAPITTO.
H.R. 1591: Mr. THOMSON.
H.R. 1600: Ms. McCARTHY of Missouri.
H.R. 1624: Mr. CAMP, Ms. PELOSI, and Mr. CANTOR.
H.R. 1642: Mr. HOYER.
H.R. 1644: Mr. PLATTS.
H.R. 1680: Mr. MCDERMOTT, Mr. GREENWOOD, Ms. McCOLLUM, and Ms. MCKINNEY.
H.R. 1711: Mr. WU.
H.R. 1907: Mr. GONZALEZ.
H.R. 1945: Mr. ISAKSON.
H.R. 1956: Mr. BALKDCCI and Mr. PETERSON of Pennsylvania.
H.R. 1983: Mr. DAVIS of Florida.
H.R. 1990: Mr. LAFALCE.
H.R. 1958: Mr. GONZALEZ, Mr. OBERSTAR, Mr. MCHUGH, Mr. OTTER, Mr. PETERSON of Pennsylvania, Mrs. CUBIN, Mr. DE MINT, Mr. CAMP, Mr. GEUCCI, and Mr. PORTMAN.
H.R. 2102: Mr. SANDLIN, Mr. BONIOR, and Ms. BROWN of Florida.
H.R. 2143: Mr. PLATTS.
H.R. 2291: Mr. PETERSON of Pennsylvania.
H.R. 2329: Mr. COYNE, Mr. FROST, Mr. WATT of North Carolina, Ms. McCOLLUM, and Mr. FATTAR.
H.R. 2388: Mr. DOOLITTLE.
H.R. 2442: Mr. McGOVERN.
H.R. 2478: Mr. DEFAZIO and Ms. LEE.
H.R. 2484: Mr. GOODLATT and Mr. GOODE.
H.R. 2517: Mr. BAKER and Mr. LAFAULCE.
H. Con. Res. 164: Mr. FALEOMAVAEGA.
H. Con. Res. 178: Mr. SHEERMAN and Mr. ROHRABACHER.

H. Res. 17: Mr. BLUMENAUER.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 2 by Mr. INSLEE on House Resolution 165: Vic Snyder and James H. Maloney.
The Senate met at 9:15 a.m. and was called to order by the Presiding Officer, the Honorable Jon S. Corzine, a Senator from the State of New Jersey.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Loving Father, we want to know You so well, trust You so completely, seek Your wisdom so urgently, and receive Your inspiration so intentionally that we will be people attentive to the guidance of Your Spirit. May we be totally available for the influence of Your Spirit. Help us to be as receptive to Your direction. Alarm us with disquiet in our souls if what we plan is less than Your best. With equal force confirm any convictions that will move forward what You think is best for us. Place Your hand on the Senators’ shoulders today. Remind them that You are with them and will guide them. You are Jehovah Shamah: You will be there! Amen.

PLEDGE OF ALLEGIANCE

The Honorable Jon S. Corzine led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication from the Clerk of the Senate.


To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable Jon S. Corzine, a Senator from the State of New Jersey, to perform the duties of the Chair.

Mr. CORZINE thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

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

EXECUTIVE SESSION

NO NOMINATION OF RICHARD F. CEBULL TO BE UNITED STATES DISTRICT JUDGE

Mr. REID. Mr. President, there will be 30 minutes of debate in relation to the three judicial nominations, followed by three rollcall votes beginning at approximately 9:50 a.m.

Mr. President, the first vote will be under the regular order. The next votes will be 10 minutes each. These are the only rollcall votes today. The next rollcall votes will occur Monday at approximately 5:45 p.m.

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be 30 minutes for debate, to be equally divided between the Senators from Vermont and Utah or their designees.

The Senator from Vermont is recognized.

Mr. LEAHY. I thank the Chair. I see my good friend from Utah is here, as well as the Senators from Montana and Virginia.

Mr. President, it took the Senate the entire month of June to pass S. Res. 120, a very simple resolution in which we organized our committees. As one Senator, I am sorry we lost the month of June to the process of reorganizing the Senate, but I am proud of the very quick start of the Judiciary Committee on holding hearings and reporting nominees.

I sent out official notice of the committee’s first hearing on judicial nominations within 10 minutes after the majority leader announced an agreement had been reached on reorganization. The hearing on judicial nominations was held the very first day after committee membership assignments were completed earlier this month.

We expedited committee consideration of the nominees by urging all Senators to propound such followup written questions as they thought necessary as soon as possible after the hearing. I included them on the committee agenda for our business meeting this week.
At that meeting yesterday, the Judiciary Committee voted unanimously to report each of the judicial nominations. Each vote was 19–0, and the other nominations on the calendar were voice voted.

Then we confirmed the first judicial nominations heard before the committee, the first judicial nominations considered by the committee, and they will now be the first judicial nominations considered by the Senate this year.

I had the privilege of having been as chairman of the Judiciary Committee since June 5, the Senate did not adopt its reorganizing resolution until June 29, and committee assignments were not made until July 10. So we have been moving pretty rapidly since the Senate allowed us to go forward.

There were no hearings on judicial nominations and no judges confirmed by the Senate during the months in which I was privileged to serve as the ranking Democrat. I chaired the first hearing that was actually held without a hearing on judicial nominations all year.

The first judge we confirm today will be the first judge confirmed in the 107th Congress. I heard the rumors that those behind the aisle would not hold hearings and would not consider any of President Bush’s judicial nominations. We even heard some words that the Democrats might block all judges. Of course, we demonstrated very clearly that is not the case.

We set a pace, one of the fastest paces I have seen in my 25 years on the Judiciary Committee since June 5, the Senate did not adopt its reorganizing resolution until June 29, and committee assignments were not made until July 10. So we have been moving pretty rapidly since the Senate allowed us to go forward.

Again, the committee scheduled no hearing for him. Judge Beaty waited a period of 34 months without a hearing. President Clinton tried again in 1999, nominating another African-American, James Wynn. Judge Wynn, a North Carolina Court of Appeals judge, was nominated, as I noted, over a year ago. Like the others, his nomination languished without a hearing. Because there was no action taken by the Senate on Mr. Gregory’s nomination, President Clinton used his powers of recess appointment to make Roger Gregory the first African-American federal judge in the Fourth Circuit and sent his nomination for a permanent position on that court back to the Senate at the beginning of this year.

President Bush initially withdrew Judge Gregory’s nomination in March, but after careful reconsideration, President Bush—and I applaud him for this—sent Judge Gregory’s name back to us in May. Again, he had the strong support of both Senators from Virginia.

During this time, Virginia was represented by three different Senators, two of whom I am privileged to serve with today—one Democrat, two Republicans. All three strongly supported Judge Gregory. To their credit, all three resisted political importuning from either side.

This makes Judge Gregory actually one of the few nominees ever to be nominated for the same position by Presidents of different parties. He is in the unique position of serving by means of an appointment whose term expires at the end of this session of the Senate unless his nomination to a full lifetime appointment is acted upon before we adjourn this year.

Judge Gregory received his B.A. in 1975 from Virginia State University and his juris doctorate from the University of Michigan in 1978. Prior to his appointment to the Fourth Circuit, he was active in private practice in Virginia.

His law practice was a mix of civil and criminal in both State and Federal courts, including criminal defense, personal injury, domestic cases, real estate, work as general counsel for an urban school district, and defense cases for large insurance companies and large corporations such as General Motors and K Mart. He was an active litigator.

He also taught as adjunct professor of constitutional law at Virginia State University. He was a member of the faculty of the Virginia State Bar Ethics and Professional Responsibility Committee for all recent admittees to the State bar.

Judge Gregory was very active in community and bar activities before he took the bench, including service on the board of directors of the Central Virginia Legal Aid Society, the Richmond Bar Association, and the Virginia Association of Defense Attorneys.

His life and career have been exemplary and his qualifications for this position are stellar. His service on the bench since his appointment has been uniformly praised. He conducted himself with distinction at his confirmation hearing this month.

Based on all these considerations, it seems appropriate that Judge Gregory’s nomination be the first considered by the committee and the Senate this year.

As I said before, I commend my good friend, the senior Senator from Virginia, Mr. WARNER, as well as the distinguished Senator, Mr. ALLEN, and Representative B OBBY SCOTT when they appeared before the committee earlier this month to urge Judge Gregory’s confirmation, giving him their bipartisan stamp of approval.

At our hearing, Senator WARNER, who is truly the dean of members of the Senate, as we all know, was characteristically generous in praising Senator Robb and Governor Wilder for their efforts on behalf of Roger Gregory as well.

I add my praise of both Presidents, one a Democrat and one a Republican. I praise President Bush for doing the right thing in this case. President Bush deserves great credit for renominating Judge Gregory and allowing the Senate a third chance to consider and confirm this outstanding nominee. Senator ALLEN served with distinction both as Governor of the State of Virginia and now as U.S. Senator from Virginia and knows well the qualifications.

We have two nominees to the district court in Montana. They are both well qualified and well respected. My two friends from Montana, the two Senators from Montana, came to me and asked if we could move these judges forward. I thought they had done what is a model. They worked together with the White House to get two well-qualified judges. Senator BAUCUS and Senator BURNS both told me the same thing on different occasions: They had a desperate need for judges. They had one judge handling far more than they should have to, sort of home alone. They said, please send somebody to help.

Recommended to the President, and the President to us, Richard Cebull is currently a United States Magistrate for the District Court of Montana. He spent his career in private practice before his appointment as a magistrate. Judge Cebull received a unanimous well-qualified rating from the ABA Standing Committee on the Federal Judiciary, where the ABA has been helpful to us, to Senators BAUCUS and BURNS, as well as the White House.
Judge Cebull is a native of Billings, Montana. He received his B.S. from Montana State University in 1966, and his J.D. from the University of Montana Law School in 1969. Before his appointment as a magistrate, Judge Cebull spent 24 years in private practice in Billings, litigating civil cases with an emphasis on insurance defense and medical malpractice defense.

He was active in trial lawyer associations at CLE programs on practical litigation issues. He also served as a member of the Montana Pattern Jury Instruction Commission, which wrote civil jury instructions for Montana courts, and was Chairman of the Optional Uniform Rules Advisory Group, which wrote the District of Montana Local Rules. For a short time in the 1970’s, he served as a Trial Judge in the Northern Cheyenne Tribal Court, presiding over criminal trials of tribal members accused of violating tribal ordinances.

He has also served as a settlement master in a variety of civil cases. Judge Cebull received a unanimous “Well Qualified” rating from the ABA’s Standing Committee on the Federal Judiciary.

Sam Ellis Haddon is an attorney in private practice in Missoula, Montana. Mr. Haddon is a 1969 graduate of Rice University and received his J.D. in 1965 from the University of Montana School of Law, where he served as a law clerk, a president of the Law School’s Moot Court, and a criminal investigator for the Federal Bureau of Narcotics. His legal career has been spent in private practice, focusing primarily on civil litigation in a variety of areas of law.

He has been very active in bar activities and Montana Supreme Court commissions over the years. His many memberships include the ABA, the American Bar Association, the American Academy of Appellate Lawyers, the American Judicature Society, the American Law Institute, and he is a fellow of the American Bar Foundation.

As a young attorney he was active in the Montana State Bar, and later on served on an advisory commission making recommendations to the State’s Supreme Court about the standards for admission to practice in Montana. He was also chair of a committee to study and suggest revisions to the State’s laws of evidence, and since 1986 has served on the Montana Supreme Court’s Commission on Practice, screening and hearing ethics complaints against attorneys admitted in the State.

For the last five years he has served as the chair of this Commission. Mr. Haddon has been an adjunct instructor at the University of Montana Law School for nearly 30 years, teaching contracts, professional responsibility and trial practice. Like Judge Cebull, Mr. Haddon also received a unanimous “Well Qualified” rating from the ABA’s Standing Committee on the Federal Judiciary.

Judge Cebull and Sam Haddon are both strongly supported by their home-state Senators, MAX BAUCUS and CONRAD BURNS, who each testified enthusiastically on behalf of these nominees at their July 11 hearing. The Senators from Montana also echoed the plea we had heard from Chief Judge M. Charles CEBULL, who is the only active Judge for the District of Montana, to quickly confirm these nominees.

I hope the Senate will respond to their plea and approve these nominations today. Confirmation of these nominations for Montana will demonstrate that the Senate can act promptly on consensus nominees with broad bipartisan support. When the White House works closely with home-state Senators of both parties, with both Democrats and Republicans, Senate consideration is made much easier.

I commend Senators BAUCUS and BURNS for their constructive approach to filling the vacancies that were plaguing their District Court.

I am happy to support these two nominees for the District Court in Montana as well as Roger Gregory for the U.S. Court of Appeals for the Fourth Circuit, and hope to be able to support many more of the President’s judicial nominees.

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

Mr. REID. Mr. President, I know there is tremendous interest in these nominees involving two States and a number of Senators. However, we have resolved a number of inquiries and we will not be able to extend the time. People are waiting. If there is a request to extend the time for additional speakers this morning, I will have to object.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. HATCH. Mr. President, I am extremely pleased that the Senate today will consider the first of President Bush’s nominees for the federal judiciary. This afternoon Judge Roger Gregory for the United States Court of Appeals for the Fourth Circuit, and Judge Richard Cebull and Mr. Sam Haddon for the United States District Court for the District of Montana.

My review of these nominees has convinced me that they will serve the judiciary with competence, fairness, and honor. Judge Gregory’s extensive legal experience, character, and good judgment make him an excellent choice for the Fourth Circuit. His nomination by President Bush— with the hard work and support of Senators WARNER and ALLEN—is well deserved. It is also, by the way, a clear gesture of bipartisanship by President Bush, which is unprecedented in modern times.

The two nominees for the District of Montana also demonstrate the rewards of bipartisanship. Judge Cebull and Mr. Haddon enjoy the support of both Montana senators—Republican Senator Burns and Democrat Senator Baucus. And it’s easy to see why. Judge Cebull has an outstanding record as a lawyer with 28 years of experience in private practice and as a federal magistrate judge. Mr. Haddon has also developed considerable expertise in a broad range of litigation topics—both at the trial and appellate levels. These judges will not only perform their duties with distinction, but also will help ease the excessive caseload currently being handled by Montana’s single full-time federal district judge.

So, Mr. President, we have three solid nominees before the Senate, and I hope and expect that all of them will be confirmed today. I also want to take this opportunity to thank Chairman LEAHY for moving these nominees. I must note, however, that there are ten other judicial nominees who have been pending before the committee for more than two months without even a hearing. I urge Senator LEAHY to move forward expeditiously on these and the remaining 26 judicial nominees pending before the committee.

Mr. President, I am happy to support these two distinguished nominees for the federal judiciary. We are at a historic moment here today with Judge Gregory, as we are about to confirm the first African-American Judge to the United States Court of Appeals for the Fourth Circuit. Virginia, and indeed all the States within the Fourth Circuit, is diverse in its citizenry. Our Judiciary should reflect the broad diversity of the citizens it serves.

Accordingly, I had the privilege and the honor of recommending to President Bush to begin the American in the nearly 200 year history of the Commonwealth of Virginia to serve on the Federal bench. That judge, Judge James Spencer, a United States district judge, has served with great distinction.

I also had the privilege and honor of recommending to the first President Bush, the first woman to serve on the United States District Court in the Commonwealth of Virginia, Ms. Rebecca Smith, likewise, has served with great distinction.

And, today, the Senate will confirm Judge Gregory and another chapter of
In fact, of the 11 active judges currently on the court, I have participated in and supported the confirmation of 10 of these judges. Only Judge Widener, who was confirmed in 1972 and who is a jurist I have come to know and greatly respect, has a confirmation that preceded this one.

Roger Gregory has been a respected member of the Virginia bar since 1980. He has worked for one of Virginia’s most respected law firms, Hunton & Williams, and he co-founded his own firm in 1989. I have known Judge Doug Wilder, Judge Gregory is well known as a skilled litigator.

Judge Gregory, I believe, also has the requisite judicial temperament. Many, if not all Senators are concerned about judicial activism. The Judiciary’s role is to interpret the law, not to make law. Judge Gregory assured me he will follow this traditional, constitutional, role.

From my conversations with Judge Gregory, and based on his judicial questionnaire, I am confident that he recognizes the importance of the separation of powers laid out in our Constitution.

Mr. President, Judge Roger Gregory is obviously a very accomplished American. He is well qualified to continue service on this important court, and I am certain that he will continue to serve on this court with honor, integrity, and distinction.

It is time to confirm Judge Gregory to a lifetime appointment. I urge my colleagues to support this fine nominee for confirmation.

I ask unanimous consent that the letter from former Governor Doug Wilder and a letter form Congressman Bobby Scott be printed in the RECORD. There being no objection, the letters were ordered to be printed in the RECORD, as follows:

LAURENCE DOUGLAS WILDER, Former Governor of Virginia.

I have known Judge Gregory for over 20 years and have worked with him in several organizations, including the Old Dominion Bar Association. I am confident that he will distinguish himself and Virginia as a member of the Court.

With your continued able leadership, Judge Gregory will have an excellent chance for confirmation, and, again, I thank you.

Very truly yours,

ROBERT C. “BOBBY” SCOTT
Member of Congress.

The ACTING PRESIDENT pro tempore. The junior Senator from Virginia.

Mr. ALLEN. Mr. President, I thank my colleague, Senator Warner, for his remarks. I reflect on the first statement I made on this Senate floor on January 25 when I rose to address the appointment of Roger Gregory to the United States Court of Appeals for the Fourth Circuit. When I spoke, I asked my colleagues to support the nomination of Judge Gregory on the basis of his qualifications. I asked my colleagues, and indeed the President, to not view
Roger Gregory based upon the former President's political manipulations. Fortunately, President Bush has heeded my advice and the advice of my good friend and colleague, Senator John Warner, who stood with me on that track in January. Fortunately, President Bush has acted.

As a Virginian and as an American, I am proud to rise again today in support of the confirmation of Judge Roger Gregory. I am also proud to see that Members of both parties in the Senate and President Bush have risen above the past procedural aggravation and have acted in a statesmanlike manner. It is my belief that in Roger Gregory the Fourth Circuit and indeed America have a well-respected and honorable jurist who will administer justice with integrity and dignity. He will, in my judgment, decide cases based upon and in adherence to duly adopted laws and the Constitution.

He is the first African-American to serve on the Fourth Circuit Court of Appeals. This is a good and historic vote we are about to take. I share the salient reasons I support Roger Gregory, whom we are about to vote to confirm. We hear a lot of inspirational stories relating to this nomination. I will not lie; there is a personal connection I share with Judge Gregory. Let me congratulate President Bush for the confidence and good judgment he has shown in nominating Judge Gregory to be the first African-American to hold a permanent seat on the Fourth Circuit U.S. Court of Appeals.

Judge Roger L. Gregory is an exemplary citizen of the Commonwealth of Virginia. He has a sense of the properly restrained role of the judiciary and is eminently qualified to serve with distinction for many years, many decades to come. I respectfully ask my colleagues to join me in confirming Judge Gregory to the U.S. Court of Appeals for the Fourth Circuit.

The ACTING PRESIDENT pro tem, the Senator from Virginia, is recognized.

Mr. Burns. Mr. President, first I thank the President of the United States for his selection, moving the two nominations. I thank Senator Leahy, my good friend, we have served together in a lot of different capacities, it seems, over the last 12 years; and my good friend Senator Hatch, on the Judiciary Committee, for having and moving them very quickly. Also, I thank my good friend from Montana, Senator Baucus. We worked together in order to get these two judges appointed and confirmed because the workload of the one judge in Montana is very high right now.

I had the honor of presenting both Sam Haddon and Richard Cebull to the Judiciary Committee, and now I have the high honor of speaking for them here on the floor of the Senate. They are without a doubt among Montana's finest. They are men of the land, but they are also men of the law. They come with the highest ratings from their peers, and they fully understand equal justice under law.

Both are outdoorsmen. Both have labored in the vineyards, so to speak, of their profession, and I highly recommend their confirmation. I thank them for their willingness to serve the judiciary system, and I congratulate them and wish them well in their endeavors.

I have no doubt in my mind, and neither should anyone in this body or the President of the United States, that these two men will serve in the highest traditions of the American judiciary. I congratulate them.

I yield the floor.

The ACTING PRESIDENT pro tem, the Senator from Virginia, is recognized.

Mr. Warner. Mr. President, I ask unanimous consent I may speak for 30 seconds.

Throughout this procedure I worked hard in this case for Roger Gregory, of course, but I want to extend special recognition to my staff member, Christian Yiahiros, who has been untiring in his efforts in research and other matters relating to this nomination. I think we ought to recognize the valuable support we get from staff, including my chief of staff, Susan Magill.

Mr. Reid. Mr. President, this is truly a historic day for the Senate.

For the first time in our history, this body will confirm an African-American judge to serve on the United States Court of Appeals for the Fourth Circuit.

The fact that the Fourth Circuit is home to the highest percentage of African-American residents than all of the Circuit Courts of Appeals makes this day even more historic.

More importantly, however, the man that the Senate has confirmed to the Fourth Circuit is truly deserving of this honor. Roger Gregory is not only a fine legal jurist, he is a good, decent man.

I commend President Clinton for having the courage to make a recess appointment of Roger Gregory last year. I commend President Bush for showing leadership in appointing Judge Gregory earlier this year.

I congratulate the Senate Judiciary Committee for its quick and unanimous action with respect to this nomination.

Last year, I had the privilege and honor of recommending the first African-American woman to serve on the United States Court of Appeals for the Ninth Circuit.

Judge Johnnie Rawlins has served the Ninth Circuit with distinction, and I cannot begin to tell you how proud I am, as are so many other fellow Nevadans.

Roger Gregory will also bring honor and distinction to the United States District Court, and I wish him and his family all the best.

I also congratulate Sam Haddon and Richard Cebull on their confirmation to the United States District Court for the District of Montana.

The Haddon and Cebull nominations were also reported out of the Senate Judiciary Committee by a unanimous vote.

Mr. President, this is so important, because it highlights what the nomination and confirmation process should be—bipartisan.

There are too many vacancies in the Federal judiciary, and Democrats and Republicans—the Senate and the White House—must work together in a bipartisan fashion for the benefit of the federal judiciary and, ultimately, the American people.

That is precisely what happened with these two highly qualified judges from Montana, a State that boasts a Democratic Senator in Max Baucus and a Republican in Conrad Burns.

These two Senators, working closely with President Bush and the White House, put aside party differences for the benefit of the federal judiciary in Montana—and ultimately the people of Montana.
The nomination was confirmed. 

Mr. LEAHY. Madam President, I move to reconsider the vote. 

Mrs. BOXER. I move to lay that motion on the table. 

The motion to lay on the table was agreed to. 

The PRESIDING OFFICER. The Senator is correct. 

Mr. LEAHY. This Senator will ask for regular order as soon as the 10 minutes is up. 

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to vote on Executive Calendar No. 245. 

The question is, Will the Senate advise and consent to the nomination of Roger L. Gregory, of Virginia, to be United States Circuit Judge for the Fourth Circuit? On this question, the yeas and nays have been ordered. The clerk will call the roll. 

The senior assistant bill clerk called the roll. 

Mr. REID. I announce that the Senator from California (Mrs. BOXER), the Senator from Louisiana (Mr. BREAUX), and the Senator from Georgia (Mr. MILLER) are necessarily absent. 

Mr. NICKLES, I announce that the Senator from Missouri (Mr. BOND), the Senator from Kansas (Mr. BROWNBACK), the Senator from Arizona (Mr. McCAIN), and the Senator from Oklahoma (Mr. INHOFE) are necessarily absent. 

I further announce that, if present and voting, the Senator from Oklahoma (Mr. INHOFE) would vote “aye.” 

The PRESIDING OFFICER (Ms. STABENOW). Are there any other Senators in the Chamber desiring to vote? 

The result was announced—yeas 93, nays 0, as follows: 

NOT VOTING—5
Bond Brownback McCain
Breaux Inhofe McCain

The nomination was confirmed. 

Mr. LEAHY. I move to reconsider the vote. 

Mr. BAUCUS. I move to lay that motion on the table. 

The motion to lay on the table was agreed to. 

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to vote on Executive Calendar No. 246. 

The question is, Will the Senate advise and consent to the nomination of Richard F. Cebull, of Montana, to be United States District Judge for the District of Montana? On this question, the yeas and nays have been ordered. The clerk will call the roll. 

The assistant legislative clerk called the roll. 

Mr. REID. I announce that the Senator from California (Mrs. BOXER), the Senator from Louisiana (Mr. BREAUX), and the Senator from Georgia (Mr. MILLER) are necessarily absent. 

Mr. NICKLES, I announce that the Senator from Missouri (Mr. BOND), the Senator from Kansas (Mr. BROWNBACK), the Senator from Arizona (Mr. McCAIN), and the Senator from Oklahoma (Mr. INHOFE) are necessarily absent. 

I further announce that, if present and voting, the Senator from Oklahoma (Mr. INHOFE) would vote “aye.” 

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote? 

The result was announced—yeas 93, nays 0, as follows: 

[Rollcall Vote No. 246 Ex.] 

YEAS—93
Akaka Edwards McCollum
Allard Ensign Mikielski
Allen Feingold Miller
Baucus Fitzgerald Markowitz
Bayh Fitzgerald Murray
Bennett Feinstein Nelson (FL)
Brownfield Nelson (NE)
Bingaman Nickles
Boehner Nickles
Bunning Reed
Burns Reid
Byrd Roberts
Campbell Rockefeller
Carper Sarbanes
Chafee Sessions
Cleland Smith (NH)
Collins Smith (OR)
Collins Specter
Conrad Stevens
Corzine Stabenow
Craig Thompson
Craapo Torricelli
Daschle Voinovich
Dayton Warner
DeWine Warner
Dodd Lieberman
Domenici Wollstone
Dorgan Wyden
Durbin Wyden

NOT VOTING—5
Bond Brownback McCain
Breaux Inhofe

The result was announced—yeas 93, nays 0, as follows: 

[Rollcall Vote No. 245 Ex.] 

YEAS—95
Akaka Edwards McCollum
Allard Ensign Mikielski
Allen Feingold Miller
Baucus Fitzgerald Markowitz
Bayh Fitzgerald Murray
Bennett Feinstein Nelson (FL)
Brownfield Nelson (NE)
Bingaman Nickles
Boehner Nickles
Bunning Reed
Burns Reid
Byrd Roberts
Campbell Rockefeller
Carper Sarbanes
Chafee Sessions
Cleland Smith (NH)
Collins Smith (OR)
Collins Specter
Conrad Stevens
Corzine Stabenow
Craig Thompson
Craapo Torricelli
Daschle Voinovich
Dayton Warner
DeWine Warner
Dodd Lieberman
Domenici Wollstone
Dorgan Wyden
Durbin Wyden

The question is, Will the Senate advise and consent to the nomination of Richard F. Cebull, of Montana, to be United States District Judge for the District of Montana? On this question, the yeas and nays have been ordered. The clerk will call the roll. 

The assistant legislative clerk called the roll. 

Mr. REID. I announce that the Senator from California (Mrs. BOXER), the Senator from Louisiana (Mr. BREAUX), and the Senator from Georgia (Mr. MILLER) are necessarily absent. 

Mr. NICKLES, I announce that the Senator from Missouri (Mr. BOND), the Senator from Kansas (Mr. BROWNBACK), the Senator from Arizona (Mr. McCAIN), and the Senator from Oklahoma (Mr. INHOFE) are necessarily absent. 

I further announce that, if present and voting, the Senator from Oklahoma (Mr. INHOFE) would vote “aye.” 

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote? 

The result was announced—yeas 93, nays 0, as follows: 

[Rollcall Vote No. 245 Ex.] 

YEAS—95
Akaka Edwards McCollum
Allard Ensign Mikielski
Allen Feingold Miller
Baucus Fitzgerald Markowitz
Bayh Fitzgerald Murray
Bennett Feinstein Nelson (FL)
Brownfield Nelson (NE)
Bingaman Nickles
Boehner Nickles
Bunning Reed
Burns Reid
Byrd Roberts
Campbell Rockefeller
Carper Sarbanes
Chafee Sessions
Cleland Smith (NH)
Collins Smith (OR)
Collins Specter
Conrad Stevens
Corzine Stabenow
Craig Thompson
Craapo Torricelli
Daschle Voinovich
Dayton Warner
DeWine Warner
Dodd Lieberman
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Dorgan Wyden
Durbin Wyden

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I further announce that, if present and voting, the Senator from Oklahoma (Mr. INHOFE) would vote “aye.” 

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote? 

The result was announced—yeas 93, nays 0, as follows: 

[Rollcall Vote No. 246 Ex.] 

YEAS—95
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Allard Ensign Mikielski
Allen Feingold Miller
Baucus Fitzgerald Markowitz
Bayh Fitzgerald Murray
Bennett Feinstein Nelson (FL)
Brownfield Nelson (NE)
Bingaman Nickles
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Collins Specter
Conrad Stevens
Corzine Stabenow
Craig Thompson
Craapo Torricelli
Daschle Voinovich
Dayton Warner
DeWine Warner
Dodd Lieberman
Domenici Wollstone
Dorgan Wyden
Durbin Wyden

The question is, Will the Senate advise and consent to the nomination of Richard F. Cebull, of Montana, to be United States District Judge for the District of Montana? On this question, the yeas and nays have been ordered. The clerk will call the roll. 

The assistant legislative clerk called the roll. 

Mr. REID. I announce that the Senator from California (Mrs. BOXER), the Senator from Louisiana (Mr. BREAUX), and the Senator from Georgia (Mr. MILLER) are necessarily absent. 

Mr. NICKLES, I announce that the Senator from Missouri (Mr. BOND), the Senator from Kansas (Mr. BROWNBACK), the Senator from Arizona (Mr. McCAIN), and the Senator from Oklahoma (Mr. INHOFE) are necessarily absent. 

I further announce that, if present and voting, the Senator from Oklahoma (Mr. INHOFE) would vote “aye.” 

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote? 

The result was announced—yeas 93, nays 0, as follows: 

[Rollcall Vote No. 245 Ex.] 

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Allard Ensign Mikielski
Allen Feingold Miller
Baucus Fitzgerald Markowitz
Bayh Fitzgerald Murray
Bennett Feinstein Nelson (FL)
Brownfield Nelson (NE)
Bingaman Nickles
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The assistant legislative clerk called the roll. 

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Mr. NICKLES, I announce that the Senator from Missouri (Mr. BOND), the Senator from Kansas (Mr. BROWNBACK), the Senator from Arizona (Mr. McCAIN), and the Senator from Oklahoma (Mr. INHOFE) are necessarily absent. 

I further announce that, if present and voting, the Senator from Oklahoma (Mr. INHOFE) would vote “aye.” 

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote? 

The result was announced—yeas 93, nays 0, as follows: 

[Rollcall Vote No. 246 Ex.]
The nomination was confirmed. Mr. LEAHY. Madam President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table. The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Arkansas.

Mrs. LINCOLN. Madam President, I am sorry; I was absolutely unavoidably detained. I did miss the first vote this morning by about 20 seconds and would like to be on record in support of vote No. 244. Had I been here, I would have voted in the affirmative for the nomination of Mr. Gregory.

Mr. LEAHY. Madam President, I understand we are, by voice vote, going to do two other nominees: Ralph F. Boyd, Jr., to be the Assistant Attorney General in charge of the Civil Rights Division, and Eileen O’Connor to be the Assistant Attorney General for the Tax Division.

It is the Senate the entire month of June to pass S. Res. 120, a simple resolution reorganizing the Committees. I am sorry that we lost the month of June to the process of re-organizing the Senate, but I am proud of the very quick start that the Committee has gotten on holding hearings and reporting nominees.

I sent out official notice of the Committee’s first hearing on judicial nominations within 10 minutes after Majority Leader LELEU announced that an agreement had been reached on reorganization. The hearing was held the day after Committee membership assignments were completed earlier this month.

We expedited Committee consideration of the nominees by urging all Senators to propound such follow-up written questions as they thought necessary as soon as possible after the hearing. I included them on the Committee agenda for our business meeting this week. At the meeting yesterday, the Judiciary Committee voted unanimously to report each of the nominations. Each vote was 19 to 0.

These are the first nominations heard before the Committee, the first nominations considered by the Committee and will now be the first judicial nominations considered by the Senate this year. I have only served as Chairman of the Judiciary Committee since June 5, the Senate did not adopt its reorganizing resolution until June 29 and Committee assignments were not made until July 10.

There were no hearings on judicial nominations and no judges confirmed by the Senate during the months in which I was privileged to serve as the Ranking Democrat. I chaired the first hearing on July 11. That was the first hearing on judicial nominations all year and one more than the Republican Majority had held. The first judge we confirmed today is one more than all the judges confirmed by the Republican Majority in the first six months of this year.

I had heard the rumors that Democrats would not hold hearings and would not consider any of President Bush’s judicial nominations and would not allow the confirmation of any judges. The word was that Democrats in the Senate would block all the judges. Well, here we are, having held a hearing noticed minutes after the delay in the Senate’s reorganization finally ended, having proceeded with nominees to both the Court of Appeals and the District Court the day after Committee membership assignments were made, having proceeded with expedited Committee consideration yesterday and proceeding today to Senate consideration and what I hope will be confirmation of the first of President Bush’s judicial nominations.

NOMINATION OF JUDGE ROGER GREGORY

I know that Judge Roger Gregory, his family, and indeed, all of the people who live in the area covered by the United States Court of Appeals for the Fourth Circuit have been waiting a long time for this day. Judge Gregory was first nominated for this position in June, 2000 more than a year ago. He had the bipartisan support of both his home-state Senators, JOHN WARNER and Chuck Robb. Unfortunately, no hearing was ever scheduled on President Clinton’s nominations of Roger Gregory.

President Clinton’s attempts to fill a number of vacancies on the Fourth Circuit have been thwarted for a long time by his Senate colleagues. Judge Gregory was first nominated for this position in June, 2000 more than a year ago. He had the bipartisan support of both his home-state Senators, JOHN WARNER and Chuck Robb. Unfortunately, no hearing was ever scheduled on President Clinton’s nominations of Roger Gregory.

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uniformly praised. He conducted himself with distinction at his confirmation hearing this month. Based on all these considerations, it seems appropriate that Judge Gregory’s nomination be the first considered by the Committee and the Senate this year.

I commended my good friend, the senior Senator from Virginia, Senator Warner, as well as Senator Allen and Representative Bobby Scott when they appeared before the Committee earlier this month to urge Judge Gregory’s confirmation. I do so, again, here on the floor of the Senate. The broad, bipartisan support for this nomination has been extremely helpful.

At our hearing Senator Warner was characteristically generous in praising Senator Robb and Governor Wilder for their efforts on behalf of Roger Gregory, as well. I would also add my praise of two Presidents, one a Democrat and one a Republican. President Clinton first nominated Judge Gregory and when he appointed him to the bench broke a barrier that had extended too long at the Fourth Circuit.

President Bush deserves credit for renominating Judge Gregory and allowing the Senate a third chance to consider and confirm this outstanding nominee.

Mr. Hatch. Mr. President, just prior to the vote on the nomination of Roger Gregory, Chairman Leahy made a couple of comments that require a response.

Let me make it clear that I agree with President Bush’s judgment that Judge Gregory is well qualified to serve as a judge on the Fourth Circuit Court of Appeals. I commend Senators Warner and Allen for their recommendation of Judge Gregory to President Bush. The controversy over his nomination by President Clinton, and his recess appointment in December 2000, had nothing to do with his qualifications. The controversy was over President Clinton’s decision in late June of 2000—in the last 6 months of his Presidency—to nominate a Virginia resident for a Fourth Circuit seat that has been regarded as belonging to North Carolina. In doing so, the President could not have doubted that his action would cause a great deal of discord in the Senate—especially because it was done without consultation with both home-state senators. I worked very hard to resolve the conflicts created by that nomination among the various interested parties. Unfortunately, the discord was only amplified by President Clinton’s recess appointment that occurred after George Bush’s election as President.

In my view, all these facts are now in the past. President Bush, in a very significant gesture aimed at changing the tone in Washington, focused on Judge Gregory’s qualifications and, with the support of Senators Warner, and Allen, nominated Judge Gregory to a lifetime appointment. This was a clear gesture of bipartisanship by President Bush which is unprecedented in modern times. In the past 50 years, there has never been a case of which I am aware where a new President of one party has re-nominated a circuit judge originally nominated by the previous President of the other party.

Chaiman Leahy also made some remarks about how quickly he scheduled Judge Gregory’s confirmation hearing. Indeed, he did so very soon after the Senate’s organizational resolution was passed on June 29. However, this fact does not accurately describe the entirety of the Judiciary Committee’s record on judicial nominees. Prior to the organizational resolution, Chairman Leahy did not hold a single hearing on any of President Bush’s executive or judicial nominees. He implies that he could not have held such hearings without the organizational resolution. But that is not true. Between June 5 and June 29, at least seven other Senate committee chairmen held a total of 16 confirmation hearings on 44 nominees. One committee—Veterans’ Affairs—even held a markup on a nomination. Further, the lack of an organizational resolution did not stop Chairman Leahy from holding hearings on such topics as the Federal Bureau of Investigation, racial disparities of capital punishment, and counsel competency requirements for death penalty cases. We also had a subcommittee hearing on injecting political ideology into the committee’s process of reviewing judicial nominations. From this record, it appears that the decision not to hold hearings on nominees was simply a calculated tactic to delay President Bush’s nominees.

The Judiciary Committee’s comparative lack of progress continues to this day. Since the reorganization was completed, other committees have considered nominees at a much faster pace. For example, the Foreign Relations Committee on July 10 held a markup on 16 nominees. In contrast, the Judiciary Committee has considered only three of the pending Bush judicial nominees and only three Department of Justice nominees.

As of this morning, we have 111 vacancies in the Federal district and circuit courts, including a number on the Fourth Circuit. I encourage Chairman Leahy to start scheduling frequent hearings and markups for these nominees. I look forward to working closely with him to review and confirm President Bush’s nominees in a timely fashion.

If Chairman Leahy believes that I, as Chairman, did not move Clinton nominees and was unfair—which the facts and the record clearly show otherwise—then I would hope he would do the right thing and move nominees at a faster pace than I did.

Nomination of Ralph F. Boyd, Jr., of Massachusetts, to be an Assistant Attorney General.

Nomination of D. Wayne Smith, of North Carolina, to be a United States Circuit Judge for the United States Court of Appeals for the Fourth Circuit.

Nomination of Thomas R. Kimball, of Ohio, to be a United States District Judge for the Northern District of Ohio.

Nomination of Eileen J. O’Connor, of Maryland, to be an Assistant Attorney General.

The Presiding Officer. Under the previous order, the Senate will now proceed en bloc to consider and confirm Executive Calendar No. 247 and No. 248, which the Clerk will report.

The legislative clerk read the nominations of Ralph F. Boyd, Jr., of Massachusetts, to be an Assistant Attorney General, and Eileen J. O’Connor, of Maryland, to be an Assistant Attorney General.

The Presiding Officer. The question is, shall the Senate advise and consent to the nominations? The nominations are confirmed.

Mr. Leahy. Madam President, I move to reconsider the vote.

Mr. Baucus. I move to lay that motion on the table. The motion to lay on the table was agreed to.

Mr. Leahy. Madam President, we have moved very rapidly to consider matters before the Judiciary Committee having noticed these hearings within minutes of the time the Senate reorganized, meeting within days. We have five nominations through this morning.

The Presiding Officer. The Senator from Montana.

Mr. Baucus. Madam President, I rise to congratulate Sam Haddon and United States Magistrate Judge Richard Cebull, whom the Senate today confirmed to serve as Montana’s U.S. District Court judges. These confirmations are of great importance to my State of Montana. Currently only one of our three judgeships is filled, which has placed a large burden on the shoulders of our remaining judge, Don Malloy.

I thank the Judiciary Committee for taking up these nominations in such a timely manner, especially Senator Leahy who has been very helpful, and Senator Hatch as well. I also thank them for putting up with the enthusiasm of Senator Burns and myself as we, in some sense, pestered or hectored the two Senators for getting up these nominations so quickly.

In addition, I thank the leader for scheduling these nominations to be confirmed this morning, at this time.

I could not think of two men who are more qualified to serve as Montana’s Federal judges than Sam Haddon and Magistrate Judge Cebull. We in Montana are proud to know each other, or if we do not know each other personally, we tend to know each other by reputation. I know Sam Haddon, I know Richard Cebull, I also know their reputations. They are sterling men and will serve as the State’s highly distinguished U.S. Federal judges.

Sam Haddon is a graduate of the University of Montana Law School. After
serving with the Border Patrol and the Federal Bureau of Narcotics in the late 1950s and early 1960s, he worked in private practice. I know he has dreamed of being a Federal judge. His dream has now come true. I might say, as an example of the hard-working industry of Sam Haddon, the first member of his family to go off to college and he now will become, when he is sworn in, a U.S. Federal judge. We are all extremely proud of Sam Haddon.

Before serving as U.S. Magistrate in Great Falls, MT, Richard Cobull served as a Billings attorney for close to 30 years. He was born and raised in our State and has earned the respect of everyone in our State who has had the good fortune and privilege of meeting him, engaging with him as a magistrate or in a nonprofessional capacity. He and Sam Haddon are two people who are just perfect representatives of the quality of the people in our State of Montana.

It is a great honor and with great pride I join in thanking them for wanting to serve, and I thank the Senate for confirming both of them so we in Montana now have all our judgships filled. We have three wonderful U.S. district court judges. We thank all in the Senate who have made this happen.

I yield the floor.

LEGISLATIVE SESSION

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

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

The PRESIDING OFFICER. The Senate will now resume consideration of H.R. 2299, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

PENDING

Murray/Shelby amendment No. 1025, in the nature of a substitute.

Mrs. MURRAY. Mr. President, I am pleased to present to the Senate the Transportation appropriations bill for fiscal year 2002.

The bill was reported unanimously by both the Appropriations Subcommittee on Transportation as well as the full Appropriations Committee. This bill has been carefully crafted with the regular input of Senator SHELBY and his staff.

The tradition of this subcommittee has always been one of bipartisanship. So long as I have the privilege of chairing this subcommittee, I intend to continue that tradition.

The bill as approved by the Appropriations Committee totals $60.1 billion in total budgetary resources. That includes obligations released from the highway and airway trust funds as well as appropriations from the general fund. This funding level is higher than the level requested by the President. There are four reasons why this bill exceeds the President's request.

First, the administration's budget—rather than the appropriated dollars for railroad safety and hazardous materials safety—asks us to impose new user fees on the transportation industry.

Some opponents of this approach have called these proposals "George W. Bush's new taxes." The committee bill rejects these new user fees and provides the funds necessary for these critical safety functions.

Second, the bill increases funding for highways above the level requested by the President.

Under the administration's budget, the President launches two new initiatives at the expense of highway construction dollars to the States. They are the New Freedom Initiative for the disabled and an investment in new truck safety inspection stations at the United States-Mexico border.

The bill before you fully funds these two new initiatives. In fact, the bill adds $15 million to the level requested by the administration for border truck safety activities.

However, in order to ensure that funding for these initiatives is not provided at the expense of highway construction funds in all 50 States, the bill increases funding for highways to a level that holds all States harmless.

Under the bill, every State will receive more highway construction funding than they would receive either under the President's budget or under the levels assumed in TEA-21.

Third, the bill includes a number of small but important safety initiatives that were not included in the President's budget.

Within the Federal Aviation Administration, the bill includes funding to hire and deploy 263 new inspectors. Following the ValuJet crash in May 1996, the Transportation subcommittee has been increasing the inspection workforce every year in order to get to the level of 3,900 inspectors. That was the minimum level identified as necessary by the panel of experts that was convened following that crash. It was also the level identified by the National Civil Aviation Review Commission, which was chaired by now-Secretary Norman Mineta.

While the funds for these additional inspectors were not included in the President's budget this year, the bill as approved by the committee does provide the funds.

In the area of highway safety, the bill includes funds that were not requested to boost seat belt use, especially among at-risk populations. The Administration has articulated a very aggressive goal to increase seat belt use. Unfortunately, when our subcommittee reviewed the budget, we found no additional resources were requested to match the rhetoric.

Today, it is a tragi,...
cross-border truck activity does not pose a safety risk.

This provision was adopted unanimously by both the Transportation Subcommittee and the full Appropriations Committee.

My door is always open to Secretary Mineta and the White House, and I will of course listen to their concerns. But I believe that my provision—as it currently stands—will allow our mutual goals of free trade and safe highways to proceed side by side.

This provision will substantially raise the safety standards that will have to be in place before cross-border trucking can begin. I believe that this is a far better approach than the one taken by the House bill—which has now drawn a veto threat by the administration.

I want to thank Senator STEVENS for granting our colleagues an allocation that made it possible to fund the important safety initiatives in this bill.

We could not have done it without their help.

I thank the Chair, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama, Mr. SHELBY.

Mr. SHELBY. Madam President, I rise in support of the fiscal year 2002 Transportation appropriations bill put before the Senate today by Senator MURRAY. I do support the package reported unanimously from the Committee on Appropriations and just described by the Senator from Washington in pretty good detail.

There is the first year for the Senator from Washington as chairperson of the Appropriations Transportation Subcommittee. I believe she has accounted for herself well on this bill. We have worked together. She has put a lot into it, and I believe this is basically a balanced bill.

I believe that every Member can look at this bill and find a great deal that they can agree with. But, I also think it is safe to say that if you look hard enough, just about everyone can find something they would probably disagree with.

Clearly, that is the case with the Mexican truck issue. I believe that everyone in this body is supportive of ensuring the safety of trucks on our highways. I believe that many in this body consider such to Mexican trucks adopted on the House floor as being heavy-handed, and contrary to the goal of improving the safety of trucks at our borders, within the commercial zone, and ultimately, beyond the commercial zone on the balance of our Nation’s highways.

Senator MURRAY has crafted a provision, section 343, that takes a different approach. It provides for Mexican truck access to our highways beyond the commercial zone once the Department have inspection regime in place and can assure that those carriers and trucks meet articulated safety and insurance standards.

The approach of the Senator from Washington moves the debate on this issue forward and allows a resolution of this issue based on safety standards rather than prohibiting any action by the Department to manage the truck safety issues we face at our southern border under.

For my colleagues who would support the House language, some of whom may offer a similar provision during consideration of this bill, I would point out that if anything, to promote truck safety on our highways. It may keep some unsafe trucks from gaining entry to our country, but it doesn’t create a framework or any incentive to improve the safety of Mexican trucks. I have to tell you, that I am probably less troubled by an outright prohibition than is the Senator from Washington. But, I am willing to pursue this issue with her through the Senate and to address my colleagues’ concerns during conference. I believe that this is essentially a balanced bill.

To do that, it is incumbent on us to provide the necessary resources to begin adequately inspecting motor carriers at the border. I am pleased that the bill includes $13.9 million above the President’s budget request. Specifically, the bill includes $13.9 million to hire an additional 80 safety inspectors, $18 million for the Safety Grants to border states, and $71.3 million for motor carrier safety inspection facilities along the United States-Mexican border.

That is a quantum leap forward in terms of ensuring safe transportation of goods across the border for the benefit of American consumers. While we must provide the tools to the Department, we must also provide the Department with the flexibility to put forth a policy on operations beyond the commercial zone so long as the policy would not undermine the safety of American families on our highways.

The Murray language does just that. It allows the Department to process applications of Mexican-based motor carriers after the Department remedies deficiencies highlighted by the Department of Transportation Inspector General and after Mexican-domiciled carriers meet the strict safety requirements that the bill demands.

Chairman BYRD and Senator STEVENS have provided the Transportation Subcommittee with a generous allocation, and that has allowed this bill to fund the programs and the initiatives that the Senator from Washington has just described. I would like to take a few minutes to highlight a couple of those items.

For the Coast Guard, this bill provides $45 million more than the President requested. Specifically, the bill provides $45 million more than the President requested for operating expenses—raising the safety standards that will have to be in place before cross-border trucking can begin. I believe that this is a far better approach than the one taken by the House bill—which has now drawn a veto threat by the administration.

I also want to thank Senator BYRD and Senator STEVENS for granting our colleagues an allocation that made it possible to fund the important safety initiatives in this bill.

We could not have done it without their help.

I thank the Chair, I yield the floor.
ADH system is far less complete than the National Highway System and many years at these funding levels will be required to improve some of the most deficient and dangerous segments of the rural highway system in all of America.

The bill provides $321 million for Amtrak and authorizes the railroad to immediately use all of these funds in one fiscal year. For the past several years, the bill has limited Amtrak to using 40 percent funding in the first year so the balance would be available for the next. Keep in mind that this money is appropriated for capital activities and investments, so the provision and anticipation that it would all spend out is unusual in and by itself. My sense is that this extraordinary action is at best a short-term solution.

Amtrak, as a lot of you know, is engaging in short-term borrowing to cover operational and debt service costs and Amtrak’s cash shortfall is growing at an alarming level. Allowing the cash-starved Amtrak to spend its entire appropriation for fiscal year 2002 will allow, however, Amtrak to speak through to the Spring of 2002, when this failed experiment, I believe, will all come out.

I hope that we can move this legislation quickly through the Senate and through the conference. During Senate consideration of the Transportation appropriations bill, I will cover some of these in detail, as will Senator MURRAY. But I look forward to working with the Senator from Washington, the chairman and ranking member of the Committee on Appropriations, and with interested Members to consider and pass this legislation.

Mr. HATCH. Mr. President, I rise to applaud the committee for including the $5 million grant for the Eighth Paralympiad for the Disabled cited in this bill. This funding is for the 2002 Paralympic Games, not the 2002 Olympic Games. It is important to remember that while the Paralympics are being held in conjunction with the Olympics in Salt Lake City, all the funding for the Paralympic Games has been very carefully and very clearly separated from that for the Olympics. This funding will be spent only for Paralympic costs and includes both Federal and private sources of funding. This funding supports the disabled athletes who compete at Olympic levels. These elite disabled athletes deliver amazing performances that are wonderful to behold. For example, they ski with one leg or they ski blind. We wonder what it would be like to have the Olympic Committee, for the first time, host the Paralympic Games. This ensures that the Paralympic athletes are recognized as Olympic level competitors and ensures they are treated as Olympians. It also allows for synergy in developing operational plans thus making the Paralympics far more efficient.

Note that the Paralympic’s association with the Olympic Committee has brought yet another benefit. The Federal funding for these Paralympic games is far less than ever before. For the benefit of my colleagues, let me put this in perspective. These Paralympic games will cost approximately $80 million. The Atlanta Paralympics were also about $80 million. But there the comparison ends. In Atlanta, $32 million were funded by the Federal Government. In Salt Lake, the Paralympics, Federal funding will only be $10 million.

Why are the Salt Lake City Paralympics requesting far less Federal funding than the Atlanta Paralympics? The Salt Lake Olympic Committee is paying $40 million of the costs and raising another $30 million from private sources. The Atlanta Olympic Committee paid $15 million and raised $5 million for the Paralympics. Because the Salt Lake Olympic Committee is contributing more to the Paralympics, the amount of Federal funding has been reduced from $32 million for the Atlanta games to $10 million for the Salt Lake games. And, this bill only asks for $5 million for transportation while the Atlanta transportation cost to the Federal Government was $5.6 million.

This is a wise use of Federal funds. The $5 million requested for the Paralympics are well justified. Additionally, these costs are most reasonable when compared to the Atlanta games and the careful financial management on the part of the 2002 Salt Lake Olympic Committee.

Thank you.

The PRESIDING OFFICER (Mr. NEL-SON of Florida). The Senator from Washington.

AMENDMENT NO. 1029 TO AMENDMENT NO. 1029

Mrs. MURRAY. I send a technical amendment to the amendment that has been approved by both sides.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY], for herself and Mr. SHELBY, proposes an amendment numbered 1029.

Mrs. MURRAY. I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To enhance the inspection requirements for Mexican motor carriers seeking to operate in the United States and to require them to display decals)

On page 73, strike line 19 through 24 and insert the following:

"(i) requires—

"(ii) inspections of all commercial vehicles of Mexican motor carriers authorized, or seeking authority, to operate beyond United States municipalities and commercial zones on the United States-Mexico border that do not display a valid Commercial Vehicle Safety Alliance inspection decal, by certified Federal inspectors, or by State inspectors approved in part or in whole by Federal funds, in accordance with the requirements for a Level I Inspection under the criteria of the North American Standard Inspection (as defined in section 350.105 of title 49, Code of Federal Regulations), including examination of the driver, vehicle exterior and vehicle under-carriage, and—"

"(ii) a Commercial Vehicle Safety Alliance decal to be affixed to each such commercial vehicle upon completion of the inspection review clause (i) of this amendment.

If the vehicle has met the criteria for the Level I inspection when no component parts were hidden from view and no evidence of a defect was present, and—"

"(ii) that any such decal, when affixed, expire at the end of a period of not more than 90 days, but nothing in this paragraph shall be construed to preclude the Administration from requiring re-inspection of a vehicle bearing a valid inspection decal or from requiring that such a decal be removed when a certified Federal or State inspector determines that such a vehicle has a safety violation subsequent to the inspection for which the decal was granted—"

Mrs. MURRAY. Mr. President, this amendment, I have sent to the desk is offered by Senator SHELBY and myself and it will strengthen the truck safety provisions in the bill as reported by the committee.

It will require the Department of Transportation to implement a rigorous inspection regime under which every Mexican truck seeking to travel beyond the commercial zone will be required to be inspected at least every 90 days.

This inspection system has shown some level of success within the State.
of California in bringing down the high level of safety noncompliance that has been found in Mexican trucks seeking to cross the border.

We believe that his would improve upon the provisions already in place in the bill as reported by the committee.

I know that Senators McCaskill and Gramm have an interest in these provisions. In deference to them, I will not seek adoption of the amendment at this time. I will leave it as the pending amendment to the bill.

If it can be temporarily lay the amendment aside and take up amendments on other matters as debate occurs on this bill.

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

The assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. 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

Mrs. MURRAY. Mr. President, I ask unanimous consent that there now be a period of morning business with Senators permitted to speak for up to 10 minutes each in the order of their seniority.

The PRESIDING OFFICER. Does the Senator from Washington so amend her request?

Mrs. MURRAY. I amend my request. The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Connecticut.

VIEQUES

Mr. DODD. Mr. President, I rise to spend a couple minutes talking about an issue that has received some notoriety over the last few weeks. That is the issue of the island of Vieques in Puerto Rico and the incarceration of a number of people who went down to express their opposition to the continued use of Vieques as a bombing site.

First of all, I say to those who have demonstrated there and have been sentenced to 30 days—in one case, I think 60 days—I think all of these people involved certainly were aware that when you engage in civil disobedience, there will be a price to be paid for that civil disobedience. I will address the underlying issue of Vieques, but my hope is that the authorities will recognize that there is some sense of balance in all of this and that 30 days and 60 days may be a bit excessive, to put it mildly, in light of some of the sentences we see meted out on crimes that are far more serious in nature.

I take particular note of my friend Bobby Kennedy from the State of New York and his wife Mary who are wonderful parents. During this period of incarceration, a new son was born to them. Bobby could not not be there for the birth of his son because of his incarceration in Puerto Rico. I know how difficult and painful this was for him and his family. I want them to know that they have my strong sympathies and expressions of support. My hope would have been that Bobby Kennedy might have been able to be with his family during that important moment, despite the fact that he would be the first one to tell us that he understood fully the implications to his actions to express what were not only his views but the views of thousands of others within Puerto Rico and beyond the island over the issue of whether or not Vieques ought to be used as a continued site for targeting practice by the U.S. military.

I express my sympathies for Bobby Kennedy, Dennis Rivera, and others who are in prison at this moment for those actions.

There has been a long history here of divergence of interest with respect to the people of Puerto Rico and the Navy’s interest in maintaining the capability for important live training exercises on the island of Vieques. Over the years, efforts have been made to reconcile these different interests. During the Clinton administration, in fact, an agreement was reached with the then-Governor of Puerto Rico, Pedro Rossello, that called for the holding of a referendum in November of the year 2001 to allow the residents of Puerto Rico to choose whether to end the military’s use of Vieques by 2003 or to indefinitely permit military exercises to continue after that date.

That seemed at the moment to reduce the tensions over this matter and to provide a way for the people of Puerto Rico to express their views. On the idea of a referendum, I was thinking to myself, living in Connecticut, along Long Island Sound where there are small islands off the coast of Connecticut. In many cases, those islands were once being used as a target by the military. How long would we allow it to persist if the people of my State felt strongly about it. I see the Presiding Officer from the State of Florida with a huge coastline. In many cases, of course, people have tolerated and supported it in their jurisdictions or States.

This is a matter which has provoked tremendous interest on the island of Puerto Rico, a part of the United States, of course.

Since the inauguration of Sila Maria Calderon, the new Governor of Puerto Rico, in January of this year, the efforts by President Clinton and Pedro Rossello, it has become clear that the resolution calling for the referendum in November of 2001 has been sort of put aside, that the plan did not resolve these tensions, despite the good efforts of those involved in crafting that particular solution.

On June 14, in response to continued tensions, President Bush, in consultation with the U.S. Navy, announced that all military exercises in Vieques would cease by May 1, 2003.

That provoked serious voices of dissent within this Chamber. In fact, there were those who were very disappointed by President Bush’s decision. I happen to think he made the right decision. I know it was not an easy one to make, but he did listen to the various sides of this story and decided that, given all the information and facts, this was the right decision to make. Naval training on the island to proceed between these dates.

In addition, in accordance with the earlier agreement, the Navy returned more than a third of its Vieques holdings to the island on May 1, 2001.

I fancy thinking that the Bush announcement, a number of issues have led to increasingly vocal opposition to the continued use of Vieques by the Navy in the interim period. Puerto Rican critics of the Navy cite the loss of economic development opportunities on the island because access to most of the island’s land is restricted. They also mention the failure of the Navy to live up to pledges to compensate for those lost economic opportunities.

Damage to the environment and ecology have also been mentioned. Most worrisome, concerns have been raised about the impact the Atlantic Fleet Weapons Training Facility has had on the health and safety of the people on the island of Vieques. Were we to put ourselves in the shoes of the mothers and fathers of the children on the island of Vieques, we might better understand to some degree why there is continuing impatience and wanting to have to wait 3 years before a potential danger to their loved ones will cease.

The relationship between the Navy and the people of Vieques has been a rocky one, to put it mildly, over the years. More recently the situation has grown from bad to worse. Visits by prominent Members of Congress and other well-known public figures, including Robert Kennedy Jr., have served to educate Americans write large about the Vieques issue.

Overly harsh treatment of these protesters by the court has only served to make my view of the matter even worse. It seems to me that the time has passed for the relationship between the Navy and the people of Vieques to ever be mended in a satisfactory manner that would allow both to coexist on this little island.

The matter is going to get even more heated, in my view, as the July 29 referendum called for by the Governor of
Puerto Rico draws near. It seems fairly obvious what the results of the referendum will be. And while I appreciate President Bush’s decision to end the use of Vieques by the year 2003, at this juncture I believe that is not going to be very satisfactory. Those are the realities, Mr. President. I wish it would be otherwise, but I don’t think it is going to be so.

As a practical matter, continued civil disobedience is going to make the Navy’s use of its facilities impossible. We may accept it and move on, in my view.

Certainly, we need to find a way for our military to conduct training exercises. That is extremely important, and I don’t, in any way, minimize the significance of that particular issue. The question is whether or not there are alternatives to this particular venue which is provoking so much dissent and so many problems for both the Navy and the people of the island of Puerto Rico. A Department of Defense panel has already recommended that the Navy work toward ceasing all training activities on Vieques within 5 years. In light of recent events, that timeframe will clearly have to be accelerated. I find it hard to believe that some interim locations can’t be found where much of the necessary training that the Navy needs to conduct could take place. Search for alternative sights needs to be given a much higher priority than was anticipated. I don’t fault those who tried to come up with a time line that would be satisfactory, but the realities are such that I don’t think that is any longer possible. The steps I have outlined can begin the process for moving forward on this very difficult and contentious matter that undoubtedly has important implications for the people of Puerto Rico and for our national defense.

Mr. President, again, I salute my friends who have gone down to express not only their views but the views of the overwhelming majority of the people on Vieques. My plea at this particular hour, after having these members serve two weeks in incarceration, is that the courts might find it possible for them to have expressed their obligations by incarcerating these people in light of their civil disobedience, but I think moving on is the best course of action.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

RESPONDING TO LAWRENCE LINDSEY

Mr. CONRAD. Mr. President, I thank the Presiding Officer. Yesterday, Mr. Lindsey, the President’s chief economic adviser, attacked me in a speech before the Federal Reserve Bank in Philadelphia. In that speech, he repeatedly misrepresented my views, my clear positions, and my record.

Mr. Lindsey, the President’s chief economic adviser, for some reason feels compelled to take my positions and twist them into something that is unrecognizable. These are not my positions, not my statements. This is not my voting record. I call on Mr. Lindsey to retract those comments. This does not improve the level of debate about serious issues and what is to be done about our economy and the management of the fiscal affairs of our country.

Yesterday, Mr. Lindsey, in this speech in Philadelphia before the Federal Reserve, said at one point early in the speech, for example:

The new chairman of the Senate Budget Committee has alleged the recent tax cuts are driving the country right into the fiscal ditch.

He got that part of it right. I applaud him for that. He then went on to say:

These views reflect one side of the political debate—one that ultimately favors allocative spending of our Nation’s resources to government.

Mr. Lindsey, you know better. That was not the proposal of this Senator. The proposal of this Senator in the budget debate this year was to consider how to reduce the role of the Federal Government. That was my clear position. That is the clear record, and no attempt by him to distort it can change the facts.

Here are the facts. The spending proposal I put before my colleagues would have continued to reduce the share of our national income going to the Federal Government from 18 percent of gross domestic product to 16.4 percent of gross domestic product, which is the lowest level since 1951. Mr. Lindsey, facts are stubborn things. Mr. Lindsey then went on to say:

The criticisms of the tax cut and comments on the budget made by Senator Conrad hearken back to views widely held in the 1920s and 1930s.

He went on to describe those views supposedly widely held. He concluded that their solution was to raise taxes. The top income-tax rate was raised from 24 percent to 63 percent. The result, of course, was economic disaster. Mr. Lindsey ascribes those views to me. Mr. Lindsey, that is false. You know it is false, and that it is a total misrepresentation of the record of this Senator.

Let’s turn to what I proposed to our colleagues. These are the charts that were used on the floor of the Senate during the budget debate highlighting the Democratic alternative.

No. 1, we protected Social Security and Medicare trust funds in every year. Does Mr. Lindsey disagree with that? Let’s hear an honest debate about that issue.

No. 2, we paid down the maximum amount of publicly held debt. Next, we funded for an immediate fiscal stimulus of $60 billion. That was a tax cut, not a tax increase, Mr. Lindsey. That was a tax cut. I was one of the first to propose a significant tax cut—in fact, a tax cut to help stimulate the economy that was far bigger than what the administration proposed.

Let’s look at what the administration proposed in terms of a fiscal stimulus for the current year at a time when we are suffering an economic slowdown. All one has to do is turn to the proposal. This is from the President. Their proposal: No tax cut in 2001. None. Zero. That was their proposal. They had no fiscal ditch. They had no tax cut at a time of economic slowdown. It was largely Democrats who insisted on providing a bigger tax cut this year to provide a fiscal stimulus to help this struggling economy.

And now, for Mr. Lindsey to twist that around and suggest that I was for a tax increase at a time of economic slowdown, Mr. Lindsey, shame on you. That is false. That is misrepresenting my clear record and my views. Shame on you.

Mr. Lindsey, that is false. You should not engage in debate in that way. You should not take my clear positions, my clear record, and stand them on their head. I am not going to allow it to happen.

Mr. President, I don’t know what else to say. It is more clear. We provided not only a substantial tax cut this year, but the budget plan I put before my colleagues also provided significant tax relief for all Americans, including rate reduction, marriage penalty relief, and estate tax reform. That is my record—not proposing tax increases at a time of economic slowdown.

That is not my record, that is not my position, and that is not my votes.

We also reserved resources for high-priority domestic needs, including improving education, a prescription drug benefit, strengthening national defense, and funding agriculture, and we provided $750 billion to strengthen Social Security and address our long-term debt. That is my record. Those were my proposals. Those were my positions. And for Mr. Lindsey to go to the Federal Reserve Bank of Philadelphia yesterday and suggest otherwise is flat dishonest.

What has them all fused up down at the White House? Why do they engage in these ad hominem attacks on the chairman of the Budget Committee and others of us who believe that this administration has put us right into the fiscal ditch?

I think what triggered all of this was a press conference I had after Mr. Lindsey himself said that the revenue they were forecasting this year is going to come in below what they had projected.

What we find, if we follow through this, what some in the media have called this amazing shrinking surplus, is that we started out with a forecast of $275 billion of surplus for this year, that you took out the trust funds of Social Security and Medicare, the cost of the tax bill, and other related budget items, you get down to only $6 billion available this year, and that is
I should point out that we see trouble next year in terms of the trust funds of Social Security and Medicare being used to finance other programs of Government before the big increase in defense the President has requested. If we look at what will do, and we look at 2002, we see we are already in trouble before the President has requested a substantial increase for defense. That just makes the raid on the trust funds deeper and broader. When we had put in the Bush defense request, when we put in new money for education, which just passed nearly unanimously in the Senate but is not in the budget, when we put in money for natural disasters, which is not in the budget—but we just had a natural disaster in Ohio the night before last, we just had a natural disaster in West Virginia, we just had natural disasters in Texas—when we put in money for natural disasters, when we address the tax extenders, the supplement to the Tax Code we all know are going to be extended that are not in the budget, when we look at fixing the alternative minimum tax fiasco created by this tax bill, which is going to take us from 7 million people being caught up in the alternative minimum tax to 35 million people being caught up in the alternative minimum tax, and if we just look at the cost of fixing that problem caused by this tax bill, it will cost us $39 billion and if we look at additional economic revisions because of the economic slowdown we are experiencing and the associated interest costs, what we see is that every year for the next 9 years this administration’s economic plan will be using Medicare trust funds and Social Security trust funds to pay for the other programs of the Federal Government unless some change is made.

One can look at these and say: Gee, I don’t think we are going to add any new money for education. Or: one can say: I don’t think we are going to pay for natural disasters. Or: I don’t think we are going to pay to fix the alternative minimum tax that is going to affect 35 million American taxpayers by the end of this period, nearly 1 in 4 taxpayers in this country. One can say: We don’t think the Bush defense request will be granted. Fine. One can use one’s own assumptions if one desires, this reveals just as clearly as can be that their economic plan, their budget plan, does not add up, did not add up, and puts us right back into the deficit ditch. That is what I have said and that is what I meant, and I believe the record is clear.

Mr. President, I think they realize they are in trouble, so their response has been: Oh, there really isn’t a Medicare trust fund surplus. That has been one of their responses. We have heard it in the Chamber, we have heard it from people in the administration. That is an interesting idea, but if one looks at the report of the Congressional Budget Office on page 19 of the budget outlook, under “Trust Fund Surplus”—this is a report of the Congressional Budget Office—it shows that Social Security has big surpluses every year. Medicare, hospital insurance, Part A: big surpluses every year. Part B, the administration claims, has a deficit. That is not what the records show. The records show that it is in rough balance and actually has a slight surplus over the period of the 10 years in this budget. It is not just the Congressional Budget Office documents that show there is a Medicare trust fund surplus; it is the administration’s own documents issued by the Office of Management and Budget that show Medicare, Federal hospital insurance, HI trust fund surpluses each and every year.

It is not just Medicare Part A; it is Medicare Part B the administration is now claiming is in deficit. But look at their own reports. Here is Part B, the Federal Government’s Medicare Supplement insurance trust fund; look at the reports they have issued. They show that over the 10-year period of time they are in rough balance in Part B. What they have tried to do is say, because Medicare Part B is financing 75 percent from premiums and 75 percent from the general fund, the general fund contribution represents a deficit. It does not. If we were to apply that standard, every other Federal Government program would be in deficit because they are funded by and largely by 10 percent contributions from the general fund.

Is this administration claiming the defense budget is in deficit because it is financed 100 percent from the general fund? I have never heard that from them. I never heard from them that education is in deficit because it is funded 100 percent by the general fund. That is precisely how you fund most Government programs.

Medicare Part B physician services actually already has an additional funding mechanism. Some of it comes from the general fund, but part of it—25 percent, roughly—comes from the premiums paid by Medicare-eligible people.

Now, is this administration saying that in a deficit they are proposing a big increase in the premiums that senior citizens pay? I would like to hear the answer to that. Is that what they are suggesting? They have a problem because I believe it is wrong to use Medicare and Social Security trust fund money to pay for the other programs of Government. Their own congressional leadership doesn’t agree with them.

If they are saying that my views are those views of the 1930s, are they making that same accusation with respect to the Speaker of the House of Representatives—the Republican Speaker of the House of Representatives? This is what he said on that question on March 2 of this year. He said:

We are going to wall off Social Security trust funds and Medicare trust funds. And consequently, we pay down the public debt
Mr. NUSSELE: The House of Representatives, has 1930s economic views?

It doesn’t stop there. Here is a quote from the House majority leader, DICK ARMEY, a Republican. He said, this month:

Let me just be very clear on this. The House of Representatives is not going to go back to raiding Social Security and Medicare trust funds.

Does Mr. Lindsey think DICK ARMEY, the Republican majority leader in the House of Representatives, has 1930s economic views?

It doesn’t stop there. Here is a quote from July 11 from the House Budget chairman in the House of Representatives, Mr. Jim NUSSELE:

This Congress will protect 100 percent of the Social Security and HI trust funds. Period. No speculation. No supposition. No projections. The Congress has voted unani- mously, or almost unanimously. There were a few that didn’t see it this way for lockboxes and all sorts of different mecha- nisms to make sure this occurred. Both par- ties provided funds that did so. We will protect 100 percent of Medicare and Social Security.

Does Mr. Lindsey think the Republican House Budget Committee chairman has 1930s economic views? What say you, Mr. Lindsey?

I am willing to engage in a tough and spirited debate on these issues with any representative of the administra- tion. But I do not expect them to mis- represent my positions and my clear record. Those are my positions. No attempt by you to distort them or misrepresent them is acceptable.

I thank the Chair. 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.

The PRESIDING OFFICER. In my capacity as a Senator from the State of Florida, I ask unanimous consent the order for the quorum call be rescinded. The Chair hears none, and it is so ordered.

The PRESIDING OFFICER. Mr. Lindsey, does Senator DOMENICI, the former Republican chairman of the Senate Budget Committee, have 1930s economic views?

It is not just the former chairman of the Senate Budget Committee, the former Republican chairman, and not just the elected leadership of the House of Representatives—all Republicans—who have said very clearly that they intend to protect both Social Security and Medicare trust funds. Every Re- publican Senator, every single one, voted 4 months ago, on language that said the following:

Preserving the Social Security and Medi- care hospital insurance surpluses would re- store confidence in the long-term financial integrity of Social Security and Medicare.

That is what they said. They said very clearly the same thing I am say- ing.

Mr. Lindsey, does every Republican Senator have 1930s economic views? I don’t think so.

We ought to have a thorough and honest debate. But Mr. Lindsey, don’t misrepresent my view and misrepre- sent my record. It is there for anybody to check. I proposed not a tax increase for this year; I proposed a significant tax reduction, a much bigger tax reduction than this administration proposed for this year. I proposed a real fiscal stimu- lus at a time of economic downturn. I didn’t just propose it; I voted for it. My record is clear.

Interestingly enough, this administra- tion proposed no fiscal stimulus for this year. I am holding up their plan. I will submit it for the RECORD because it is right here. If Mr. Lindsey thinks we have forgotten who proposed what, he is dead wrong. We remember very well.

Who stood where on the question of fiscal stimulus for this year? I not only proposed significant tax relief for this year; I proposed significant tax relief going forward. It is true, not as big a tax cut out for the administra- tion proposed, because I could see they were putting us in danger of raid- ing the Social Security and Medicare trust funds in the future, at times when even they say the economy will be growing strongly. That is their eco- nomic plan. That is their budget plan that has put this country in jeopardy, that has put us in a position of viol- ating the trust with the American people. It is their budget plan. It is their tax plan, that has us on a colli- sion course with going back into the deficit ditch.

Mr. Lindsey is the chief economic ad- viser to the President of the United States and the architect of this failed plan. He will be held accountable by history. He said they had a plan that added up. I confess, I didn’t know when I was on the floor day after day after day questioning the wisdom of their plan that it would be revealed in this year how flawed it really was. I did not think I would see it until perhaps 2003 or 2004. But already we are in trouble; already this administration is using Medicare and Social Security trust fund money—at least Medicare trust fund money this year, clearly Medicare trust fund money next year and perhaps even Social Security trust fund money—and that is before their request for a substantial increase in de- fense expenditures.

I am willing to engage in a tough and spirited debate on these issues with any representative of the administra- tion. But I do not expect them to mis- represent my positions and my clear record. That is unacceptable. That is absolutely unacceptable.

All of this is especially ironic, given the headlining of a “Washington Post today: “Social Security Future Grim, Bush Panel Says.” Here is the first paragraph of that article:

A commission assigned by President Bush to redesign Social Security yesterday offered a bleak appraisal of the system, warning that deep benefit cuts, tax in- creases, or “massive” federal debt are inevi-
There being no objection, the Senate, at 12:09 p.m., recessed subject to the call of the Chair and reassembled at 12:13 p.m. when called to order by the Presiding Officer (Ms. LANDRIEU).

The PRESIDING OFFICER. In my capacity as a Senator from the State of Louisiana, I suggest the absence of a quorum.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

JACKIE M. CLEGG

Mr. BENNETT, Madam President, I take the floor to join some of my other colleagues on the Banking Committee to express my admiration for and thanks to Jackie Clegg, who is serving her last day as Vice Chairman of the Export-Import Bank. Jackie Clegg might otherwise be known somewhere as Mrs. Chris Dodd. She began her career on the Banking Committee, where she met Senator Dodd, as a staffer for my predecessor, Jake Garn from Utah. She is a Utah alumna in Washington, of whom we are all very proud.

She has performed expert service as a member of the Banking Committee staff and now in her new assignment on the Export-Import Bank. We wish her well as she ends her career there.

I wish to note that Jackie has her priorities straight. One of the reasons she is leaving the Export-Import Bank is because she is expecting a child. It will be her first. It will also be Senator Dodd’s first. I wish them both well in their new anticipated careers as parents.

Jackie understands the importance of a family, and her willingness to give public service has been greatly appreciated, and her willingness now to give a different kind of service that perhaps will have lasting impact as she prepares to bear and raise a child will be something for which she should be congratulated also.

I join with the other members of the Banking Committee in saying to Jackie as she ends her service with the Export-Import Bank: Well done. We are grateful for your service. We are grateful for your leadership. We are grateful for the expenditure of your talents on behalf of your country.

I say to her and Chris: Good luck and best wishes as you embark on the sea of parenthood. My wife and I have had four years of surpluses, 4 years of better management, and 4 years of developing policies that are helping the District to regain its financial footing.

I think it is very important for us to focus on the role of the chief financial officer to make sure that the new responsibilities he has been given—it is my understanding that about 26 weighty responsibilities for the financial operations of this District have been handed to him by the city council and by our own laws here in Congress—will be matched with the proper authority and a proper power to carry out those responsibilities.

I have spent a good bit of this week reading a very excellent report by the DC Appleseed Center, entitled “After the Control Board: The Chief Financial Officer and Financial Management of the District of Columbia.” which is the sole focus of this report:

The DC Appleseed Center is an independent non-profit advocacy organization dedicated to making the District of Columbia and the Washington Metropolitan area a better place to live and work, focusing primarily on strengthening the financial health of the District and enhancing the performance of governmental institutions that affect the District.

I ask unanimous consent that the list of the board of directors and staff be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BOARD OF DIRECTORS

Daniel M. Singer, Chair, Fried, Frank, Harris, Shriver & Jacobson
Jacquelyn V. Helm, Vice-Chair, Law Office of Jacquelyn V. Helm
Roderic L. Woodson, Secretary, Holland & Knight
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Andrew Plepler, Fannie Mae Foundation
Gary M. Ratner, Washington Meeting Facilitators
Michael C. Rogers, Metropolitan Washington, Council of Governments
Laurence R. Walders, Powell, Goldstein, Frazer & Murphy

Affiliations listed only for purposes of identification.

STAFF

Joshua S. Wyner, Executive Director
Lori E. Parker, Deputy Director
Emily Greenspan, Program/Development Associate
Adam L. Lowe, Program Associate
Sara Pollock, Program Associate

Ms. LANDRIEU. Mr. President, it is an outstanding board of directors with a very able staff.

I believe the District of Columbia council and the Mayor have referred
very positively to this report. I myself will use it as a guideline as I take responsibility of this committee because there are many terrific suggestions outlined here about this particular issue—about the proper authority and power of the CP. It is important that the financial officer who is assuming much of the responsibility of the Control Board be properly balanced between being responsible to the Mayor, the chief executive officer of this city, or you will, and his responsibility to the public generally to give independent, accurate, and timely financial information so we can continue on this road to reform. This report will serve as great guidance, and it will be the subject of much of our discussion.

Second, as I said in a public meeting last week with the Mayor and with Delegate Norton, I agree with them on the structural changes that the District needs to come to grips with that are not only long-term, but financial health and prosperity for the District. There are, indeed, some real problems, some structural flaws and some structural deficits that are preventing the city from gathering the tax base and the base necessary to support such a strong and vibrant community. That will be subject to some of our focus.

In addition, I assure all who look to the District of our continuing push for modernization and streamlining operations of the District, and reform of regulatory operations so that we minimize regulation and maximize good results for everyone who lives and works here. That is important.

I commend the Mayor for his extraordinary vision about what the schools can be and should be in the District of Columbia. We have this challenge everywhere around the Nation—every city, large and small, every community, which is a community with the large population of citizens who may be under the poverty line; where citizens who may be at some disadvantage economically and are struggling with how to create vibrant, well-run and well-managed schools; where teachers are highly motivated, well paid, and highly skilled; where students are getting the kind of nurturing and support they need as well as a place where time-honed values are presented to children with the right combination of discipline and nurturing for them so they can grow, develop, and be all that God intended when he created them.

I share the Mayor’s vision for strengthening of the schools. I look forward to working with the new initiatives on the development of charter schools—with more flexibility and choice for parents and a stronger academic outcome. I commend him for the work he is doing.

Also, of great interest, not only to me but to many Members of the Senate, is the push for reforming the court system in the District. Unfortunately, we have had these problems everywhere in our Nation. There have been some real breakdowns in our child welfare system. We have let many children down. We have not always come to their rescue when they have cried. We have sometimes left children living in crisis. They have been taken from their own parent they knew away from them, and then failed to provide them with another one.

The system in the United States has caused a lot of pain and a lot of grief. We have not supported our courts and our social workers and our front line staffers the way we need to around this Nation. It is no different here in the District.

So I am going to work very closely with Senator DeWine, the father of eight children, who is a great leader for child welfare on the other side of the aisle, and with Delegate Norton and Congressman Delaney, who are very focused on this issue, to modernize and strengthen our family- and child-centered court system so we stop letting children fall through the cracks.

I read in a book recently that when we say, oh, well, the children just fall through the cracks, it is not true because there are no real cracks for children to fall through. What they fall through are our fingers. They fall through our hands, hands that once held them. They have fallen through the cracks. We have the ability to make sure the court system at every level and the child welfare system at every level, as much as we can, are strengthened in the District.

Finally, in terms of issues, because of the great support and feedback I have gotten from a wide variety of people—elected leaders, as well as friends and neighbors of mine as a resident here in the District, and actually living on Capitol Hill—I believe in the importance of the communities for children of the District, to enhance those recreational opportunities to be commensurate with the surrounding suburbs. In the State of Maryland and in the State of Virginia, there are outstanding facilities where children of those States are able to participate in first-class and world-class sports and recreational activities. I think that is very important for the children and families of this District. We want them to have the same kinds of opportunities as children have in this region and across the Nation.

I am pleased that the National Soccer Association, the U.S. Chamber of Commerce—a broad bipartisan group of citizens around this city—are rallying to the cause of creating this kind of atmosphere that is not only important to children and families, but it is important to the business community. It gives children something to say yes to. I think, as adults, we have a responsibility to not just say no to them but to give them some things to say yes to, such as outdoor activities and recreation and team sports that build character and keep children occupied at very positive activities.

So with those issues I just outlined, I want to conclude by simply expressing, again, my support for the concept of home rule, but also to recognize my responsibility as the Chair of this committee, to say that every citizen in our Nation—every citizen, from every walk of life—has a special interest in the District of Columbia. This city has to function, obviously, and be responsive to the residents who are here. This approximately 500,000 residents—but this District has a special responsibility.

Unlike any other city—unlike New York or Philadelphia or New Orleans or San Francisco or Chicago, or smaller communities around the Nation—this city has a particular responsibility to every citizen of this Nation because every citizen of this Nation looks to this city as the Capital. It is part of our recognition that this nation担当s a further role as a nation of citizens. So I will be trying to represent the interests of those citizens in this debate as much as my ability will allow.

Finally, in my role as chair, I also see responsibility to the Federal Government as an employer. We are the largest employer in this District. In relation to large employers anywhere—whether it is Boeing in Seattle or another large employer in another city somewhere in America—the Federal Government employs more people in the District of Columbia directly and indirectly, by far, than any other employer.

As an employer, we have an inherent interest in the financial management of the city that we are in about its daily operations, and we have standing in those discussions. So there is a balance between home rule and the Federal Government’s agenda and legitimate expressions, as the largest employer in this city, of how this community should operate and how it should function.

Then, thirdly, there is a place at the table for the citizens in every State and community about the District. I hope to be able to balance those three truths as carefully as I can as chair.

I want to say one more thing about large employers. If Boeing is dissatisfied with the way the city of Seattle was being run, they have tremendous leverage. They can basically pick up and move their operations. We have seen large corporations use that leverage, and move their operations. We have some structural deficits that are prepaid, and highly skilled; where students are highly motivated, well paid, and highly skilled; where teachers are highly motivated, well paid, and highly skilled; where students are getting the kind of nurturing and support they need as well as a place where time-honed values are presented to children with the right combination of discipline and nurturing for them so they can grow, develop, and be all that God intended when he created them.

I share the Mayor’s vision for strengthening of the schools. I look forward to working with the new initiatives on the development of charter schools—with more flexibility and choice for parents and a stronger academic outcome. I commend him for the work he is doing.

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So while I would not want to use the word "hostage" in the wrong way, we are subject to not have the same leverage that other large employers have. So in the role as chair of this committee, I take on extra responsibility to try to communicate, in as constructive a way as possible, the grave ordeal of the Federal Government as an employer. Particularly in the areas of public safety and transportation, our employees who work in the District, who are employed by the Federal Government, have a legitimate standing in those debates.

So let me say, in closing, that I look forward to working with many of my colleagues, Senator BYRD, himself, the distinguished Senator from West Virginia, served for 7 years in the capacity as chair of this committee. I cannot say at this date that I will serve as chair for 7 years—for as long as Senator BYRD served—but I can promise you, it will be no less than 4 years. If I cannot serve it 7, I may try, because it is a lot of responsibility and it is a lot of work.

But I come to this chair at a time of great promise for this city, and with a great leadership team to work with, the Mayor and the city council, and who are poised for reform, some men and women who have literally given blood, sweat, and tears to lift this District to a place that holds great promise for not only the residents who live here, including every single child who lives here today, but for families everywhere.

So I am looking forward to that with great anticipation and great enthusiasm and will, again, focus on these important issues.

I thank the Presiding Officer. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

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

SUPPLEMENTAL APPROPRIATIONS ACT, 2001—CONFERENCE REPORT

Mr. BYRD. Mr. President, today we are considering the conference report on H.R. 2216, the Supplemental Appropriations Act for fiscal year 2001.

My colleague, Senator STEVENS, is momentarily off the floor. He has some constituents. He understands that we are beginning our discussions and has indicated his willingness for me to proceed. But he will come to the floor shortly and have some things to say also about the conference report.

On June 1, 2001, President Bush asked Congress to consider a supplemental request for $6.5 billion primarily for the military request. The conference report the Senate will adopt later today totals $6.5 billion—not one dime above the President's request.

The conference report contains no emergency designations. The President has said he will not support such emergency designations, so the conference has not included any emergency designations in this bill. Unrequested items in the Department of Defense are transferred to other programs.

The conference report is the product of the hard work and cooperation of all of the conferees, especially Senator STEVENS, ranking member of the Appropriations Committee in the Senate, and Chairman BILL YOUNG, the House Appropriations Committees Chairman, and the ranking member of the Appropriations Committee in the House of Representatives, DAVID OBEY.

I cannot say enough about the cooperation of my friend and colleague, the former chairman of the Appropriations Committee in the Senate and now the ranking member, TED STEVENS. The word really isn't "cooperation." It is better than that. It is "leadership." The distinguished ranking member is on the floor now. As I indicated earlier, "leadership" is not really the word. There is a better word than that. The word is "leadership." I compliment the distinguished Senator from Alaska, Mr. STEVENS, on his leadership in crafting this agreement.

It was not an easy task to craft an agreement that had no emergency designations, that had all unrequested items, an agreement which conformed to Senate rule XXVIII and was not one dime over the President's request. I thank all of the conferees for their cooperation.

The conference report includes a number of offsets to pay for unrequested items, and Members should know—and perhaps be reminded—that with passage of the bill, we are at the statutory cap for budget authority in this year. H.R. 2216 funds the President's defense request for a net increase of $5.5 billion, including $1.6 billion for defense health care, $515 million for military pay and benefits, $3.25 billion for increased military readiness, including the high costs of natural gas and other utilities, for increased military flying hours, and for other purposes. The conference report also includes $278 million for defense-related programs of the Department of Energy.

While the conferees have approved the President's request for the Department of Defense, I stress the importance of accountability for these and future funds. Financial accountability remains one of the weakest links in the Defense Department's budget process. This is no criticism of the Secretary of Defense. He is a new man on the job. He has been there before, but he inherited this. It is an accumulation over years and years.

Recently, the General Accounting Office reported that, of $1.1 billion earmarked for military spare parts in the fiscal year 1999 supplemental, only about $388 million could be tracked to the purchase of spare parts. The remaining $1 billion—or 92 percent of the appropriation—was transferred to operations and maintenance accounts, without the tracking ability. We must do better in making sure these dollars are spent properly. So this provision attempts to address that problem.

The conference report includes report language requiring the Secretary of Defense to follow the money and to provide Congress with a complete accounting of all supplemental funds that are appropriated for spare parts. I am gratified that the administration recognizes this problem and included $100 million for strengthening the DOD financial management system.

The conference report provides $300 million for the Low Income Energy Assistance Program, an increase of $150 million above the President's request, to help our citizens cope with high energy costs. The conference report also includes $161 million for grants to local education agencies under the Education for the Disadvantaged Program in response to the most recent poverty and expenditure data. Also provided is $100 million as an initial U.S. contribution to a global trust fund to combat AIDS, malaria, and tuberculosis.

A special request was made to me by our leader on this side of the aisle, Mr. DASCHLE. In conformity with his request, I worked to have $100 million included in this conference report. In addition, $92 million requested by the President for the Coast Guard is included, as is $115.8 million requested for the Treasury Department for the cost of processing and mailing out the tax rebate checks.

The conference report includes $3 million for the Department of Agriculture for inspection and enforcement activities to protect and promote humane treatment of animals.

The American people are becoming increasingly sensitive to the treatment of animals. In the past few weeks, in the local papers here in Washington— the Washington Post and the Washington Times—I have read reports of animals being processed while still alive—processed for food products while still alive. They were not stunned; they were not mercifully killed. They are now trying to do something about that on appropriations. The American people are becoming sensitive to it. Reports of cruelty to animals through improper livestock production and slaughter practices have hit a nerve with the American people. So this provision attempts to address their growing concern. Additional inspectors are being provided by moneys
that were added in our committee—the $3 million added for additional inspectors to enforce the laws that are already on the books. We expect those laws to be enforced.

The bill includes authority to make payments for fiscal year 2002 from the radiation exposure trust fund to provide compensation to the victims of radiation exposure for individuals who were involved in the mining of uranium ore and those who were downwind from nuclear weapons tests during the cold war. These victims have waited for too long for this, and I compliment the Senator from New Mexico, Mr. DOMENICI, and Senator TED STEVENS for their insistence upon a proper response by the Congress, by the Government, to the needs of these people who have been promised assistance.

The conference agreement includes critical disaster assistance through the Corps of Engineers and the Department of Agriculture. The Interior, Transportation, and Defense in response to recent flooding, ice storms, earthquakes, and other natural disasters across the Nation. These are the kinds of items, certainly, that are eligible to be called emergencies. These are acts of God, the acts of man but the acts of God—and they ought to be designated emergencies. That is what they are. They are unforeseen and they are very costly—many times in human lives. There has to be help, and there is a certain amount of cooperation that will take place. I know that the Administration believes that these programs have adequate funding through the end of this fiscal year. We will closely monitor this situation and if there is need for additional resources, we will address those needs in the fiscal year 2002 appropriations bills, which as I say we have to deal with.

I have been on the Appropriations Committee 43 years. This is not the first time I have said things like this, and it ought not be the last time, either.

I have been on the committee 43 years. This is my 43rd year. No Senator above the President’s request. Do you hear me down there at the other end of the avenue? We are not one thin dime above the White House request.

I think that is something to ponder upon. This bill is within the statutory spending limits. It is a responsible bill. I urge Members to support it.

We had planned to have this matter before the Senate on Monday, but the administration has indicated its need for action on this bill today. Senator STEVENS has responded. He is here at his post of duty. We are working with the leaders on both sides of the aisle to bring this bill up for consideration. The PRESIDING OFFICER. Without objection, it is so ordered.
I do believe this conference report meets the needs as defined by the President in the submission he made in a request for supplemental. It was an urgent defense supplemental but not an emergency bill that we received. As Senator BYRD has indicated, we do not have any emergency money in this bill. Nor account required emergency spending. It provides additional resources for critical readiness and for quality of life and medical programs.

At the close of the last Congress, we passed two bills, one dealing with health care and another dealing with pay affecting the Department of Defense. In order to fund those, they had to take money out of the first three quarters of this calendar year and use it for the programs, meaning the other programs, particularly the readiness programs which are involved in the steaming hours, the flying hours, the use of tanks in the field, the maneuvers. These cost money. This bill is to fund those and that was why it was urgent we finish this bill today.

However, there are other priorities, some of which Senator BYRD has mentioned. He mentioned the radiation compensation. I point out also there is radiation compensation that has to come up with regard to the Salt Lake City Olympics, for the defense nuclear programs. I commend Senator BYRD particularly for calling to the attention of the committee the President's request for additional money to respond to the international AIDS crisis. There is money here. That is a legitimate supplemental request. It may even come under the heading of being an emergency one of these days. It is a near world emergency. At least we have jumped the gun and made money available now, which the President actually requested for 2002, and the President has indicated an appreciation of that action, and I am sure he will be pleased to sign this bill.

We have started off under a new management. A slight revolution went on there and we changed positions, but this bill demonstrates we can work together in a bipartisan fashion. I think the supplemental conference we had with our friends in the House, the chairman of the House committee, Congressman BILL YOUNG, and the ranking member, Congressman OBEY, had probably the best—there is no other word for it than ambience, the best feeling I have had in a long time. We all realized we had a lot to do in a short time to do it. We are behind the curve as far as our bills are concerned. This bill came through conference between the House and Senate in record time.

It does represent a lot of things. As Senator BYRD mentioned, there are some things for his State, there are a couple things that affect my State. I will point that out.

Over this recess of July, I went home and examined the area and talked to the Forest Service about that area of our State where a controlled fire got out of control, a fire on Forest Service lands that actually had gone into the beetle kill area. We have an enormous amount of our forests in Alaska that have already been killed by beetles. This fire left the Federal Forest Service sitting there in a fire because a project has already been planned for scheduled harvest of timber from State lands. We had provided for that. It is not emergency money, but it is money to assist the Forest Service to deal with the beetles.

It is also a provision to allow funds that we previously appropriated for the State of Alaska to construct a seed laboratory in Palmer, our agricultural area. The law had to be changed so that those funds could be used. The project was made available where there was a defect in the previous law. It makes permanent a provision that Congress has included in previous bills recognizing those tribes in our State of Alaska that are entitled to tribal priorities, and also makes some technical corrections regarding legislation previously funded, when there were banned inadvertently 11 of our crab vessels from participating in our fishing operations. When we handled these, we were able to make technical changes in the law, enabling previously appropriated funds to be used as we intended them to be used. There are several of those technical corrections in this bill that affect my State. Again, I express my appreciation to Senator BYRD and other members of the committee for being willing to address those and to allow making these small changes that are necessary so these funds already appropriated for this year can be used this year. That is why the provisions are in this bill.

The Supplemental Appropriations conference report contains two provisions that are very important to the North Pacific fishing industry. The first provision makes changes to the American Fisheries Act to ensure that U.S. lenders may continue to offer financing to fishermen and fishing companies after October 1, 2001. The second provision makes changes to a fishing vessel capacity reduction program to ensure that all vessels which meet the standards set by the North Pacific Fishery Management Council may participate in the Bering Sea crab fisheries.

The American Fisheries Act, AFA, helped "Americanize" the domestic fisheries by requiring that U.S. fishing vessels be 75 percent owned and controlled by U.S. citizens at all tiers of ownership and in the aggregate. The AFA also limits the class of lenders that may hold a preferred mortgage on a fishing vessel to "fisheries citizens" who meet the 75 percent standard.
states—federally-chartered financial institutions which meet the controlling interest (51 percent) requirement in section 2(b) of the Shipping Act of 1916, or lenders using a mortgage trustee which qualifies as a fisheries citizen. These provisions apply to the more than 30,000 U.S. fishing vessels in our domestic fleets. The Maritime Administration’s implementing regulations give special scrutiny to vessels 100 feet in length or greater.

Since these implementations were promulgated, Congress has been told that most large lenders cannot prove that they are U.S. citizens under Marad’s rules. Proof can only be made through an examination of shareholder records, which is a practical impossibility for widely-held companies. Shares in these lending institutions are traded thousands of times a day, and are often held by mutual funds on behalf of the real equity owners. The same proof problems have discouraged financial institutions from acting as mortgage trustees.

Section 2202(a) moves the provisions defining a mortgage trustee from Chapter 121 of title 46, which deals with vessel documentation, to chapter 313, which deals with vessel mortgages. This will prevent the loss of a fishery endorsement by a vessel if that vessel’s mortgage trustee falls out of compliance with the statute.

Section 2202(b) expands the class of lenders eligible to hold a preferred mortgage to include state- or federally-chartered financial institutions insured by the Federal Deposit Insurance Corporation, farm credit lenders, specific banks created under state law, and eligible commercial lenders. This provision more accurately reflects the types of lenders currently making loans to the fishing industry.

Section 2202(c) expands the class of eligible mortgage trustees to include any one to hold a mortgage directly, provided that it also meets other requirements. Marad will specifically analyze the trust arrangements of beneficiaries which are not commercial lenders, or are not eligible to hold preferred mortgages directly.

Section 2202(d) delays the effective date of these changes until 2003 to give Marad time to develop new regulations. I strongly encourage Marad to promulgate this by March 1, 2002, and final regulations not less than 180 days later, so that Congress may review the new rules before they take effect. Additionally, Congress’s significant concern over foreign control of fishing vessels that led to the AFA has not lessened since it was enacted in 1998. In promulgating new rules that take into account the specific legislative changes made by this provision, Marad should also take every step necessary to ensure that foreign capital is neither impermissibly invested in our nor controlling our fisheries.

Finally, Section 2202(e) addresses commerce treaties between the United States and certain foreign countries. After consultation with the State Department, Marad recently determined that these treaties exempt foreign ownership of U.S. fishing vessels from the AFA’s 75 percent U.S. ownership standards. These U.S. vessels would not have been eligible to receive the special permits which the AFA authorized. Moreover, it was determined that the additional foreign investments made between now and October 1, 2001, this provision closes that window, and freezes the foreign ownership at today’s levels.

The other provisions in the Supplemental Appropriations Act, section 2201, corrects an interpretation of law that inadvertently disqualified several vessels from the crab fisheries. This provision restores the eligibility of vessels for the August recess which used the fishing history from multiple vessels to meet the qualifying periods agreed to by the North Pacific Council.

My last comment is that we have expressed a desire from our majority leader to have the nine bills before the August recess. That is 2 weeks away. I am committed to try and work with Senator BYRD and other Members to achieve that goal. I think it is important and possible. The fact this is a fair and balanced agreement and one that has come out of our committees on a bipartisan basis is a harbinger of good things ahead. I hope we can work on the other bills the same way. We have on this one and demonstrate our commitment to catch up on the appropriations process and deliver on the request of the majority leader: that we report out and get to conference prior to the time we leave for the August recess, one of the bills that have been outlined by the chairman.

Again, I am grateful and humbled by the comments of my friend from West Virginia, having been my mentor for so many years. To have him make the comments he did concerning me is a humbling matter. It is more than a testament to his character. He certainly attends to his duties and responsibilities toward the people of New Mexico. In this instance they can be proud of him, likewise.

Madam President, I thank the Chair. Most sweetly. The other provisions in this area. I inadvertently overlooked the name of Senator BINGAMAN. He was an original Senate sponsor of this effect. He also did work that was demonstrated on the other side. He certainly attends to his duties and responsibilities toward the people of New Mexico. In this instance they can be proud of him, likewise.

The PRESIDING OFFICER. Mr. STEVENS. Madam President, I thank Senator BYRD for his comments in honor of Terry Sauvain who is now staff director of the full committee. This is his first bill in that capacity. This demonstrates his basic approach, and we are blessed by his presence and knowledge, that he also has decided to proceed, as Senator BYRD and I have, on a bipartisan basis. He has been very gracious to all Members on our side. I thank Senator BYRD for commenting Steve Cortese, a brilliant former staff director, now staff director for the minority. He really is a key man in the Senate as far as I am concerned; and Andy Givens here, working with me along with Lisa Sutherland; and I am pleased Senator BYRD mentioned Senator THAD COCHRAN, who is here, who was a member of our conference and has really contributed greatly to the outcome of this bill.

It is my understanding when I yield the floor the bill will pass; is that correct, Madam President?

Mr. BYRD. Will the Senate yield?

Mr. STEVENS. Yes.

Mr. BYRD. Upon his completing his statement, the Senate will have acted on this one.

Let me refer to some things I inadvertently overlooked. One is the splendid staff work that was demonstrated in bringing this conference report to the floor and bringing the meeting of the minds together. In both Houses, the meeting of the minds together. It was the most remarkable display of statecraft that I have seen in my service on committees in the Senate, the way our staffs worked.

The other collaborations staff on both sides is a class act, a class act.

I thank Terry Sauvain and Chuck Kleffer and Steve Cortese. These are remarkable men in the way they worked together and the way they worked in the House. I want to extend the same expressions of thanks and admiration to the House staff, Jim Dyer and Scott Lily. It is remarkable. This is a real class act to watch. I also want to thank the Commissioners, the House and others on that side of the aisle, THAD COCHRAN and the other Members on the Republican side of the aisle in committee. These are fine people to work with, never a hint of partisanship. Not.

In closing, I also inadvertently omitted the name of Senator BINGAMAN when I spoke about the authority to make payments during fiscal year 2001 from the reparation exposure trust fund.

I mentioned the leadership of Senator STEVENS and Senator DOMENICI in this area. I inadvertently overlooked the name of Senator BINGAMAN. He was an original Senate sponsor of this effect. He also did work that was demonstrated on the other side. He certainly attends to his duties and responsibilities toward the people of New Mexico. In this instance they can be proud of him, likewise.
the chairman, TED STEVENS, and the ranking member, DANNY INOUYE of the Defense Appropriations Committee subcommittee.

Mr. STEVENS. Will the Senator yield?

Mr. BYRD. Yes.

Mr. STEVENS. Turn that over. We have just changed seats.

Mr. BYRD. Yes. OK.

Mr. STEVENS. Chairman INOUYE and Ranking Member STEVENS.

Mr. BYRD. The Senator is correct. But those two, TED STEVENS and DANNY INOUYE, are just like TED STEVENS and ROBERT BYRD. It really doesn’t make a difference. If it weren’t for the fact that I am expected, if I leave the Chair momentarily, to call on a Democrat, I would just be as sure and as confident and secure if I turned it over to TED STEVENS. It would not make a bit of difference to me personally. I would say: TED, I have to go out for a moment to see some constituents. Would you take it over?

We are fortunate, though, in having TED STEVENS and DANNY as the two key members on national defense, active at the helm in our development and managing of this supplemental. I thank the Senator.

Mr. STEVENS. I was going to mention Senator INOUYE because he mentioned to me earlier we ought to do something to try to see if we can get this bill finished today. So we have met Senator INOUYE’s request.

I yield the floor.

The PRESIDING OFFICER. Is there further debate on the conference report?

If not, under the previous order, the conference report is agreed to. The motion to reconsider is laid upon the table.

Mr. COCHRAN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The modification is as follows:

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

AMENDMENT No. 129, as modified

Mr. DASCHLE. Madam President, I ask unanimous consent that the previously agreed to amendment numbered 1029 be modified with the language at the desk in order to vitiate action on the last division of the amendment.

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

The amendment (No. 1029), as modified, was agreed to, as follows:

On page 20, line 16, strike the numeral and all that follows through the word “Cordo” on page 18 and insert in lieu thereof the following: “$3,346,128 shall be set aside for the pilots program authorized under section 103(a)(11) of the Transportation Equity Act for the 21st Century, as amended and section 162 of title 29, United States Code.”

On page 33, line 12, strike the word “together” and all that follows through the semi-colon on line 14.

LEGISLATIVE APPROPRIATIONS ACT, 2002

OFFICE OF TECHNOLOGY ASSESSMENT

Mr. BINGAMAN. Mr. President, my amendment intends to restore a lost capability to assess the effects of science and technology on our Congressionally policymaking process.

Mr. DURBIN. Is the Senator proposing to restart the former Office of Technology Assessment?
Mr. BINGAMAN. I am not proposing to restart Office of Technology Assessment (or OTA). But, I feel that today we lack the analytical insight of its technology assessment process.

Mr. DURBIN. How is the Senator proposing that these funds be used?

Mr. BINGAMAN. I am proposing a one year pilot program to utilize technology assessment methodology to analyze current science and technology issues affecting our Congress. I am proposing this by contracting with outside non-profit agencies such as the National Academy of Sciences. My intent was for the Congressional Research Service to manage this activity as I feel they are better suited to conduct and oversee this type of long term research activity. In doing so, I was hoping that oversight would be provided by the Senate Rules and Senate Administration Committees and through these Committees, the Joint Committee on the Library of Congress.

Mr. DURBIN. Who is the Senator now proposing to manage this activity?

Mr. BINGAMAN. It has been suggested that the General Accounting Office can better serve this function. I feel that the General Accounting Office may not be suited for such a long term research activity. The GAO is investigative in nature. However, it is better to start an initial pilot program utilizing the OTA technology assessment method rather than no pilot program at all. So, I am opposing this amendment to use the General Accounting Office. But, I ask the Chairman that during conference, serious consideration be given to my request of having the Congressional Research Service manage this pilot program.

Mr. DURBIN. How will the initial studies be chosen for the pilot program and how will they be reported?

Mr. BINGAMAN. The General Accounting Office should submit a listing of Congressionally relevant technology assessment studies to its oversight committees, the Senate Committee on Governmental Affairs and the House Committee on Government Reform. From this list, two projects should be chosen, one by each Committee no later than October 31st, 2001. The technology assessment studies should then begin with a report given to both Committees, and the House and Senate Appropriations Committee, no later than June 15, 2002. At that time the decision can be made as to whether this technology assessment process was beneficial enough to continue it a second year. If this pilot program is to continue, I recommend that the funding be executed using the Office of Technology Assessment authorization language. OTA’s 200 person, $20 million budget, the organization would be a small legislative branch staff using outside non-profit groups to perform the in-depth research.

ACCESS TO VA HEALTH CARE IN WEST VIRGINIA

Mr. ROCKEFELLER. Madam President, as chairman of the Committee on Veterans’ Affairs, I want to share with my colleagues some of the concerns voiced by veterans at a recent field hearing in my home state of West Virginia. On July 16, the Committee held a hearing in Huntington, West Virginia, to examine the challenges facing veterans from rural areas who receive health care through the Department of Veterans Affairs. The Committee heard of the last West Virginia field hearing on access to rural VA health care in 1993. Since then, profound changes in VA’s health care delivery—a rapid increase in community clinics, eligibility reform that opened the system to more veterans, and the reorganization of VA into 22 service networks—have affected how veterans access basic and specialized medical care.

The challenges that face VA in providing health care possible to our Nation’s veterans are often magnified in rural areas, where veterans and VA caregivers must stretch already limited resources over long distances. West Virginia contends with a unique situation. One of our four VA medical centers belongs to a different VA service network. While this partitioning creates problems for West Virginians, it also offers the Committee the opportunity to study in microcosm the problems facing veterans throughout the VA system.

Regrettably, many of the problems discussed at the 1993 field hearing remain with us: the struggles with an inadequate budget, long waiting times for care, too few VA personnel to provide specialized care, insufficient long-term care services, and transportation problems for veterans traveling to or between VA medical centers. And, with the aging of the veterans population and continued absence of meaningful Medicare-Medicaid matching, veterans’ concerns about access to, and copayments for, prescription drugs grow even more pressing.

It will not be easy to solve these problems; after the President’s recent tax cut, there is simply not enough money available—either in the President’s budget or the Budget Resolution adopted by the Congress—for veterans’ health care. That said, we must do our best to improve access to rural health care with the resources that we have.

On July 16, West Virginia veterans talked to me about the obstacles they face just to get an appointment at a VA health care facility, and then in getting to that appointment for care. Veterans report to the State Veterans Coalition that they regularly wait months for an appointment for basic VA medical care—or even longer for a first visit. After veterans have finally seen a doctor for a first exam, they may wait for weeks longer for a referral to needed specialty care.

For veterans in rural areas, referrals frequently require a transfer to distant VA medical centers. After hours of driving, veterans may sit for many more hours in a waiting room, without meals or a safe place to rest. A shocking number of veterans disabled by spinal cord injuries neglect basic medical checkups to avoid travel. One West Virginia veteran making more than 30 round trips to the VA hospital at Richmond for tests based on a single referral; and his story, unfortunately, is not unique. This is not only inconvenient for the veteran, but a waste of VA resources.

VA must focus on coordination and management of care between facilities—both to provide the best health care and to consider the practical needs of veterans. For veterans who must drive long distances or depend on van services, appointments could be scheduled to accommodate their traveling times. VA could coordinate tests to compress them into the shortest time span possible, with lodging arranged when the wait is required. Veterans who served this country should not be expected to sleep in waiting room chairs and to go hungry when simple attention to details can prevent excessive traveling and long waits. At the very least, VA must have a systemwide plan for communicating how transfers work, and what resources are available, to veterans and their families.

Although it is impossible to expect that every veteran in the Nation’s vast rural areas can access every health care service close to home, it is essential that—should they require care at distant VA or private facilities—their transfers happen as simply and efficiently as possible. VA’s network and hospital directors must eliminate barriers to coordinating and managing care between medical centers or between networks. I will continue to work with VA to find better ways to communicate with veterans and to make transfers as seamless as possible.

The Millennium Act, which VA has shamefully slow to implement, will provide veterans with access to noninstitutional long-term care services. As I heard from the son of a World War II ex-prisoner of war, now being cared for at home at his family’s expense, aging veterans suffering from PTSD need caregivers who understand the legacies of war-time experiences. The Committee will continue to oversee VA’s efforts to bring long-term care services—both nursing beds and noninstitutional services—to the veterans who need it.

I have advocated the opening of community-based outpatient clinics, which bring basic primary health care closer to the veteran. These outpatient clinics are enormously important to veterans in rural areas, and I will continue to urge VA to make these clinics the best they can possibly be—without sacrificing needed programs at which VA has excelled.

We have to count more than just the number of clinics and hospitals when...
we talk about access to health care—we must consider waiting times for an appointment. Many of the delays in appointments, referrals, and transfers that veterans experience stem from inadequate staffing, especially the increasingly critical shortage of skilled nurses. I have recently introduced legislation to improve VA’s ability to recruit and retain nurses, whose skills are essential to providing high quality health care in a timely fashion.

First, I’d like to take this opportunity to acknowledge the efforts of the many volunteers who help bring rural veterans closer to health care. Disabled American Veterans (DAV) operates a nationalwide Transportation Network that helps sick and disabled veterans reach VA medical facilities for care. Since its inception, DAV volunteers in West Virginia have dedicated more than 700,000 hours of time to driving veterans to medical appointments, often in vans donated by DAV to the VA. Nationally, DAV Hospital Service Coordinators operate 185 such programs, where 8,000 volunteers donated almost 2 million hours last year alone. This program does not replace VA’s obligation to bring services close to the veteran where possible and to smooth transfers between medical centers, this service is certainly indispensable to disabled veterans who must reach a VA medical center for necessary medical care.

Mr. President, in closing, I look forward to working with VA and my colleagues in the Senate to find the best ways to extend health care more efficiently—and effectively—to veterans in our Nation’s rural areas. We owe our veterans nothing less.

IN RECOGNITION OF THE SIXTH NAVAL BEACH BATTALION

Mr. DOMENICI. Madam President, I rise today to recognize the bravery and fortitude of the Sixth Naval Beach Battalion. They gave their lives for their country on D-Day, June 6, 1944. Recently, a small group of the living members of the Battalion gathered in Normandy, France to unveil a commemorative plaque dedicated to their fellow sailors who paid the ultimate price for the defense of liberty. This memorial will serve as a small reminder of the tremendous sacrifice that these men made in order to secure the freedoms that we, as a nation, now enjoy.

Unfortunately, for many years, the Sixth Naval Beach Battalion was known as the “Forgotten Sailors.” While many of its members were individually recognized for their bravery, the Battalion as a whole had never been recognized. However, thanks to the persistent efforts of its living members, the Battalion was finally honored last year with the Presidential Unit Citation. This great honor was presented to the Battalion at its annual reunion last year, and I am proud that the valiance of these men has finally been recognized.

The World War II generation is frequently referred to as America’s “Greatest Generation,” and this is no more true of the Sixth Naval Beach Battalion. They landed on Omaha Beach early in the morning of June 6 and faced extraordinary peril on that historic day. The Battalion demonstrated its courage and fought gallantly despite overwhelming odds. We owe a tremendous debt of gratitude to all of the members of the Battalion, both living and deceased, for the hard-fought victory over tyranny that was achieved on that day.

I would like to share my gratitude for the bravery and selflessness of the Sixth Naval Beach Battalion. I would hope that America never forgets the great sacrifice that the Battalion’s members made in the defense of our liberty. Mr. President, I ask unanimous consent that the speech given by Lieutenant Commander Joseph Vaghi at the unveiling of the commemorative plaque be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEEDICATION ADDRESS OF THE 6TH NAVAL BEACH BATTALION PLAQUE AT OMAHA—NORMANDY

(By LCDR Joseph P. Vaghi, USNR (Ret.))

We are here today this 5th day of June 2001, to unveil a plaque dedicated in memory of the men of the 6th Naval Beach Battalion who gave their lives on D-Day, June 6, 1944.

A small remnant of the members of our Battalion is also here today to pay tribute to their comrades, who have fallen and paid the ultimate price by giving their lives. Each and every person here for this unveiling shares in the victory of freedom over tyranny by the selfless action which took place 57 years ago on this sacred soil of Omaha Beach.

You will remember that for four long years the fate of freedom flickered in the shadow of the world’s darkest hour. We watched as the war in Europe spread across the English Channel to Britain. Then came Pearl Harbor. We as a nation were at war.

It was on these beaches of Normandy that the 6th Naval Beach Battalion made its contribution in the fight for liberty and against tyranny. This became the greatest military operation in all of history.

The men of the 6th Naval Beach Battalion had great faith that what was head of us was right and just. We knew what we were doing had to be done.

It made little difference if we were 18 or 38 years of age. We knew that what we were about to do was wrong in a manner exactly what God wanted us to do.

The men of the 6th Naval Beach Battalion prepared for D-Day at Camp Bradford, VA., and Fort Pierce, on the beaches of Slapton Sands, England, and in training with the 5th Engineer Special Brigade in Swansea, Wales.

At each step, we become more aware of the responsibility we would be asked to assume as we landed on the shores of France.

Elements of our battalion who were part of the Underwater Demolition Team landed at H-Hour (6:30 in the morning) with the main body of the battalion coming ashore an hour and five minutes after H-Hour at 7:35 a.m. Of the thousand men that came ashore that day, 9386 are at rest in the cemetery above the cliffs behind us.

This plaque we dedicate today is in memory of our comrades, and in extension is in memory of all who were laid to rest in the hallowed ground of the Normandy Cemetery. This plaque will be a perpetual reminder of the sacrifices made here on this beach, not only the 6th Naval Beach Battalion but the Coast Guard and Army too.

At the last annual reunion of our battalion we were presented with the Presidential Unit Citation. It had been recommended by the Joint Command of Operation Overlord, which was the code name for the invasion of France, both the Army and Navy issued approval and recommendations that the 6th Naval Beach Battalion be honored with the citation.

When inquiries were made by some of our men, the Defense Department began looking into the situation and in September of last year there followed a full ceremony for the presentation of the award.

For 56 years we of the 6th Naval Beach Battalion were known by writers as the “Forgotten Sailors.” Many of the officers and men of the Battalion had been recognized for individual heroism but not the Battalion as a unit. Our being here today is the cap-stone of our reion d’etre, the 6th Naval Beach Battalion stands with all the great body of men who have been immortalized here on these plaques as a just recognition of our performance.

That was the faith we had then and the faith we have today. Thank you, may God bless America.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Madam President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of this year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence that is directed in the beating of a gay man. Witnesses said the officers, who were in a local nightclub, began taunting the victim on the dance floor with anti-gay slurs. Witnesses said they later saw the officers beat and kick the man in the parking lot. The victim was treated for bruised ribs and internal injuries.

I believe that Government’s first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Act of 2001 would make the use of a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

DEPARTMENT OF JUSTICE NOMINATIONS

Mr. LEAHY. Mr. President, I am pleased that the Judiciary Committee
has reported another group of executive branch nominees and that the Senate will be acting on the President's nominations to head the Civil Rights Division and the Tax Division of the Department of Justice so promptly.

Just as the committee's nominations proceeded promptly with the consideration of the President's nomination of John Ashcroft to be Attorney General, when I temporarily chaired the committee in January, we are continuing to move promptly on other nominations this month. In January, the Senate did not receive the nomination of John Ashcroft until January 19 and reported it to the Senate the very next day. In deference to the President, the committee had moved ahead with hearings on the nomination the week of January 16 in advance of receiving the nomination by the President.

The committee has confirmed the President's nominations of the Attorney General, the Deputy Attorney General and a controversial nomination to serve as Solicitor General. The President has yet to nominate anyone to be Associate Attorney General, the third highest ranking position at the Department of Justice. We have confirmed nominees to serve as Deputy Attorneys General to head the Criminal Division, the Antitrust Division, the Office of Legislative Affairs, and the Office of Legal Policy.

In late May, Chairman Hatch conducted a hearing on the nomination of Ralph F. Boyd, Jr., to be the Assistant Attorney General for Civil Rights Division. I had included Mr. Boyd's nomination on the agenda for a business meeting of the Judiciary Committee last week, our first week in session after the adoption of a Senate organ­izing resolution and the assignment of committee membership. But less than half of the Republican members of the committee showed up for the business meeting on July 12. We were unable to reach a quorum last week to report the Senate’s nominations to the President. Yesterday, at our next business meeting of the Judiciary Committee, we reported that nomination to the Senate.

It took the Senate the entire month of June to pass S. Res. 120, a simple resolution reorganizing the committees. It was only last Tuesday that as­signments to committees were completed. Last Wednesday, the first day after the committee membership was set, we proceeded to hold a confirmation hearing including additional an executive branch nominee, Eileen O'Connor to be Assistant Attorney General for the Tax Division of the Department of Justice. Today the committee has that nomination before it because we were able to expedite its consideration by the committee at our business meeting yesterday. I expect the Senate will confirm Ms. O'Connor, another of the President's nominations to a key post in the Department of Justice, and I am glad to be able to accommodate the request of the Attorney General to expedite her consideration.

This week the Judiciary Committee proceeded with back-to-back days of hearing on the important nominations of Asa Hutchinson to head the Drug Enforcement Administration and James Ziglar to lead the Immigration and Naturalization Service. I have noticed another hearing for next Tuesday for judicial and executive branch nominees, including the President’s nominees to be Assistant Attorney General to head the Office of Justice Programs and to be the Director of the National Institute of Justice.

The Senate received the President's nomination of a new FBI Director on Wednesday of this week and I proceeded that same day to notice hear­ings on that important nomination to begin a week from Monday. It is my hope that with the cooperation of all Members and the administration we should be able to make progress and work toward Senate consideration of the nomination of Robert Mueller to be Director of the FBI of In­vestigation before the August recess, if possible. I have asked for the cooperation of all members of the committee, on both sides of the aisle. I noticed the hearings on Robert Mueller’s nomination will begin next week and I will see if it is possible for the committee act on that nomination before the August recess, which would be my preference.

I regret that Senators and their staffs will not have more time to prepare for this important hearing as that on the nominee to be the next Di­rector of the FBI. It is my hope that the series of oversight hearings regarding the FBI in which we have been en­gaged, including our hearing this week, have helped and that Senators will be able to adhere to an expedited schedule for the hearing, a very brief turn­around time for written follow up ques­tions and immediate Committee con­sideration.

We have set an ambitious schedule of five confirmation hearings this month on the President’s nominees. We have completed three of those confirmation hearings and have another scheduled for each of the next two weeks. We have also reported a number of nomi­nees, including the three Judicial Branch and two Executive Branch nominees before the Senate for consider­ation today.

The nomination of Ralph Boyd, Jr., to head the Civil Rights Division was reported unanimously and without ob­jection by the Judiciary Committee. Senator KENNEDY, in particular, has been a strong and consistent advocate for this nomination and I thank him for his efforts. This will be one of the least contentious paths for a nominee to head the Civil Rights Division in some time. Indeed, the Judiciary Com­mittee refused for the last three years to consider the President’s nominations to the Civil Rights Division. The handling of this nomination and the treatment of the nominee by Members not from the President’s party stand in sharp con­trast to the treatment of Bill Lamm Lee.

I join with Senator KENNEDY in urging the Senate to act favorably on the nomination of Ralph Boyd, Jr.

NOMINATION OF JOHN D. GRAHAM

Mr. TORRICELLI. Mr. President, I rise today to express my opposition to the confirmation of John D. Graham, Ph.D. to direct the Office of Informa­tion and Regulatory Affairs (OIRA), at the Office of Management and Budget, (OMB).

As Administrator of OIRA, Dr. Graham would be the gatekeeper for all Federal regulations. In my view, Dr. Graham, with his anti-regulatory views, is simply the wrong choice to serve in this important policy making position.

In enacting the Occupational Safety and Health Act, the Clean Air Act and other safety and environmental laws, Congress made a clear policy choice that protection of health and the environment would be paramount consideration in setting regulations and standards. Dr. Graham’s views and opinions are directly at odds with these policies.

ADDITIONAL STATEMENTS

CONGRATULATIONS TO THE MONT­GOMERY HIGH SCHOOL CLASS OF 1951

Mr. ROCKEFELLER. Madam President, I believe that it is our families, friends and communities that create the very essence of our being. They serve as our roots, instilling the values that shape our personal relationships and our professional careers.

In youth, we often fail to realize the crucial role that these people play, and we often lose touch with the people who mold us into whom we are today. With the passage of time, we can only wonder what path we might have other­wise taken had we maintained con­tact. Today, I would like to join a very special group of West Virginians—the Montgomery High School class of 1951—as its members renew the bonds of youth in celebrating the 50th anni­versary class reunion.

As the members of Montgomery High School class of 1951 gather for their 50th anniversary reunion, they will recall the carefree days of their youth. Once again, they will refer to themselves as the Greyhounds of Mont­gomery High. Visions of victorious football games and summer vacations will waft through their collective memory as they join in singing their beloved Alma Mater.

They’ll reminisce about Saturday nights at the Rockettes and spending long afternoons with friends at Kelly’s Drug Store. More importantly, they will re­member the diversity that makes Montgomery such a very special place.
Communities such as Cannelton, Kimberly, Powellton, Smithers, and Deep Water joined together, creating a unique bond that remains today. The Class of 1951 should be commended for renewing the bonds fostered more than 50 years ago. In celebrating this occasion, its members remind us of the importance of community in our own lives.

In honor of Montgomery High School class of 1951, on the occasion of its 50th anniversary, I am reminded that “between the lofty mountains where the great Kanawha flows, in a valley that is magic and the seed of wisdom grows. Hail Montgomery.”

MESSAGE FROM THE HOUSE

At 10:42 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2216) making supplemental appropriations for the fiscal year ending September 30, 2001, and for other purposes.

MEASURES PLACED ON THE CALENDAR

The following bill, previously received from the House of Representatives, was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2500. An act making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-2961. A communication from the Secretary of Health and Human Services, transmitting, a draft of proposed legislation entitled “Medicare Contracting Reform Amendment of 2001”; to the Committee on Finance.

EC-2962. A communication from the Chief of the Regulations Unit, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled “2000 Differential Earnings Rate” (Rev. Rul. 2001-33) received on July 18, 2001; to the Committee on Finance.

EC-2963. A communication from the Chief of the Regulations Unit, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled “Relief from Nondiscrimination Rules for Certain Church Plans and Federal/International Plans (Notice of Proposed Rulemaking)” received on July 18, 2001; to the Committee on Finance.

EC-2964. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, a draft of proposed legislation entitled “Defense Production Act Amendments of 2001”; to the Committee on Banking, Housing, and Urban Affairs.

EC-2965. A communication from the Assistant Secretary of Legislative Affairs, Department of Transportation, transmitting, pursuant to law, a determination to allow the Export-Import Bank to finance the sale of defense articles to Venezuela; to the Committee on Banking, Housing, and Urban Affairs.

EC-2966. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled “Amendment to the Federal Reserve System” received on July 16, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-2968. A communication from the Director of the Office of Federal Housing Enterprise Oversight, transmitting, pursuant to law, the report of a rule entitled “Mortgagee Review Board Capital” (RIN2550-AA02) received on July 18, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-2969. A communication from the Secretary of Agriculture, transmitting, a draft of proposed legislation entitled “To authorize the Secretary of Agriculture to prescribe, adjust, and collect fees to cover the costs incurred by the Secretary for activities related to the review and maintenance of licenses and regulations under the Animal Welfare Act”; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2970. A communication from the Assistant Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Regulations Under the Federal Insecticide, Fungicide, and Rodenticide Act for Plant-Incorporated Protectants” (RIN2707-AO02) received on July 16, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2971. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Exemption From the Requirement of a Tolerance Under the Federal Food, Drug, and Cosmetic Act for Residues of Nucleic Acids that are Part of Plant-Incorporated Protectants” (Formerly Plant-Pesticides) (RIN2707-AO02) received on July 16, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2973. A communication from the Assistant Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Exemption From the Requirement of a Tolerance Under the Federal Food, Drug, and Cosmetic Act for Residues Derived Through Conventional Breeding From Sexually Compatible Plants of Plant-Incorporated Protectants” (Formerly Plant-Pesticides) (RIN2707-AO02) received on July 16, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2974. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Exemption From the Requirement of a Tolerance Under the Federal Food, Drug, and Cosmetic Act for Residues of Nucleic Acids that are Part of Plant-Incorporated Protectants” (Formerly Plant-Pesticides) (RIN2707-AO02) received on July 16, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2975. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Exemption From the Requirement of a Tolerance Under the Federal Food, Drug, and Cosmetic Act for Residues Derived Through Conventional Breeding From Sexually Compatible Plants of Plant-Incorporated Protectants” (Formerly Plant-Pesticides) (RIN2707-AO02) received on July 16, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2976. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Regulations Under the Federal Insecticide, Fungicide, and Rodenticide Act for Plant-Incorporated Protectants (Formerly Plant-Pesticides)” (RIN2707-AO02) received on July 16, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2977. A communication from the Acting Administrator of the Fruit and Vegetable Programs, Research and Promotion Branch, Agricultural Marketing Service, transmitting, pursuant to law, the report of a rule entitled “Blueberry Promotion, Research, and Information Order; Amendment No. 1” (Doc. No. FV-90-706-FR) received on July 18, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2978. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Implementation Plans; State of Missouri” (FRL7015-9) received on July 16, 2001; to the Committee on Environment and Public Works.

EC-2979. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Implementation Plans; State of Missouri” (FRL7015-9) received on July 16, 2001; to the Committee on Environment and Public Works.

EC-2980. A communication from the Principal Deputy Associate Administrator of the
Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Maryland; Contribution of Volatile Organic Compounds to Air Pollution from Automotive Refueling” (FRL7014-1) received on July 17, 2001; to the Committee on Environment and Public Works.

EC-2987. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; State of Missouri” (FRL7016-4) received on July 17, 2001; to the Committee on Environment and Public Works.

EC-2988. A communication from the Acting General Counsel, Office of the Secretary of Transportation, transmitting, a draft of proposed legislation entitled “Coast Guard Authorization Act of 2001”; to the Committee on Commerce, Science, and Transportation.

EC-2989. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: McDonnell Douglas Model DC 9 80 Series Airplanes; and Model MD 88 Airplanes” ((RIN2120-AA61)(2001-0326)) received on July 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-2990. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Pratt and Whitney, request for comments” ((RIN2120-AA61)(2001-0317)) received on July 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-2991. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Dornier Luftfahrt GMBH Models 228-100, –101, –200, –201, –202, and –212 Airplanes” ((RIN2120-AA64)(2001-0330)) received on July 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-2992. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Boeing Model 767-200 and 300 Series” ((RIN2120-AA61)(2001-0329)) received on July 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-2993. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Bell Helicopter Textron Inc Model 205-A1, 205B, 212, 412, 412C and 412 O-4” ((RIN2120-AA61)(2001-0335)) received on July 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-2994. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: CPM International, SA CFM56-3, –3B, and –3C Series Turbofan Engines” ((RIN2120-AA64)(2001-0322)) received on July 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-2995. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Pilatus Aircraft Ltd. Model PC-7 Airplanes” ((RIN2120-AA61)(2001-0323)) received on July 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-2996. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: GE Company CF6-50 Series Turbofan Engines” ((RIN2120-AA64)(2001-0331)) received on July 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-2997. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Pratt and Whitney Canada Model PW805 and PW810A” ((RIN2120-AA61)(2001-0331)) received on July 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-2998. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Bell Helicopter Textron Inc Model 412 Series Airplanes” ((RIN2120-AA61)(2001-0317)) received on July 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-2999. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Bell Helicopter Textron Inc Model 300 Series Airplanes; and Model MD 88 Airplanes” ((RIN2120-AA61)(2001-0326)) received on July 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3000. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: SOCATA GROUPE AEROSPATIALE Model TBM 700 Airplanes” ((RIN2120-AA61)(2001-0320)) received on July 16, 2001; to the Committee on Commerce, Science, and Transportation.
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a rule entitled “Airworthiness Directives: Bell Helicopters Textron Canada Model 430 Helicopters” (I(RIN2120-AA64)(2001-0319)) received on July 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3009. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Boeing Model 767 Series Airplanes” (I(RIN2120-AA64)(2001-0314)) received on July 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3010. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Lockheed Model L-1011 Series Airplanes; request for comments” (I(RIN2120-AA64)(2001-0315)) received on July 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3011. A communication from the Legal Technician of the National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Occupant Protection Incentive Grants” (RIN2127-AH40) received on July 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC-3012. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Protection of Voluntarily Submitted Information” (RIN2129-AG36) received on July 16, 2001; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HOLLINGS, from the Committee on Appropriations, without amendment: S. 1215: An original bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes (Rept. No. 107-42).

By Ms. MIKULSKI, from the Committee on Appropriations, without amendment: S. 1216: An original bill 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, 2002, and for other purposes (Rept. No. 107-43).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. KERRY for the Committee on Small Business and Entrepreneurship.

By Mr. ROCKEFELLER for the Committee on Veterans’ Affairs.

By Mr. DODD for himself, Mr. DEWINE, Ms. SNOWE, Mr. KENNEDY, Mr. ROBERTS, Mr. BINGAMAN, Mr. EDWARDS, Mrs. FRENKEL, Mr. COLLINS, Mr. WELLSTONE, Mr. BINGAMAN, and Mrs. MURRAY:

S. 1279. A bill to provide for the acquisition, construction, and improvement of child care facilities or equipment, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 312

At the request of Mr. GRASSLEY, the names of the Senator from Nebraska (Mr. HAGEL) and the Senator from Colorado (Mr. ALAN) were added as cosponsors of S. 312, a bill to amend the Internal Revenue Code of 1986 to provide tax relief for farmers and fishermen, and for other purposes.

S. 409

At the request of Mr. DURBIN, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 409, a bill to amend title 38, United States Code, to clarify the standards for compensation for Persian Gulf veterans suffering from certain undiagnosed illnesses, and for other purposes.

S. 761

At the request of Mr. BAUCUS, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 761, a bill to provide loans for the improvement of telecommunications services on Indian reservations.

S. 775

At the request of Mrs. LINCOLN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 775, a bill to amend title XVIII of the Social Security Act to permit expansion of medical residency training programs in geriatric medicine and to provide for reimbursement of care coordination and assessment services provided under the medicare program.

S. 839

At the request of Mrs. HUTCHISON, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 839, a bill to amend title XVIII of the Social Security Act to provide relief for payments to hospitals for indirect costs of medical education.

S. 1042

At the request of Mr. INOUYE, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 1042, a bill to amend title 38, United States Code, to improve benefits for Filipino veterans of World War II, and for other purposes.

S. 1048

At the request of Mr. DEWINE, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 1048, a bill to amend the Internal Revenue Code of 1986 to provide relief for payment of asbestos-related claims.

S. 1116

At the request of Mr. TORRICELLI, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 1116, a bill to amend the Internal Revenue Code of 1986 to expand the expensing of environmental remediation costs.

S. 1134

At the request of Mr. INOUYE, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 1134, a bill to amend the Internal Revenue Code of 1986 to modify the rules
appelicable to qualified small business stock.

At the request of Mr. Hatch, the name of the Senator from Mississippi (Mr. Cochran), the Senator from Illinois (Mr. Durbin), the Senator from Texas (Mrs. Hutchison), and the Senator from Virginia (Mr. Allen) were added as cosponsors of S. 1140, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

At the request of Mr. Sarbanes, the name of the Senator from Ohio (Mr. DeWine) was added as a cosponsor of S.J. Res. 18, a joint resolution memorializing fallen firefighters by lowering the United States flag to half-staff on the day of the National Fallen Firefighters Memorial Service in Emmitsburg, Maryland.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. Campbell (for himself, Mr. Inouye, Mr. Daschle, Mr. Johnson, and Mr. Burns):

S. 1210. A bill to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996; to the Committee on Indian Affairs.

Mr. Campbell. Mr. President, I am pleased to be joined by Senators Inouye, Daschle, Johnson, and Burns in introducing a bill that reauthorizes the Native American Housing Assistance and Self-Determination Act, NAHASDA, of 1996, P.L. 104-56. As many of my colleagues know, NAHASDA promotes tribal self-determination and self-sufficiency as it builds upon the government-to-government relationship that exists between Indian tribes and the Federal Government.

NAHASDA became effective on October 1, 1997 and provides a single, flexible block grant for tribes or tribally-designated housing entities, TDHE, to administer Federal housing assistance. Under this block grant system, NAHASDA empowers tribes to determine local needs and authorizes tribal decision making when it comes to Indian housing policy.

Before NAHASDA, the Federal Government dictated the planning, financing and building of Indian housing. Since NAHASDA’s enactment, tribes are in the “driver’s seat,” and have the right to make certain decisions with regard to resource allocation; and also have the responsibility to determine the needs of their members and to make every effort to satisfy those needs.

In the past five years, NAHASDA has assisted tribes in making great strides in the quality and quantity of housing provided to Native American communities. In fact, HUD estimates that over 25,000 new units of housing have been placed in Indian and Alaska Native communities under NAHASDA. This number is 10 times the maximum annual number of units provided for Indian communities under the previous Indian housing program.

Even with all the success of NAHASDA, Indian communities continue to face substandard conditions in the United States. In fact, Indian housing is often and justifiably compared to the conditions present in Third World countries. Some of the startling statistics that characterize housing conditions show that: 1 out of every 5 Indian homes lacks complete plumbing; 40 percent of homes on Indian lands are overcrowded and have serious physical deficiencies; and 69 percent of homes on Indian lands are severely overcrowded with up to 4 or 5 families living in the same two bedroom house.

These statistics illustrate that there is still much work to be done. NAHASDA has been a good first step in improving living conditions in Indian and Alaska Native communities, however there is still a tremendous need for adequate housing in these communities.

In the first few years of NAHASDA implementation, some bumps in the road were experienced. To provide a better transition from the old HUD-dominated regime to the new policies of NAHASDA, I introduced a bill to provide technical amendments to strengthen and clarify NAHASDA. These technical amendments were necessary to ensure the proper implementation and enforcement of NAHASDA. With the recent enactment of the Native American Housing Assistance and Self-Determination Act Amendments of 1999, P.L. 106-568, NAHASDA is better suited to meet its goals and responsibilities.

The bill I am introducing today will extend NAHASDA for an additional five years. With the groundwork now laid, both Indian tribes and HUD should be able to provide improved housing assistance to Indian and Alaska Native communities.

Moreover, the extension of NAHASDA will encourage greater utilization of NAHASDA programs including its Title VI Loan Guarantee program, designed to aid tribes in leveraging federal funds in partnership with the private sector.

As Chairman of the Committee on Indian Affairs, I am committed to ensuring that NAHASDA is implemented in a fair, efficient and productive manner. It is my hope that the enactment of additional technical amendments in P.L. 106-568, and the reauthorization of NAHASDA will ensure improved housing assistance to all Indian and Alaska Native communities for years to come.

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. 1210

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 “Native American Housing Assistance and Self-Determination Reauthorization Act of 2001.”


(b) FEDERAL GUARANTEES.—Subsections (a) and (b) of section 605 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 418) are each amended by striking “1998, 1999, 2000, and 2001” and inserting “through 2006.”


By Mr. Hollings (for himself and Mr. Graham):

S. 1214. A bill to amend the Merchant Marine Act, 1936, to establish a program to ensure greater security for United States seaports and other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. Hollings. Mr. President, I rise today to introduce the Port and Maritime Security Act of 2001. This legislation is long overdue and is needed to facilitate future technological and advances and increases in international trade, and ensure that we have the sort of security control necessary to ensure that our borders are protected from drug smuggling, illegal aliens, trade fraud, threats of terrorism as well as potential threats to our ability to mobilize U.S. military force.

I introduced similar legislation in the last Congress, but time did not allow us to proceed any further with the legislative process. However, this is just too important an issue to let it go by, and I intend to work with Senator Graham, and others to try and craft a policy to help protect our maritime borders.

The Department of Transportation recently conducted an evaluation of our marine transportation needs for the 21st Century. In September 1999, then Transportation Secretary Slater issued a preliminary report of the Maritime Transportation System (MTS) Task Force—An Assessment of the U.S. Marine Transportation System. The report reflected a highly collaborative effort among public sector agencies, private sector organizations and other stakeholders in the MTS.

The report indicates that the United States has more than 1,000 channels and 25,000 miles of inland, intracoastal, and coastal waterways in the United States which serve over 300 ports, with more than 3,700 terminals that handle more than 93 million tons of cargo. These waterways and ports link to 152,000 miles of railways, 460,000 miles of underground pipelines and 45,000 miles of
interstate highways. Annually, the U.S. marine transportation system moves more than 2 billion tons of domestic and international freight, imports 3.3 billion tons of domestic oil, transports 134 million passengers by ferry, and 78 million Americans engage in recreational boating, and hosts more than 5 million cruise ship passengers.

The MTS provides economic value, as waterborne cargo contributes more than $722 billion to U.S. gross domestic product and creates employment for more than 13 million citizens. While these figures reveal the magnitude of our waterborne commerce, they don’t reveal the spectacular growth of waterborne commerce, or the potential problems in coping with this growth. It is estimated that the total volume of domestic and international trade is expected to double over the next twenty years. The doubling of trade also brings up the troubling issue of how the U.S. is going to manage the needs of its commerce when the commercial and national threats direct toward commercial aviation and to target various types of security measures as potential threats change. For example, during the Gulf War, airports were directed to ensure that no vehicles were parked within a set distance of the entrance to a terminal.

Currently, each air carrier, whether a U.S. carrier or foreign air carrier, is required to submit a proposal on how it plans to comply with the security needs of the air carriers also are responsible for screening passengers and baggage in compliance with FAA regulations. The types of machines used in airports are all approved, and in many instances paid for by the FAA. The FAA uses its laboratories to check the machinery to determine if the equipment can detect explosives that are capable of destroying commercial aircrafts. Clearly, we learned from the Pan Am 103 disaster over Scotland last year that Congress passed legislation in 1990 “the Aviation Security Improvement Act,” which was carefully considered by the Congress Committee, to develop the types of measures I noted above. We also made sure that airports, the FAA, air carriers, and law enforcement worked together to protect the flying public.

Following the crash of TWA flight 800 in 1996, we also leaped to spend money, when it was first thought to have been caused by a terrorist act. The FAA spent about $150 million on additional screening equipment, and we continue today to fund research and development for better, and more effective equipment. Finally, the FAA is responsible for ensuring that background checks, employment records/criminal records, of security screeners and those with access to secured airports are carried out in an effective and thorough manner. The FAA, at the direction of Congress, is responsible for certifying screening companies, and has developed ways to better test screeners. This is all done in the name of protecting the public. Seaports deserve no less consideration.

At land borders, there is a similar investment in security by the Federal Government. In TPA-21, approved $140 million this year for the National Corridor Planning and Development and Coordinated Border Infrastructure Program. Eligible activities under this program include improvements to existing transportation and port operations infrastructure, improvements to the border infrastructure for the entry of international maritime traffic, and improvements, including improvements relating to telecommunications, to expedite cross border vehicle and cargo movements; and planning, coordination, design, and construction.

By way of contrast, at U.S. seaports, the Federal Government invests nothing in infrastructure, other than the human presence of the U.S. Coast Guard, U.S. Customs Service, and the International Corridor Planning and Development Service, and whatever equipment those agencies have to accomplish their mandates. Physical infrastructure is provided by state-controlled port authorities, or by private sector marine terminal operators. There are controls, or requirements in place, except for certain standards promulgated by the Coast Guard for the protection of cruise ship passenger terminals. Essentially, where ports are concerned, our harbors have abrogated the Federal responsibility of border control to the state and private sector.

I think that the U.S. Coast Guard and Customs Agency are doing an outstanding job, but they are outgunned. There is simply too much money in the illegal activities they are seeking to curtail or eradicate, and there is too much traffic coming into, and out of the United States. For instance, in the last six months we had more than 10 million TEU’s imported into the United States. For the uninitiated, a TEU refers to a twenty-foot equivalent unit shipping container. By way of comparison, a regular truck measures 48-feet in length. So in translation, we may check our bags at a U.S. airport, and our bags will be x-rayed, but we could check our bags at a U.S. seaport, and our bags will not be x-rayed.

For instance, in my own state, the Port of Charleston which is the fourth largest container port in the United States, just recently we got our first unit ever capable of x-raying intermodal shipping containers, and we have a temporary deployment of a canine unit. By way of comparison, the Dallas/Fort Worth is the fourth largest airport in the United States, it would be inconceivable that an airport of this magnitude have just one canine, and one piece of screening equipment. This is simply not sufficient.

The need for the evaluation of higher scrutiny of our system of seaport security came at the request of Senator GRAHAM, and I would like to commend him for his persistent efforts in addressing this issue. Senator GRAHAM has had problems with security at some of the Florida seaports, and although the state has taken some steps to address the issue, there is a great need for considerable improvement. Senator GRAHAM laudably convinced the President to appoint a Commission, designed similarly to the Aviation Security Commission, to review security at U.S. seaports.

The Commission visited twelve major U.S. seaports, as well as two foreign ports. It compiled a record of countless hours of testimony and heard from, and reviewed the security practices of the shipping industry. It also met with local law enforcement officials to discuss the issues and their experiences as a result of seaport related crime.

For instance, the Commission found that the twelve U.S. seaports accounted for 56 percent of the number of cocaine seizures, 32 percent of the marijuana seizures, and 65 percent of heroin seizures in commercial cargo shipments and vessels at all ports of entry nationwide. Yet, we have done relatively little, other than send in an understaffed contingency of Coast Guards and Customs officials to do whatever they can.

Drugs are not the only criminal problems confronting U.S. seaports. For example, alien smuggling has become increasingly lucrative enterprise. To illustrate, in August of 1999, INS officials found 132 Chinese men hiding aboard a container ship docked in Savannah, GA. The INS district director was quoted as saying; “This was a very sophisticated ring, and never in my 23 years with the INS have I seen anything as large or sophisticated”. According to a recent GAO report on INS efforts on alien smuggling RPT-Numbers, harvesters may earn as much as several billion dollars per year bringing in illegal aliens.
Another problem facing seaports is cargo theft. Cargo theft does not always occur at seaports, but in many instances the theft has occurred because of knowledge of cargo contents. International shipping provides access to a lot of information and a lot of money to many different people along the course of its journey. We need to take steps to ensure that we do not facilitate theft. Losses as a result of cargo theft have been estimated as high as $32 billion annually, and it has been reported to have increased by as much as 20 percent recently. The FBI has become so concerned that it recently established a multi-district task force, Operation Sudden Stop, to crack down on cargo crime.

The other issues facing seaport security may be less evident, but potentially of greater threat. As a Nation in general, we have been relatively lucky to have been free of some of the terrorist threats that have plagued other nations. However, we must not become complacent. U.S. seaports are extremely exposed. On a daily basis many seaports have cargo that could cause serious illness and death to potentially large populations of civilians living near our coasts and shores. Most of the population of the United States lies in proximity to our coastline.

The sheer magnitude of most seaports, proximity to established population bases, the open nature of the facility, and the massive quantities of hazardous cargoes being shipped through a port could be extremely threatening to the large populations that live in areas surrounding our seaports. The same conditions in U.S. seaports, that could expose us to threats from terrorism, could also be used to disrupt our abilities to mobilize militarily. During the Persian Gulf War, 90 percent of our military cargo was transported by sea. Disrupting this service, could have resulted in a vastly different course of history. We need to ensure that it does not happen to any future military contingencies.

As I mentioned before, our seaports are international borders, and consequently we should treat them as such. However, I am realistic about the possibilities for increasing seaport security, the realities of international trade, and the many functional differences the different user groups require. Seaports by their very nature are open and exposed to surrounding areas, and as such it will be impossible to control all aspects of security, however, sensitive or critical safety areas should be protected. I also understand that U.S. seaports have different security needs in form and scope. For instance, a seaport in Alaska, that has very little international cargo does not need the same degree of attention that a seaport in a major metropolitan area does, which handles large quantities of international shipments. However, the legislation we are introducing today will allow for public input and will consider local issues in the implementation of new guidelines on port security, so as to address such details.

Substantively, the Port and Maritime Security Act establishes a multi-faceted program of security enhancements. The bill authorizes $8 billion for security improvements, such as cameras and other screening equipment, and $12 billion annually for four years, to carry out this section. The bill also establishes a program to implement the provisions of the act; to coordinate programs to enhance the security and safety of U.S. seaports; to provide long-term solutions for seaport safety issues; to coordinate with local port security committees established by the Coast Guard to implement the provisions of the bill; and to ensure that the public and local port security committees are kept informed about seaport security enhancement developments.

The bill also requires the U.S. Coast Guard to establish a local port security committee at U.S. seaports. The membership of these committees is to include representatives of the port authority, labor organizations, the private sector, and Federal, State, and local government officials. The committees will be composed of the U.S. Coast Guard’s Captain-of-the-Port, and will be used to establish quarterly meetings with local law enforcement and attempt to coordinate security and to help facilitate law enforcement.

The bill also requires the Coast Guard to develop a system of providing vulnerability assessments for U.S. seaports. After completion of the assessment, the seaport would be required to submit a security program to the Coast Guard for approval. The assessment shall be performed with the cooperation and assistance of local officials, through local port security committees, and ensure the port is made aware of and participates in the analysis of security concerns. I continue to believe there is a need to perform background checks on transportation workers in sensitive positions to reveal potential threats to facilitate crime or terrorism. While the bill is silent on this issue, I will continue our discussions with law enforcement and transportation workers to develop a system that facilitates law enforcement but focuses more narrowly on those employees who have access to sensitive information.

The bill authorizes MarAd to provide loan guarantees to help cover some of the costs of port security infrastructure improvements, such as cameras and other monitoring equipment, fencing systems and other types of physical security measures. The bill authorizes $8 million, annually for four years, to cover costs, as defined by the Credit Reform Act, which could guarantee up to $320 million in loans for security enhancements. The bill also establishes a grant program to help cover some of the same infrastructure costs. Additionally, the bill provides funds for the U.S. Customs Service to purchase new types of non-intrusive detection equipment. We have to provide Customs with the tools they need to help prevent further crime.

The bill requires a report to be attached on security and a revision of the 1997 document entitled “Port Security: A National Planning Guide.” The report and revised guide are to be submitted to Congress and are to include a description of activities undertaken under the Port and Maritime Security Act of 2001, in addition to analysis of the effect of those activities on port security and preventing acts of terrorism and crime.

The bill requires the Department of Transportation, to the extent feasible, to coordinate reporting of seaport related crimes and to work with state law enforcement officials to harmonize the reporting of data on cargo theft and alternatively, the feasibility of utilizing private data on cargo theft.

The bill also requires the Secretaries of Agriculture, Treasury, and Transportation and the Attorney General to work together to establish shared dockside inspection facilities at seaports for federal and state agencies, and provides $1 million, annually for four years, to carry out this section. Currently there are some U.S. ports that do not have inspection space in the organic port area. It is crucial that inspections occur as close to the point of entry as possible.

The bill also establishes a program to train personnel involved in maritime transportation and maritime security. A better prepared security force will help enable us to more effectively combat potential threats of crime and terrorism. The bill also requires the Customs Service to improve reporting of imports at seaports to help ensure that Customs will have adequate information in advance of having the entry of cargo, and to do so in a manner consistent with their plans for the Automatic Commercial Environmental ACE program.

Finally, the bill reauthorizes an extension of tonnage duties through 2006, and makes the proceeds of these collections available to carry out the Port and Maritime Security Act. These fees currently are set at certain levels, and are scheduled to be reduced in 2002. The legislation reauthorizes and extends the current fee level for an additional four years, but dedicates its use to enhancing our efforts to fight crime at seaports and deteriorated security and improved protection of our borders, as well as to enhance our efforts to ward off potential threats of terrorism.
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. 1241

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

SEC. 1. SHORT TITLE.

This Act may be cited as the “Port and Maritime Security Act of 2001”.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) There are 361 public seaports in the United States which have a broad range of characteristics, and all of which are an integral part of our Nation’s commerce.

(2) United States seaports conduct over 95 percent of United States overseas trade. Over the next 20 years, the total volume of imported and exported goods at seaports is expected to more than double.

(3) The variety of trade and commerce that are carried out at seaports has greatly expanded. Bulk cargo, containerized cargo, passenger cargo, and tourism, intermodal transportation systems, and complex domestic and international trade relationships have significantly changed the nature, conduct, and complexity of seaport commerce.

(4) The top 90 seaports in the United States account for about 90 percent of the cargo tonnage. United States seaports account for 98 percent of all container shipments. Cruise ships visiting foreign destinations embark from 16 seaports.

(5) In the larger seaports, the activities can stretch along a coast for many miles, including public roads within their geographic boundaries. Most domestic and international commerce is conducted through seaports.

(6) Seaports often are a major locus of Federal crime, including drug trafficking, cargo theft, and smuggling of contraband and aliens. The criminal conspiracies often associated with these crimes can pose threats to the people and critical infrastructures of seaport cities. Seaports that accept international cargo have a higher risk of international crimes like drug and alien smuggling.

(7) Seaports are often very open and exposed and, by the very nature of their role in the growth of commerce, are susceptible to large scale terrorism that could pose a threat to coastal, Great Lake, or riverine populations. Seaport terrorism could be a direct threat to the ability of the United States to pursue its national security objectives.

(8) United States seaports are international boundaries, however, unlike United States airports and land borders, United States seaports receive no Federal funds for security infrastructure.

(9) Maritime security levels of containerized cargo are insufficient to counter potential security risks. Technology is currently not adequately deployed to allow for the non-intrusive inspection of containerized cargo. Additional promising technology is in the process of being developed that could inspect cargo in a non-intrusive and timely fashion.

(10) The burgeoning cruise ship industry poses a special risk from a security perspective. The large number of United States citizens and international passengers provide an attractive target to terrorists seeking to cause mass casualties. Approximately 80 percent of cruise line passengers are United States citizens and 20 percent are aliens. Approximately 92 percent of crewmembers are aliens.

(11) Effective physical security and access control in seaports is fundamental to deterring and preventing potential threats to seaport operations, cargo shipments for smuggling or theft.

(12) Securing entry points, open storage areas, and warehouses throughout the seaport, controlling the movements of trucks transporting cargo to and from the seaport, and examining or inspecting containers, warehouses, and ships at berth or in the harbor are all important requirements that should be implemented.

(13) Identification procedures for arriving workers and deterring and preventing intrusions to the internal compartments of ships have significantly changed the nature, conduct, and complexity of seaport commerce.

(14) On April 27, 1999, the President established the Interagency Commission on Crime and Security in United States Seaports to undertake a comprehensive study of the nature and extent of the problem of crime in our seaports, as well as the ways in which governments at all levels are responding.

(15) The Commission has issued findings that indicate the following:

(A) Frequent crimes in seaports include drug smuggling, illegal car exports, fraud (including Intellectual Property Rights and other trade violations), and cargo theft.

(B) Data about crime in seaports have been very difficult to collect.

(C) Intelligence and information sharing among law enforcement agencies needs to be improved and coordinated at many seaports.

(D) Intelligence and information sharing among law enforcement agencies needs to be improved and coordinated at many seaports.

(E) Many seaports do not have any idea about the threats they face from crime, terrorism, and other security-related activities because of a lack of credible threat information.

(F) A lack of minimum physical, procedural, and personnel security standards at seaports and at terminals, warehouses, trucking firms, and related facilities leaves many seaports and seaport users vulnerable to theft, pilferage, and unauthorized access by criminals.

(G) Access to seaports and operations within seaports is often uncontrolled.

(H) Coordination and cooperation between law enforcement agencies in the field is often fragmented.

(I) Meetings between law enforcement personnel, carriers, and seaport authorities regarding security are not being held routinely in many seaports. These meetings could increase coordination and cooperation at the local level.

(J) Security-related equipment such as small boats and vessel tracking devices is lacking at many seaports.

(K) Detection equipment such as large-scale x-ray machines is lacking at many high-risk seaports.

(L) A lack of timely, accurate, and complete manifest (including in-bond) and trade (entry, importer, etc.) data negatively impacts law enforcement’s ability to function effectively.

(M) Criminal organizations are exploiting weak security in seaports and related intermodal connections to commit a wide range of cargo crimes. Levels of containerized cargo volumes are forecasted to increase significantly, which will create more opportunities for crime while lowering the statistical risk of detection and interdiction.

(16) United States seaports are international boundaries that—

(A) are particularly vulnerable to threats of drug smuggling, illegal alien smuggling, cargo theft, illegal entry of cargo and contraband;

(B) may present weaknesses in the ability of the United States to realize its national security objectives; and

(C) may serve as a vector for terrorist attacks aimed at the population of the United States.

(17) It is in the best interests of the United States to—

(A) be mindful that United States seaports are international ports of entry and that the primary obligation for the security of international ports of entry lies with the Federal government;

(B) be mindful of the need for the free flow of interstate and foreign commerce and the need to ensure the efficient movement of cargo in interstate and foreign commerce;

(C) to increase United States seaport security by establishing a better method of coordinating amongst law enforcement officials responsible for seaport boundary, security, and trade issues;

(D) to formulate guidance for the review of physical seaport security, recognizing the different character and nature of United States seaports;

(E) to provide financial incentives to help the States and private sector to increase physical security of United States seaports;

(F) to invest in long-term technology to facilitate the private sector development of technology that will allow for non-intrusive timely detection of crime or potential crime; or

(G) to harmonize data collection on seaport-related and other cargo theft, in order to address areas of potential threat to safety and security;

(H) to create shared inspection facilities to help facilitate the timely and efficient inspection of people and cargo in United States seaports; and

(I) to improve Customs reporting procedures to enhance the potential detection of crime in advance of arrival or departure of cargoes.

SEC. 3. PORT SECURITY TASK FORCE.

(a) ESTABLISHMENT.—The Secretary shall establish a Port Security Task Force—

(1) to help implement the provisions of this Act;

(2) to help coordinate programs to enhance the security and safety of United States seaports;

(3) to help promote long-term solutions for seaport security issues;

(4) to help coordinate the security operations of local seaport security committees;

(5) to help ensure that the public and local seaport security committees are informed about seaport security enhancement developments;

(6) to help provide guidance for the conditions under which loan guarantees and grants are made; and

(7) to consult with the Coast Guard and the Maritime Administration in establishing port security program guidance.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Task Force shall include representatives of the Coast Guard and the Maritime Administration.

(2) OTHER AGENCIES.—The Secretary shall consult with the Secretary of the Treasury to invite the participation of the United States Customs Service, and may invite the participation of other departments and agencies of the United States with an interest in port security, port security-related matters, and border protection issues.

(3) REQUIRED PRIVATE SECTOR REPRESENTATIVES.—The Task Force shall include representatives, appointed by the Secretary of—

(A) port authorities;

(B) coastwise management units;

(C) longshore labor organizations;

(D) ocean shipping companies;

(E) trucking companies;

(F) railroad companies;

(G) transportation workers;
(H) ocean carriers;
(I) freight forwarding companies; and
(J) other representatives whose participation the Secretary deems beneficial.

(c) Subcommittees. The Task Force may establish subcommittees to facilitate consideration of specific issues, including port security border protection and maritime domain awareness issues.

(d) LAW ENFORCEMENT SUBCOMMITTEE.—The Task Force shall establish a subcommittee composed of Federal, State, and local government agencies, law enforcement agencies to address port security issues, including resource commitments and law enforcement sensitive information.

(e) ANNUAL STATUS REPORT TO CONGRESS.—Notwithstanding section 7(c) of the Ports and Waterways Safety Act (33 U.S.C. 1226(c)), the Commandant of the Coast Guard and the Maritime Administration shall report annually to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure on the status of seaport security in a form that does not compromise, or present a threat to the disclosure of security-sensitive information about, the seaport security vulnerability assessments conducted under this Act. The report may include (1) an assessment of vulnerabilities for port security measures, and for any additional enforcement measures necessary to ensure compliance with the seaport security plan requirements of this Act; and (2) an analysis of the effectiveness of law enforcement strategies established to address vulnerabilities.

(f) FUNDING. —Of the amounts made available under section 17(b) there shall be made available to the Commandant $3,000,000 for each of fiscal years 2003 through 2006 without fiscal year limitation and such sums to remain available until expended.

SEC. 5. COAST GUARD PORT SECURITY VULNERABILITY ASSESSMENTS.

(a) IN GENERAL.—The Commandant of the Coast Guard, in consultation with the Defense Threat Reduction Agency, the Center for Civil Force Protection, and other appropriate public and private sector organizations, shall develop standards and procedures for conducting seaport security vulnerability assessments.

(b) INITIAL SCHEDULE.—The Coast Guard, in cooperation with local port authority committees, shall determine seaport security clearances, shall complete no fewer than 10 seaport security vulnerability assessments annually, until it has completed such assessments for 50 ports determined by the Commandant to be the most strategic or economically strategic ports in the United States. If a seaport security vulnerability assessment has been conducted within 5 years by or on behalf of a port authority or marine terminal authority, and the Commandant determines that it was conducted in a manner that is generally consistent with the standards and procedures developed under subsection (a), the Commandant may accept that assessment rather than conducting another seaport security vulnerability assessment for that port.

(c) REVIEW BY PORT AUTHORITY.—The Commandant shall make the seaport security vulnerability assessment available for review and comment by officials of the port authority with proper security clearances or marine terminal operator representative with proper security clearances.

(d) MAPS AND CHARTS.—(1) COLLECTION AND DISTRIBUTION.—The Commandant and the Administrator shall, working through local seaport security committees where appropriate—(A) collect, store securely, and maintain maps and charts; and (B) maintain lists of facilities and anchorages.

(e) ACCEPTANCE OF CONTRIBUTIONS; JOINT VENTURE ARRANGEMENTS.—In carrying out its responsibilities under this Act, a local seaport security committee, or a member organization or representatives acting with the committee’s consent, may accept contributions of funds, material, services, and the use of personnel from public and private entities by contract or other arrangement if the confidentiality of security-sensitive information is maintained and access to such information is limited appropriately.

(f) FUNDING.—Of the amounts made available under section 17(b) there shall be made available to the Commandant $3,000,000 for each of fiscal years 2003 through 2006 without fiscal year limitation and such sums to remain available until expended.

SEC. 6. MARITIME TRANSPORTATION SECURITY PROGRAMS.

(a) IN GENERAL.—The Commandant and the Administrator shall, by rulemaking proceeding to prescribe regulations to protect the public from threats originating from vessels in maritime transportation originating or terminating in a United States seaport against an act of crime or terrorism. In prescribing a regulation under this subsection, the Commandant and the Administrator shall—

(1) consult with the Secretary of the Treasury, the Attorney General, the heads of other departments, agencies, and instrumentalities of the United States Government, State and local authorities, and the Task Force; and

(2) consider whether a proposed regulation is consistent with—

(A) protecting the public; and

(B) the public interest in promoting maritime transportation commerce.

(b) SECURITY PROGRAMS.—(1) PROGRAM TO BE ESTABLISHED.—Each port authority and marine terminal authority for an area designated under section 4(a)(2) at which a port security vulnerability assessment has been conducted under this Act shall establish a maritime transportation security program within 1 year after the assessment is completed.

(2) GENERAL REQUIREMENTS.—A security program established under paragraph (1) shall provide a law enforcement program and capability at that seaport that is adequate to ensure the safety of the public from threats of crime and terrorism.

(3) SPECIFIC REQUIREMENTS.—A security program established under paragraph (1) shall be linked to the relevant Port authorities for maritime trade and shall include—

(A) provisions for establishing and maintaining physical security for seaport areas and approaches;

(B) provisions for establishing and maintaining procedural security for processing persons and cargo, carry-on items, and personnel security for the employment of individuals and service providers;

(C) a credentialing process to limit access to sensitive areas; and

(D) a process to restrict vehicular access to seaport areas and facilities;
(E) restrictions on carrying firearms and other prohibited weapons; and
(F) a private security officer certification program, or provisions for using the services of qualified State, local, and private law enforcement personnel.

(c) INCORPORATION OF MARINE TERMINAL OPERATOR’S PROGRAM.—Notwithstanding the requirements of subsection (b)(3), the Captain-of-the-Port may approve a security program of a port authority, or an amendment to an existing program, that incorporates a security program of a marine terminal operator with access to a secured area of the seaport, if the program or amendment incorporates—

(1) measures the tenant will use, within the tenant’s leased areas or areas designated for the tenant’s exclusive use under an agreement with the port authority, to comply with the security requirements of subsection (b); and

(2) the methods the port authority will use to monitor and audit the tenant’s compliance with the security requirements.

(d) INCORPORATION OF OTHER SECURITY PROGRAMS.—Notwithstanding the requirements of subsection (b)(3), the Captain-of-the-Port may approve a security program of a port authority, or an existing program, that incorporates a local security program, policy, or law. In reviewing any such program, the Captain-of-the-Port shall—

(A) endeavor to avoid duplication and to recognize the State or local security program or policy; and

(B) ensure that no security program established under subsection (b) conflicts with any applicable provision of State or local law.

(e) REVIEW AND APPROVAL OF SECURITY PROGRAMS.—

(1) IN GENERAL.—The Captain-of-the-Port shall review and approve or disapprove each security program established under subsection (b). If the Captain-of-the-Port disapproves a security program, then—

(A) the Captain-of-the-Port shall notify the port authority or marine terminal authority in writing of the reasons for the disapproval; and

(B) the port authority or marine terminal authority that prepared a reviewed security plan within 6 months after receiving the notification of disapproval.

(f) 5-YEAR REVIEWS.—Whenever appropriate, the Captain-of-the-Port shall at least once every 5 years, or more frequently if the port authority or marine terminal operator required to develop a security program under this section shall review its program, make such revisions to the program as are necessary or appropriate, and submit the results of its review and the revised program to the Captain-of-the-Port.

(g) NO EROSION OF OTHER AUTHORITY.—Nothing in this section precludes any agency, in exercising its functions under this Act, from requiring, or any other statutory or regulatory authority to initiate or enforce seaport security standards.

SEC. 7. SECURITY PROGRAM GUIDANCE.

(a) IN GENERAL.—The Commandant and the Maritime Administrator shall review the guidelines developed under subsection (a) not less frequently than every 5 years and revise them as necessary.

(b) REVISION.—The Commandant and the Maritime Administrator shall review the guidelines developed under subsection (a) not less frequently than every 5 years and revise them as necessary.

(c) AREAS COVERED.—The guidance developed under subsection (a) shall include the following areas:

(1) GENERAL SECURITY.—The establishment of practices for physical security of seaport areas and approaches, procedural security for processing passengers, cargo, and crew members, and personnel security for employment of individuals and service providers.

(2) ACCESS TO SENSITIVE AREAS.—The use of a credentials process, administered by public or private sector security services, to limit access to sensitive areas.

(3) VEHICULAR ACCESS.—The use of restrictions on vehicular access to seaport areas and facilities, including requirements that seaport authorities and primary users of seaports implement procedures that achieve appropriate levels of control of vehicular access and accountability for enforcement of controlled access by vehicles.

(4) PROGRAMS.—Restrictions on carrying firearms.

(5) CERTIFICATION OF PRIVATE SECURITY OFFICERS.—A private security officer certification program that incorporates the professionalism of seaport security officers.

SEC. 8. INTERNATIONAL SEAPORT SECURITY.

(a) COAST GUARD; INTERNATIONAL APPLICATION.—The Commandant shall make every effort to have the guidance developed under section 7(a) adopted by appropriate international organizations as an international standard and shall, through appropriate officers of the United States Government, seek to encourage the development and adoption of similar or compatible international security standards under international agreements in other countries where adoption of the same or similar standards might be appropriate.

(b) MARITIME SECURITY ACCREDITATION PROGRAM.—The Administrator shall make every effort to have the guidance developed under section 7(a) adopted by appropriate organizations as security standards and shall encourage the establishment of a program for the private sector accreditation of seaports that implement security standards that are consistent with the guidance.

(c) INTERNATIONAL PORT SECURITY IMPROVEMENT ACT OF 2004.

(1) IN GENERAL.—The Administrator shall establish a program to assist foreign seaport operators in identifying port security risks, conducting port security assessments, and implementing port security standards.

(2) IDENTIFICATION OF STRATEGIC FOREIGN PORTS.—The Administrator shall work with the Secretary of Defense and the Attorney General to identify those foreign seaports where inadequate security or a high level of port security vulnerability poses a strategic threat to United States defense interests or may be implicated in criminal activity in the United States.

(3) DISSEMINATION OF INFORMATION ABROAD.—The Administrator shall work with the Secretary of State to facilitate the dissemination of port security program information to port authorities and marine terminal operators in other countries.

(d) FUNDING.—Of the amounts made available under section 17(b), $500,000 for each of fiscal years 2003 through 2006 without further appropriation to carry out this section, such sums to be used to carry out this section.

SEC. 9. MARITIME SECURITY PROFESSIONAL CERTIFICATION.

(a) IN GENERAL.—The Secretary shall establish a program, in consultation with the Federal Law Enforcement Center, the United States Merchant Marine Academy’s Global Maritime and Transportation School, and the Maritime Security Institute at the United States Merchant Marine Academy’s Global Maritime and Transportation School to train and certify maritime security professionals in accordance with internationally recognized law enforcement standards. Instructing instructors shall be knowledgeable about Federal and international law enforcement, maritime security, and port and maritime operations.

(b) ESTABLISHMENT OF SECURITY INSTITUTE.—The Secretary shall establish the Maritime Security Institute at the United States Merchant Marine Academy’s Global Maritime and Transportation School to train and certify maritime security professionals in accordance with internationally recognized law enforcement standards. Instructing instructors shall be knowledgeable about Federal and international law enforcement, maritime security, and port and maritime operations.

(c) TRAINING AND CERTIFICATION.—The following individuals shall be eligible for training at the Institute:

(1) Individuals who are employed, whether in the public or private sector, in maritime law enforcement or security activities.

(2) Individuals who are employed, whether in the public or private sector, in planning, executing, or managing security operations.

(A) at United States ports;

(B) on passenger or cargo vessels with United States citizens as passengers or crew members;

(C) in foreign ports used by United States-flagged vessels or by foreign-flagged vessels with United States citizens as passengers or crew members;

(d) PROGRAM ELEMENTS.—The program established by the Secretary under subsection (a) shall include the following elements:

(1) The development of standards and procedures for certifying maritime security professionals.

(2) The training and certification of maritime security professionals in accordance with internationally accepted law enforcement and security guidelines, policies, and procedures.

(3) The training of students and instructors in all aspects of prevention, detection, investigation, and reporting of criminal activities in the international maritime environment.

(4) The provision of training and certification courses and certified personnel at United States and foreign ports used by United States-flagged vessels, or by foreign-flagged vessels with United States citizens as passengers or crew members, to develop and enhance security awareness and practices.

(e) ANNUAL REPORT.—The Institute shall transmit an annual report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure on the expenditure of appropriated funds and the training and other activities of the Institute.

(f) FUNDING.—Of the amounts made available under section 17(b), such sums to be available to the Secretary, without further appropriation, to carry out this section—

(1) $2,500,000 for each of fiscal years 2003 and 2004, and

(2) $1,000,000 for each of fiscal years 2005 and prior years in such sums to be available until expended.

SEC. 10. PORT SECURITY INFRASTRUCTURE IMPROVEMENT.

(a) IN GENERAL.—Title XI of the Merchant Marine Act, 1936 (46 U.S.C. App. 1221 et seq.) is amended by adding at the end thereof the following:

"SEC. 1113. LOAN GUARANTEES FOR PORT SECURITY INFRASTRUCTURE IMPROVEMENT.

"(a) IN GENERAL.—The Secretary, under section 1103(a) and subject to the terms the
Secretary shall prescribe and after consultation with the United States Coast Guard, the United States Customs Service, and the Port Security Task Force established under section 905 of the International Maritime Security Act of 2001, may guarantee or make a commitment to guarantee the payment of the principal of, and the interest on, an obligation for seaport security improvements for an eligible project at any United States seaport involved in international trade.

(b) LIMITATIONS.—Guarantees or commitments to guarantee under this section are subject to the extent applicable to all the laws, requirements, regulations, and procedures that apply to guarantees or commitments to guarantee made under this title.

(c) TRANSFER OF FUNDS.—The Secretary may accept through the Maritime Administration and other Federal, State, and local governments and other non-Federal entities funds for the purpose of providing assistance for seaport security improvements for an eligible project at any United States seaport involved in international trade.

(d) ELIGIBLE PROJECTS.—A project is eligible for a loan guarantee or commitment under subsection (a) if it is for the construction of an acquisition of—

(1) equipment or facilities to be used for seaport security monitoring and recording;
(2) security gates and fencing;
(3) intrusion detection systems;
(4) remote surveillance systems;
(5) concealed video systems; or
(6) other security infrastructure or equipment that contributes to the overall security of passengers, cargo, or crew members.

SEC. 1114. GRANTS.

(a) FINANCIAL ASSISTANCE.—The Secretary may provide financial assistance for eligible projects (within the meaning of section 1113(d)).

(b) MATCHING REQUIREMENTS.—

(1) 75 PERCENT FEDERAL FUNDING.—Except as provided in paragraph (2), Federal funds for any eligible project under this section shall not exceed 75 percent of the total cost of such project. In calculating that percentage, the non-Federal share of project costs may be provided by in-kind contributions and other noncash support.

(2) HIGHER LEVEL OF SUPPORT REQUIRED.—If the Secretary determines that a proposed project merits support and cannot be undertaken without a higher rate of Federal support, then the Secretary may approve grants under this section with a matching requirement other than that specified in paragraph (1).

(c) ALLOCATION.—The Secretary shall ensure that financial assistance provided under subsection (a) during a fiscal year is distributed so that funds are awarded for eligible projects that address emerging priorities or threats identified by the Task Force under section 5 of the Port and Maritime Security Act of 2001.

(d) PROJECT PROPOSALS.—Each proposal for a grant under this section shall include the following:

(1) The name of the individual or entity responsible for conducting the project.
(2) A succinct statement of the purposes of the proposed seaport security improvement project.
(3) A description of the qualifications of the individuals who will conduct the project.
(4) An estimate of the funds and time required to implement the project.
(5) Evidence of support of the project by appropriate representatives of States or territories of the United States or other government jurisdictions in which the project will be conducted.
(6) Information regarding the source and amount of matching funding available to the applicant, as appropriate.
(7) Any other information the Secretary considers to be necessary for evaluating the eligibility of the project for funding under this title.

(b) ANNUAL ACCOUNTING.—The Secretary of Transportation shall submit an annual summary of loan commitments and commitments to make loan guarantees under section 1113 of the Merchant Marine Act, 1936, and grants made under section 1114 of that Act, to the Task Force. The Secretary shall make that information available to the public and to local seaport security committees through appropriate media of communication, including the Internet.

(c) FUNDING.—Of amounts made available under section 17(b), there shall be made available to the Secretary of Transportation without further appropriation—

(1) $8,000,000 for each of the fiscal years 2003, 2004, 2005, and 2006 as guaranteed loan costs (as defined in section 502 of the Federal Credit Reform Act of 1990, 2 U.S.C. 661a(5)),
(2) $10,000,000 for each of such fiscal years for grants under section 1114 of the Merchant Marine Act, 1936,
(3) $2,000,000 for each such fiscal year to cover administrative expenses related to loan guarantees and grants, such amounts to remain available until expended.

(d) AUTHORIZATION OF APPROPRIATIONS.—In addition to the amounts made available under subsection (c)(2), there are authorized to be appropriated to the Secretary of Transportation for grants under section 1114 of the Merchant Marine Act, 1936, $10,000,000 for each of the fiscal years 2003, 2004, 2005, and 2006.

SEC. 11. SCREENING AND DETECTION EQUIPMENT.

(a) FUNDING.—Of amounts made available under section 17(b), there shall be made available to the Commissioner of Customs without further appropriation for the purchase of non-intrusive screening and detection equipment for use at United States seaports—

(1) $15,000,000 for fiscal year 2003,
(2) $16,000,000 for fiscal year 2004,
(3) $18,000,000 for fiscal year 2005, and
(4) $19,000,000 for fiscal year 2006, such sums to remain available until expended.

(b) ACCOUNTING.—The Commissioner shall submit a report for each such fiscal year to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure on the expenditure of funds appropriated pursuant to this section.

SEC. 12. ANNUAL REPORT ON MARITIME SECURITY AND TERRORISM.

Section 905 of the International Maritime and Port Security Act (46 U.S.C. App. 1892) is amended by adding at the end thereof the following: “Beginning with the first report submitted under this section after the date of enactment of the Port and Maritime Security Act of 2001, the Secretary shall include a description of activities undertaken under that Act and an analysis of the effect of those activities on seaport security against acts of terrorism.”

SEC. 13. REVISION OF PORT SECURITY PLANNING GUIDE.

The Secretary of Transportation, acting through the Maritime Administration and after consultation with the Task Force and the United States Coast Guard, shall publish a revised version of the document entitled “Port Security: A National Planning Guide”, incorporating the guidance promulgated under section 7, with the date of enactment of this Act, and make that document available on the Internet.
goods and chattel shall be construed to be moving as an interstate or foreign shipment at all points between the point of origin and the final destination (as evidenced by the waybill or other shipping document of the shipment), regardless of any temporary stop while awaiting transshipment or otherwise.

(2) by distributing the information described in paragraphs (1) and (2) on a real-time basis to any Federal, State, or local government agency that has a regulatory or law-enforcement interest in the goods.

SEC. 17. 4-YEAR REAUTHORIZATION OF TONNAGE DUTIES.

(a) In General.—


(b) Availability of Funds.—Amounts deposited in the general fund of the Treasury as receipts of tonnage charges collected as a result of the amendments made by subsection (a) shall be made available in each fiscal year beginning 2003 and thereafter to carry out this Act, as provided in sections 3(g), 4(f), 5(f), 8(d), 9(f), 10(c), 11(a), 14(d), and 15(b).

SEC. 18. DEFINITIONS.

In this Act—

(1) Administrator.—The term “Administrator” means the Administrator of the Maritime Administration.

(2) Captain-of-the-Port.—The term “Captain-of-the-Port” means the United States Coast Guard’s Captain-of-the-Port.

(3) Commandant.—The term “Commandant” means the Commandant of the United States Coast Guard.

(4) Secretary.—Except as otherwise provided, the term “Secretary” means the Secretary of Transportation.

(5) Task Force.—The term “Task Force” means the Port Security Task Force established under section 3.

By Mr. DODD (for himself, Mr. DeWine, Ms. Snowe, Mr. Kennedy, Mr. Roberts, Mr. Johnson, Mr. Edwards, Mrs. Feinstein, Ms. Collins, Mr. Wellstone, Mr. Bingaman, and Mrs. Murray):

S. 1217. A bill to provide for the acquisition, construction, and improvement of child care facilities or equipment, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. DODD. Mr. President, I am pleased to join with my colleague from Ohio, Senator DeWine, in introducing the Child Care Facilities Financing Act. We also joined by Senator Snowe, Senator Kennedy, Senator Roberts, Senator Johnson, Senator Edwards, Senator Feinstein, Senator Collins, Senator Wellstone, Senator Bingaman, and Senator Murray as original cosponsors.

According to the Bureau of Labor Statistics, about 13 million children under the age of 6 and 31 million children between the ages of 6 and 17 have both parents or their only parent in the workforce.

The demand for quality child care is exploding. But the supply of care has not kept pace, particularly in low-income communities where demand has been stimulated by a strong economy and employment requirements under welfare reform.

Studies show that the supply of home-based and center-based child care is far more abundant in affluent areas than in low-income areas. Moreover, increased child care spending by states and the expansion of Head Start, physical space continues to remain scarce or unaffordable in low-income communities. Existing child care programs in too many low-income neighborhoods are crammed into inadequate, temporary quarters, leaky church basements, apartments, and other locations that were never designed for this purpose. Between the overall shortage of child care and inadequate existing facilities, parents have limited choices among inferior quality care, at times unsafe care for children.

The United States has carried out the most extensive systematic, and rigidly enforced, research on the quality of early education and child care programs. This research has shown that brain development is fastest during a child’s earliest years.

We know that quality child care can significantly assist in preparing children for school. The shortage in the supply of quality child care too often translates to inferior quality care for children.

One of the contributing factors to the child care shortage is the difficulty that would-be providers face in financing child care facility development. Financial institutions often view child care providers as high risks for loans.

In low-income neighborhoods, child care providers face severely restricted revenues and low real estate values. In urban areas, would-be child care providers must contend with buildings in poor physical condition and high property costs.

In all areas, reimbursement rates for child care subsidies are generally too low to cover the recovery cost of purchasing or developing facilities, especially after allowing for the cost of running the program. In addition, new providers often have no business training, and may need to learn how to manage their finances and business.

The Child Care Facilities Financing Act would provide grants to intermediary organizations, enabling them to provide financial and technical assistance to existing or new child care providers—including both center-based and home-based child care.

The financial assistance may be in the form of loans, grants, investments, or other assistance, allowing for flexibility depending on the situation of the child care provider. The assistance may be used for acquisition, construction, or renovation of child care facilities or equipment. It may also be used for improving child care management and business practices.

Grant funds under our legislation are required to be matched 50-50, further enhancing local capacity by leveraging...
Federal funding and creating valuable public/private partnerships. The added benefit in providing this kind of assistance is that it will spur further community and economic development by building local partnerships.

Reducing parental anxiety about child care means that parents can become more reliable and productive workers. An evaluation of California’s welfare-to-work program found that mothers participating in the program were twice as likely to drop out during the week they expressed dissatisfaction with the child care provider or facility they were using.

Let me share with you an example from my state of Connecticut. In the Hill neighborhood of New Haven, one of the most underserved areas of the city, there are more than 2,500 children under the age of five, but just 200 licensed child care spaces, including family care.

LULAC Head Start has been serving the Hill neighborhood since 1983, operating a part-day, early childhood program out of a cramped and poorly lit church basement. This basement program could no longer be licensed by the state and recently closed. The 54 children being served were moved to another location which is overcrowded.

Thanks to a collaboration between the Hill Development Corporation, LULAC Head Start and the New Haven Child Development Program, low-income families in the Hill community will have more access to affordable and high-quality child care services.

A new facility, the Hill Parent Child Center, is under construction and will provide multicultural child care, school readiness, and Head Start services for 172 low-income children in New Haven.

Fortunately for this Hill Community, Connecticut has a new child care financing program. Connecticut multi-Citizens Initiative—Supporting Community Development and the National Child Care Initiative joined forces with the State of Connecticut to design a program to finance the development of child care facilities.

Unfortunately, there are many more children in New Haven and other parts of Connecticut as well as across the Nation who still need child care. Sadly, most States do not have a child care financing system in place.

We do not know how we can ensure that safe, affordable, quality child care is available for more children, particularly low-income families, so that we can truly leave no child behind. When the economic situation of families improves, distressed communities become revitalized.

Expanding the supply of quality child care is an important step in investing in the needs of families with young children.

I hope that you will join with Senator DeWine and me in supporting this legislation to ensure that parents have as many choices as possible in selecting child care while they work. It is hard enough for low-income families to make ends meet without the additional anxiety of poor choices of care for their children.

I ask unanimous consent that a brief summary of the legislation be printed in the RECORD, as follows:

**The Child Care Facilities Financing Act**

Many low-income communities face a severe shortage of child care and equipment. Child care in income areas often lack the access to capital and management expertise to expand the capacity and the quality of their programs. A lack of access to child care threatens the ability of low-income parents to find and maintain stable employment.

Quality child care can really make a difference, and in a child’s ability to start school ready to learn.

**The Solution**

The Child Care Facilities Financing Act authorizes $50 million annually to fund grants that will enable local child care providers to enhance the ability of home- and center-based child care providers to serve their communities. Funds will be used to provide:

- Financial assistance for home-based child care providers to improve the ability of low-income parents to find and maintain stable employment.
- Quality child care can really make a difference, and in a child’s ability to start school ready to learn.

**Building on a Proven Model**

The Child Care Facilities Financing Act draws from the community development model—using small, seed-money investments to leverage existing community resources. Tested in communities across the nation, this approach has been proven to be successful in expanding child care capacity.

In New Haven, the Hill Development Corporation and the Local Initiatives Support Corporation (LISC) established the Community Investment Collaborative for Kids—closing on $3.6 million in public-private funding to construct a new 10 room, 171 child Head Start and child care center on a vacant lot in a low-income neighborhood.

The Ohio Community Development Finance Fund offers stable resources for planning, technical assistance and funding for the development of expanded quality child care space. It is available for every $1.00 in public funding and has touched the lives of over 13,000 Ohio children. Wonder World, an urban child care center in Akron, Ohio, was operating in a dingy and poorly lit space of an old church. Despite these conditions, the center had a waiting list. With help from the Ohio Community Development Finance Fund, a new eight room child care facility was constructed serving approximately 200 children.

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**Amendments Submitted and Proposed**

**SA 1028.** Mr. THOMAS submitted an amendment intended to be proposed by him to the appropriations bill for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table.

**SA 1029.** Mrs. MURRAY (for herself and Mr. SHELDY) proposed an amendment to amendment SA 1025 submitted by Mrs. MURRAY and intended to be proposed to the bill (H.R. 2299) supra.

**SA 1030.** Mrs. MURRAY (for herself and Mr. SHELDY) proposed an amendment to amendment SA 1025 submitted by Mrs. MURRAY and intended to be proposed to the bill (H.R. 2299) supra.

**SA 1031.** Mr. CRAPO submitted an amendment intended to be proposed to amendment SA 1025 submitted by Mrs. MURRAY and intended to be proposed to the bill (H.R. 2299) supra; which was ordered to lie on the table.

**Text of Amendments**

**SA 1028.** Mr. THOMAS submitted an amendment intended to be proposed by him to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

- On page 66, line 8, after the word “bus,” insert the following phrase: ‘‘, as that term is defined in section 301 of the American with Disabilities Act of 1990’’;
- On page 66, line 74, strike ‘‘; and” and insert in lieu thereof ‘’; and’’;
- On page 65, beginning with line 10, strike all through page 70, line 14.

**SA 1029.** Mrs. MURRAY (for herself and Mr. SHELDY) proposed an amendment to amendment SA 1025 submitted by Mrs. MURRAY and intended to be proposed to the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

- On page 20, line 16, strike the numeral and all that follows through the word ‘‘Code’’ on page 18 and insert in lieu thereof the following: ‘‘$3,348,128 shall be set aside for the program authorized under section 1101(a)(11) of the Transportation Equity Act for the 21st Century, as amended and section 162 of title 23, United States Code’’;

- On page 33, line 12, strike the world “together” and all that follows through the section reference on line 14.

- On page 78, strike line 20 through 24.

**SA 1030.** Mrs. MURRAY (for herself and Mr. SHELDY) proposed an amendment to amendment SA 1025 submitted by Mrs. MURRAY and intended to be proposed to the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows: On page 73, strike lines 19 through 24 and insert the following:

- ‘‘(i) inspections of all commercial vehicles of the State or Federal authorities or, seeking authority, to operate beyond United States municipalities and commercial zones on the United States-Mexico border that do not display a valid Commercial Vehicle Safety Alliance inspection decal, by certified Federal inspectors, or by State inspectors whose operations are funded in part or in whole by Federal funds, in accordance with the requirements for a Level I Inspection under the criteria of the North American...”
Standard Inspection (as defined in section 350.105 of title 49, Code of Federal Regulations), including examination of the driver, vehicle exterior and vehicle under-carrige, and

"(ii) a Commercial Vehicle Safety Alliance decal to be affixed to each such commercial vehicle upon completion of the inspection required by clause (i) or a re-inspection if the vehicle has met the criteria for the Level I inspection when no component parts were hidden from view and no evidence of a defect was present, and

"(iii) that any such decal, when affixed, expire at the end of a period of not more than 90 days.

nothing in this paragraph shall be construed to preclude the Administration from requiring re-inspection of a vehicle bearing a valid inspection decal or from requiring that such a decal be removed when a certified Federal or State inspector determines that such a vehicle has a safety violations subsequent to the inspection for which the decal was granted.:"

SA 1031. Mr. CRAPO submitted an amendment intended to be proposed to amendment SA 1031, as submitted by Mr. MURRAY and intended to be proposed to the bill (H. R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 81, between lines 13 and 14, insert the following:

SEC. 350. INCREASED GOVERNMENT SHARE.
(a) In general.—Section 47109 of title 49, United States Code, is amended by adding at the end the following new subsection:

"(d) SPECIAL RULE FOR CERTAIN AIRPORTS.—

"(1) In general.—Notwithstanding subsection (b), in the case of a qualifying airport, the Government’s share of allowable project costs shall be increased by the greater of—

"(A) the percentage determined under subsection (b); or

"(B) one-half of the percentage that the area of Federal land in the State where the airport is located is of the total area of that State.

"(2) Limitation.—The percentage increase of the Government’s share of allowable project costs determined under this subsection shall not exceed the lesser of 83.75 percent or the highest percentage of the Government’s share applicable to any project in any State under subsection (b).

"(3) Qualifying airport.—In this subsection, the term ‘qualifying airport’ means an airport that—

"(A) has less than 25 percent of the total number of passenger boardings at all commercial airports during the fiscal year used for calculating the most recent appropriations made under section 47114; and

"(B) is located in a State in which more than 40 percent of the total area of the State is Federal lands.

"(4) Federal lands.—In this subsection, the term ‘Federal lands’ means nontaxable Indian lands (individual and tribal) and all lands owned by the Federal Government including, without limitation, appropriated and unappropriated lands and reserved and unreserved lands.

(b) CONFORMING AMENDMENT.—Section 47109(a) of title 49, United States Code, is amended by inserting “or subsection (d)” after "(a)".

(c) EFFECTIVE DATE.—The amendments made by this section apply to project agreements entered into pursuant to section 47108 of title 49, United States Code, on or after the date of enactment of this Act.

NOTICES OF HEARINGS
COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY

Mr. HARKIN. Mr. President, I would like to announce that the Committee on Agriculture, Nutrition, and Forestry will meet on July 24, 2001 in SH-328, at 9:00 a.m. The purpose of this hearing will be to discuss livestock issues for the next Federal farm bill.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Friday, July 20, 2001, to hear testimony on Trade Adjustment Assistance.

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

COMMITTEE ON VETERANS’ AFFAIRS

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be authorized to meet during the session of the Senate on Friday, July 20, 2001, for a markup on the nomination of Gordon H. Mansfield to be Assistant Secretary for Congressional Affairs at the Department of Veterans Affairs. The meeting will take place in the Senate Reception Room after the first roll call vote of the day.

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

Mrs. MURRAY. Mr. President, I ask unanimous consent that Denise Matthews and Cyndi Stowe, Fellows on the staff of the Appropriations Committee, be granted the privileges of the floor during debate on the fiscal year 2002 Transportation appropriations bill and the conference report thereon.

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

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT 2002

On July 19, 2001, the Senate amended and passed H.R. 2111, as follows:

Resolved, That the bill from the House of Representatives (H. R. 2311) entitled “An Act making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes.” do pass with the following amendment:

Strike out all after the enacting clause and insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2002, for energy and water development, and for other purposes.

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the superintendence of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, beach erosion, and related purposes.

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, resurvey of authorized projects, miscellaneous investigations, and, when authorized by laws, surveys and detailed studies and plans and specifications of projects prior to construction, $152,402,000, to remain available until expended, of which $100,000,000 shall be used to conduct a study of Port of Iberia, Louisiana, and of which such sums as are necessary shall be used by the Secretary of the Army, by joint contract and submit to Congress a study that examines the known and potential environmental effects of oil and gas drilling activity in the Great Lakes (including effects on the shorelines and waters of the Great Lakes); Provided, That during the fiscal years 2002 and 2003, no Federal or State permit or lease shall be issued for oil and gas slant, directional, or offshore drilling in or under the Great Lakes (including in or under any river flowing into or out of the lake): Provided further, That using $300,000 of the funds provided herein for the State of Maryland, Virginia, Pennsylvania, and the District of Columbia, the Secretary of the Army, acting through the Chief of Engineers, is directed to conduct a Chesapeake Bay shoreline erosion study, including: identification of management measures that could be undertaken to address the sediments behind the dams on the lower Susquehanna River; Provided further, That the Secretary of the Army, using $100,000 of the funds provided herein, is directed to conduct studies for flood damage reduction, water conservation, and the restoration, water supply, water quality and other purposes in Tuscaloosa County, Alabama, and shall provide a comprehensive plan for the development, conservation, disposal and utilization of water and related land resources, for flood damage reduction and allied purposes, including the determination of the need for a reservoir to satisfy municipal and industrial water supply needs: Provided further, That within the funds provided herein, the Secretary may use $300,000 for the North Georgia Water Planning District Watershed Study, Georgia; CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by laws; and detailed studies, and plans and specifications, of projects (including those for development under participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such projects shall not constitute a commitment of the Government to construction), $1,570,798,000, to remain available until expended, of which such sums as are necessary for the Federal share of construction, design, and related expenses. Of the $250,000,000 provided for the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund, as authorized by Public Law 104–330; and of which such sums as are necessary pursuant to Public Law 99–662 shall be derived from the Inland Waterways Trust Fund, for one-half of the costs of construction and rehabilitation of inland waterways projects, including rehabilitation costs for the Lock and Dam 12, Mississippi River, Iowa; Lock and Dam 24, Mississippi River, Illinois and Missouri; Lock and Dam 1, Mississippi River, Arkansas; and London Locks and Dam, and Kanawha River, West Virginia, projects; and of which funds are provided for the following projects in the amounts specified:

Red River Emergency Bank Protection, AR, $4,500,000.
Provided further, That $2,500,000 of the funds appropriated herein, for the removal of the Embrey Dam, Fredericksburg, Virginia: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to continue the Dickenson County Detailed Project Report as generally defined in Plan 4 of the Huntington District Engineer’s Draft Supplement to the Section 202 General Detailed Project Report, dated April 1997, including all Russell Fork tributary streams within the County and special considerations as may be appropriate to address the unique flood-prone needs for the flood prone communities within the County: Provided further, That, with respect to the environmental infrastructure project in Lebanon, Kentucky; as may be approved hereunder for the non-Federal share of the cost of the project for work performed during the period of the project cooperation agreement, if the Secretary determines the work is integral to the project: Provided further, That within the funds provided herein, $250,000 may be used for the Horseshoe Lake, Arkansas feasibility study.

For expenses necessary for the conduct of activities related to the Apalachicola, Chattahoochee and Flint Rivers Navigation, authorized by section 2 of the River and Harbor Act of March 2, 1945 (Public Law 79-19; 59 Stat. 10) and modified by the first supplemental appropriation for the fiscal year ended September 30, 1946 (50 Stat. 635, chapter 595), is modified to authorize the Secretary, as part of navigation maintenance activities to develop and implement a plan to be integrated into the long-term material management plan being developed for the Corley Slough reach as required by conditions of the State of Florida water quality certification for the development of environmentally sound dredged material from the disposal area known as Site 40, located at mile 36.5 of the Apalachicola River, and from other disposal sites that the Secretary may determine to be needed, for the purpose of reusing the disposal areas, by transporting and depositing the sand for environmentally acceptable beneficial uses in coastal areas of northeast Florida to be determined in coordination with the State of Florida: Provided further, That the Secretary is authorized to acquire all lands, easements, and rights-of-way necessary for such beneficial uses, in consultation with the affected State, to be required for dredged material disposal areas to implement a long-term dredged material management plan; Provided further, That $5,190,000 shall be made available for these purposes and $8,173,000 shall be made available for the Apalachicola, Chattahoochee and Flint Rivers Navigation.

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $128,000,000, to remain available until expended.

For expenses necessary for general administration and related functions in the Office of the Assistant Secretary of the Army for Civil Works, Office of the Chief of Engineers; activities of the Coastal Engineering Research Center, the Humphreys Engineering Center Support Activity, the Water Resources Development Act Support Center of the USACE, and rulemaking activities of the USACE, $153,000,000, to remain available until expended: Provided, That no part of any other appropriation provided in title I of this Act shall be available to fund the activities of the Office of the Chief of Engineers or the executive direction and management activities of the division offices.

Appropriations in this title shall be available for official representation and travel expenses (not to exceed $5,000); and during the atomic energy program, $140,000,000, to remain available until expended.

For expenses necessary for clean up contamination from sites throughout the United States resulting from work performed as part of the Nation’s early atomic energy program,
S8026

S8026

CONGRESSIONAL RECORD—SENATE
July 20, 2001

SEC. 109. DESIGNATION OF NONNAVIGABILITY

SEC. 106. Of the funds made available under

SEC. 104. The Secretary may not expend funds to

SEC. 103. The Secretary may not expend funds to

SEC. 102. ST. GEORGES BRIDGE, DELAWARE.

SEC. 101. NOISE HARBOR TECHNICAL CORRECTION.

SEC. 110. The Secretary of the Army shall not

SEC. 114. (a)(1) Not later than December 31,

SEC. 113. The Secretary of the Army shall not accept or solicit non-Federal voluntary contributions for shore protection work in excess of the minimum requirements established by law; except that, when voluntary contributions are tendered by a non-Federal sponsor for the prosecution of work outside the authorized scope of the Federal project at full non-Federal expense, the Secretary is authorized to accept said contributions.

SEC. 112. Section 211 of the Water Resources and Development Act of 2000 (P.L. 106–541) of Public Law 106–53 (the Water Resources Development Act of 1999) is amended by—

(a) $25,631,000; and

(b) $39,000,000; and

(c) The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(vii) along the same line N. 53°37'00" E. 1256.19 feet; thence

viii) (vii) along the same line N. 86°10'29" E. 1692.61 feet; thence, still along the same line the following thirteenth courses:

(i) S. 67°26'00" E. to a point in the intersection of Church Street with the curved northerly right-of-way line of Pennsylvania-Reading Seashore Lines Railroad (46.00 feet wide)—

(ii) N. 11°28'50" E. 38.35 feet; thence

(iii) S. 11°28'50" E. 1052.14 feet; thence

(iv) S. 27°56'37" E. 3764.36 feet; thence

(v) N. 35°33'14" W. 975.95 feet; thence

(vi) N. 37°04'38" E. 881.04 feet; thence

(vii) N. 36°34'17" E. 116.87 feet; thence

(viii) S. 67°26'00" E. 1090.00 feet to a point in the Pierhead and Bullhead Line along the Southwesterly shore of the Delaware River; thence

(ix) S. 65°50'00" E. 486.30 feet; thence

(x) S. 61°18'00" E. 132.00 feet; thence

(xi) S. 56°35'00" E. 115.11 feet; thence

(xii) S. 42°00'00" E. 271.00 feet; thence

(xiii) S. 59°00'00" E. 485.60 feet; thence

(xiv) E. 1256.19 feet; thence

(xv) S. 39°15'00" E. 481.04 feet; thence

(xvi) S. 30°26'28" E. 254.18 feet; thence

(xvii) S. 25°52'49" E. 964.95 feet; thence

(xviii) S. 24°34'20" E. 475.00 feet; thence

(xix) S. 22°26'28" E. 154.18 feet; thence

xx) S. 19°32'23" E. 64.69 feet; thence

xxi) S. 18°24'40" E. 366.60 feet; thence

xxii) S. 17°31'50" E. 100.51 feet; thence

xxiii) S. 16°37'50" E. 130.00 feet; thence

xxiv) S. 15°36'39" E. 46.80 feet; thence

xxv) S. 14°31'35" E. 113.50 feet; thence

xxvi) S. 13°28'35" E. 863.52 feet to the point of beginning.

(x) S. 39°15'00" E. 481.04 feet; thence

(xi) S. 31°01'38" E. 1692.95 feet; thence

(xii) S. 30°26'28" E. 254.18 feet; thence

(xiii) S. 25°52'49" E. 964.95 feet; thence

(xiv) S. 22°26'28" E. 154.18 feet; thence

(xv) S. 19°32'23" E. 64.69 feet; thence

(xvi) S. 18°24'40" E. 366.60 feet; thence

(xvii) S. 17°31'50" E. 100.51 feet; thence

(xviii) S. 16°37'50" E. 130.00 feet; thence

(xix) S. 15°36'39" E. 46.80 feet; thence

(xx) S. 14°31'35" E. 113.50 feet; thence

(xxii) S. 23°49'00" W. 210.49 feet; thence

(xxiii) S. 22°09'50" W. 121.40 feet; thence

(xxiv) S. 20°57'30" W. 251.78 feet; thence

(xxv) S. 36°05'20" W. 228.64 feet; thence

(xxvi) S. 38°50'00" W. 1158.36 feet to a point in the Southwesterly line of said River Lane; thence

(xxvii) S. 41°31'35" E. 113.50 feet; thence

(xxviii) S. 61°28'35" W. 863.52 feet to the point of beginning.

2001, at a total cost of $28,800,000, with an estimated Federal cost of $12,700,000, and estimated non-Federal cost of $22,300,000 is provided: Provided, That of that amount, $1,000,000 shall be for dredging on the Arkansas River for maintenance dredging at the authorized for the Arkansas River Master Water Control Manual and any associated changes to the Missouri River Annual Operating Plan. During consideration of revisions to the Missouri River Master Water Control Manual and any associated changes to the General Reevaluation and Environmental Report for Proposed Project Modifications, dated February 2001, at a total cost of $28,800,000, with an estimated Federal cost of $12,700,000, and estimated non-Federal cost of $22,300,000 is provided: Provided, That of that amount, $1,000,000 shall be for dredging on the Arkansas River for maintenance dredging at the authorized for the Arkansas River Master Water Control Manual and any associated changes to the General Reevaluation and Environmental Report for Proposed Project Modifications, dated February 2001, at a total cost of $28,800,000, with an estimated Federal cost of $12,700,000, and estimated non-Federal cost of $22,300,000 is provided: Provided, That of that amount, $1,000,000 shall be for dredging on the Arkansas River for maintenance dredging at the authorized for the...
(2) determine whether the Secretary is responsible for a design deficiency in the project relating to the interference of ice with pump operation.

(b) If the Secretary determines under subsection (a) that the Secretary is responsible for the design deficiency, the Secretary shall correct the design deficiency, including the cost of design and construction, at 100 percent Federal expense.

SEC. 115. The Corps of Engineers is urged to proceed with design of the Section 205 Mad Creek Flood Control Project in Iowa.

SEC. 116. CERRILLOS DAM, PUERTO RICO. The Secretary of the Army shall reassess the allocation of Federal and non-Federal costs for construction of the Cerrillos Dam, carried out as part of the project for flood control, Portugues and Bucana Rivers, Puerto Rico.

SEC. 117. RARITAN RIVER BASIN, GREEN BROOK SUBBASIN, NEW JERSEY. The Secretary of the Army shall implement, with a Federal share of 75 percent and a non-Federal share of 25 percent, a buyout plan in the western portion of Middlesex County, located in the Green Brook subbasin of the Raritan River basin, New Jersey, that includes—

(1) the buyout of not to exceed 10 single-family dwellings, (2) proofreading of not to exceed 4 commercial buildings located along Prospect Place or Union Avenue; and

(3) the buyout of not to exceed 3 commercial buildings located along Raritan Avenue or Lincoln Avenue.

SEC. 118. STUDY OF CORPS CAPABILITY TO CONDUCT INFRASTRUCTURE ENVIRONMENTAL IMPACT STATEMENTS. Section 704(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2263(b)) is amended—

(1) by redesignating paragraphs (1), (2), (3), and (4) as subparagraphs (A), (B), (C), and (D), respectively;

(2) by striking “(b) The Secretary” and inserting the following:

“(b) PROJECT.—(1) IN GENERAL.—The Secretary; and

(3) by striking “The non-Federal share of the cost of any project under this section shall be 25 percent.” and inserting the following:

“(C) APPLICATION.—The non-Federal interest shall be credited with the value of in-kind services, including the provision by non-Federal interest of shell stock material that is determined by the Chief of Engineers to be suitable for use in carrying out the project.

“(D) APPLICABILITY.—The non-Federal interest shall be credited with the value of in-kind services provided on or after October 1, 2000, for a project described in paragraph (1) completed on or after that date, if the Secretary determines that the work is integral to the project.

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, $34,916,000, to remain available until expended, of which $10,749,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account of the Central Utah Project Completion Act and shall be available to carry out activities authorized under that Act.

In addition, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior, $1,310,000, to remain available until expended.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFER OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, for operation, maintenance and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, easements, acquisitions, and other agreements with State and local governments, Indian tribes, and others, $72,496,000, to remain available until expended, of which $4,000,000 shall be available for the West River/Lyman-Jones Rural Water System to provide rural, municipal, and industrial drinking water for Philip, South Dakota, in accordance with the Water Resources Development Act of 1986 (43 U.S.C. 2566; 108 Stat. 4359), of which $14,649,000 shall be available for transfer to the Upper Colorado River Basin Fund and $31,422,000 shall be available under the Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund; of which $8,000,000 shall be for on-reservation water development, feasibility studies, and related administrative costs under Public Law 106-163; of which not more than $500,000 is for high priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706: Provided, That such transfers may be increased or decreased within the overall appropriation under this heading: Provided further, That the total appropriated, the amount for development, feasibility studies, and related administrative costs under Public Law 106-163, and of which not more than $500,000 is for high priority projects shall be available until expended: Provided further, That funds available for the Department of the Interior, the Bureau of Reclamation, or the Corps of Engineers which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706, shall be available until expended: Provided further, That the Secretary may, if the Secretary determines under section 205 Mad Creek Flood Control Project in Iowa.

POLICY AND ADMINISTRATION

For administrative expenses, $3,144,000, to remain available until expended.

REPORTS

The report required by section 505 of the Water Resources Development Act, as amended, prior to January 1, 1994 for failure to file certain certificates or reporting forms for the Colorado River Basin Project pursuant to section 101 of the Colorado River Basin Project Act (43 U.S.C. 1223l), to remain available until expended.

SEC. 119. AUTOMATICALLY REPEALED. The following provisions are repealed and rescinded: Section 205 Mad Creek Flood Control Project in Iowa.
(b) PAYMENT TO GENERAL FUND.—If any of the provisions of the stipulation referred to in subsection (a) is not met by the date that is 3 years after the date of enactment of this Act, payments shall be made to the Fund of the Treasurer of the State of California in accordance with section 403(3) of the Colorado River Basin Project Act (43 U.S.C. 1543(f)).

(c) AUTHORIZATION.—Amounts in the Lower Colorado River Basin Development Fund that but for this section would be returned to the general fund of the Treasury shall not be expended until further notice.

SEC. 205. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interdepartmental payment for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified as charges for the period of years in which such charges are made. All amounts so classified shall be paid from the Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995", prepared by the Department of the Interior, Bureau of Reclamation obligations, by funds of the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by the United States, and shall be provided for under the San Joaquin Valley Drainage Program Act of 1984 (43 U.S.C. 1511 et seq.). Provided, That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended.

SEC. 206. The Secretary of the Interior, in accepting payments for the reimbursable expenses incurred in the performance of extraordinary maintenance with regard to the Valley Rehabilitation Project at the Arrowrock Dam on the Arrowrock Division of the Boise Project in Idaho, shall recover no more than $6,900,000 of such expenses according to the application of the current formula for charging users for reimbursable operation and maintenance expenses at Bureau of Reclamation facilities on the Boise Project, and shall receive this portion of such expenses over a period of 15 years.

TITLE III
DEPARTMENT OF ENERGY
ENERGY PROGRAMS

ENERGY SUPPLY
For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for energy supply, and uranium supply and enrichment activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility for plant or facility acquisition, construction, or expansion, and purchase of not to exceed 25 passenger motor vehicles for replacement only, $2,568,816,000, to remain available until expended.

URANIUM FACILITIES MAINTENANCE AND DECOMMISSIONING
For necessary expenses to maintain, decontaminate, and decommission, and otherwise remediate uranium processing facilities, $688,725,000, of which sums are derived from the Uranium Enrichment Decontamination and Decommissioning Fund, all of which shall remain available until expended.

TITLES I–IV
DEPARTMENT OF NUCLEAR ENERGY

TITLES I–III
DEFENSE NUCLEAR NONPROLIFERATION

DEFENSE NUCLEAR NONPROLIFERATION
For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense, Defense Nuclear Nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility for plant or facility acquisition, construction, or expansion, $400,000,000, to remain available until expended.

For必要的行政费用，包括能源部组织部（42 U.S.C. 7101 et seq.），收购或重组为国家安全和非扩散（包括透明度活动）活动在财年2002年。

NAVAL REACTORS
For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, equipment, facilities, and facility expansion, $688,045,000, to remain available until expended.

OFFICE OF THE INSPECTOR GENERAL
For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $30,000,000, to remain available until expended.
representation expenses (not to exceed $15,000), $15,000,000, to remain available until expended.

**OTHER DEFENSE RELATED ACTIVITIES**

**DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT**

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental restoration and waste management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant and capital equipment or expansion; and the purchase of 30 passenger motor vehicles, of which 27 shall be for replacement only, $5,389,868,000, to remain available until expended.

**DEFENSE FACILITIES CLOSURE PROJECTS**

For expenses of the Department of Energy to accelerate the closure of defense environmental management sites, including the purchase, construction and acquisition of plant and capital equipment and other necessary expenses, $1,080,538,000, to remain available until expended.

**DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION**

For Department of Energy expenses for privatization projects necessary for atomic energy defense environmental management activities authorized by the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $157,537,000, to remain available until expended.

**OTHER DEFENSE ACTIVITIES**

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense, other defense activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant and capital equipment or expansion, or for administrative expenses, including official representation and a technical analysis of the costs and feasibility of making purchase power and wheeling expenditures. The Secretary shall not exceed $200,000 shall be provided for the Western Area Power Administration to conduct a technical analysis of the costs and feasibility of making purchase power and wheeling expenditures.

**CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION**

For creating the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official representation and representation expenses in an amount not to exceed $1,500, $189,465,000, to remain available until expended, of which not more than $10,000,000 shall be made available for obligation by the Department of the Interior Reclamation Project: Provided, That of the amount herein appropriated, $6,091,000 is for deposit into the Utah Reclamation Project, $6,091,000, to remain available until expended. Further, that these funds shall be nonreimbursable: Provided further, That these funds shall be nonreimbursable: Provided further, That these funds shall be nonreimbursable: Provided further, That these funds shall be nonreimbursable. For the construction, rehabilitation, operation, and maintenance of the Western Area Power Administration pursuant to the Flood Control Act to recover purchase power and wheeling expenses, not to exceed $15,000,000, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

**FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND**

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $2,663,000, to remain available until expended. For expenses of the Western Area Power Administration pursuant to the Flood Control Act to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

**OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION**

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, and for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official representation and representation expenses in an amount not to exceed $1,500, in carrying out the purposes of the Water Resources Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $28,038,000, to remain available until expended; in addition, notwith-
shall be available to be used for Laboratory Di-
rected Research and Development.

SEC. 307. None of the funds in this Act may be
used to dispose of transuranic waste in the Waste
 issment which contains con-
etrations of plutonium in excess of 20 percent
by weight for the aggregate of any material cat-
gory on the date of enactment of this Act, or is
generated. For the purposes of this section, the ma-
terial categories of trans-
uranic waste at the Rocky Flats Environmental
Technology Site include: (1) ash residues; (2)
salt residues; (3) high level radioactive wastes;
(4) direct repack-
age residues; and (5) scrub alloy as referenced in
the “Final Environmental Impact Statement on
Management of Certain Plutonium Residues and
Surface Stabilization at the Rocky Flats Envi-
ronmental Technology Site”.

SEC. 308. The Administrator of the National
Nuclear Security Administration may authorize
the plant manager of a covered nuclear weapons
production plant to engage in research, develop-
ment, and demonstration activities with respect to
the engineering and manufacturing capabilities of
at least one plant in order to maintain and en-
hance such capabilities at such plant: Provided,
That of the amount allocated to a covered nu-
clear weapons production plant each fiscal year
from amounts available to the Department of
Energy for such fiscal year for national security
programs, not more than an amount equal to 2 per-
cent of such amount may be used for these activi-
tes: Provided, Further, That for purposes of
this section, the term “covered nuclear weap-
ons production plant” means the following:
(1) The Kansas City Plant, Kansas City, Mis-
souri.
(2) The Y–12 Plant, Oak Ridge, Tennessee.
(3) The Pantex Plant, Amarillo, Texas.
(4) The Savannah River Plant, South Caro-
olina.

SEC. 309. Notwithstanding any other law, and
without fiscal year limitation, each Federal Power
Commission is authorized to engage in activities and solicit, undertake and review studies and proposals relating to the formation and operation of a regional trans-
mission organization.

SEC. 310. The Administrator of the National
Nuclear Security Administration may authorize
the manager of a covered nuclear weapons
production plant to engage in research, develop-
ment, test, and evaluation capabilities necessary for operating the validation of the Nevada Test Site:
Provided, That of the amount allocated to the
Nevada Operations Office each fiscal year from
amounts available to the Department of
Energy for national security programs at the Nevada Test Site, not more than an amount equal to 2 percent of such amount may be used for these activities.

SEC. 311. DEPLETED URANIUM HEXAFLUORIDE.
Section 1 of Public Law 105–204 is amended in
subsection (b)—
(1) by inserting “except as provided in sub-
section (c) after “(123–140)” ; and
(2) by striking “fiscal year 2002” and inserting
“fiscal year 2005”.

SEC. 312. (a) The Secretary of Energy shall
conduct a study of alternative financing ap-
proaches, to include third-party-type methods,
for infrastructure and facility construction
projects at such an atomic energy facility.
(b) The study shall be conducted and delivered to the
House and Senate Committees on
Appro priations within 180 days of enactment.

SEC. 313. (a) In GENERAL.—The Secretary of
Energy shall provide for the management of en-
vironmental matters (including planning and
budgetary activities) with respect to the Padu-
cah Gaseous Diffusion Plant, to be done through
the Assistant Secretary of Energy for
Environmental Management.

(b) PARTICULAR REQUIREMENTS.—(1) In meet-
ing the requirements of subsection (a), the Sec-
tary shall provide for direct communication
between the Assistant Secretary of Energy for
Environmental Management and the head of the
Paducah Gaseous Diffusion Plant on the
matters covered by that subsection.

(2) The Assistant Secretary shall carry out ac-
tivities under this section in direct consultation
with the head of the Paducah Gaseous Diffu-
sion Plant.

SEC. 314. (a) The Senate finds that:
(1) The Department of Energy’s Yucca Moun-
tain program has been one of the most intensive
scientific investigations in history.
(2) Significant milestones have been met, in-
cluding the recent release of the Science and
Engineering Report, and others are due in the
near future including the Final Site Suitability
Evaluation.

(3) Nuclear power presently provides 20 per-
cent of the electricity generated in the United
States.

(4) A decision on how to dispose of spent nu-
clear fuel and high level radioactive waste is es-
sential to the future of nuclear power in the
United States.

(5) Any decision on how to dispose of spent nuclear fuel and high level radioactive waste must be based on sound science and it is critical that the Federal Government provide adequate funding to ensure the availability of such science in a timely manner to allow fully in-
formed decision making in accordance with the
statutorily mandated process.

(b) It is the sense of the Senate that the con-
gressional budget committees should ensure that
the levels of funding included in the Senate
bill for the Yucca Mountain program are in-
creased to an amount closer to that included in
the House bill to ensure that a determination on the disposal of spent nuclear fuel and high level radioactive waste can be concluded in accordance with the statu-
torily mandated process.

SEC. 315. The Department of Energy shall con-
sult with the State of South Carolina regarding
any decisions or plans related to the disposition
inferred by the Department of Energy Savannah River Site. The Secretary of Energy shall prepare not later than Sep-
tember 30, 2002, a plan for those facili-
tes required to ensure the capability to dispose of
such materials.

SEC. 316. PROHIBITION OF OIL AND GAS DRILL-
ING IN THE FINGER LAKES NATIONAL FOREST,
NEW YORK. No Federal permit or lease shall be
issued for oil or gas drilling in the Finger Lakes
National Forest, New York, during fiscal year
2002 or thereafter.

TITLE IV
INDEPENDENT AGENCIES
APPALACHIAN REGIONAL COMMISSION
For expenses necessary to carry out the programs
authorized by the Appalachian Regional
Development Act of 1965, as amended, notwith-
standing section 405 of said Act and for nec-
essary expenses for the Federal Co-Chairman and
the alternate on the Appalachian Regional
Commission payment of the Federal share of the
administrative expenses of the Commission,
including services as authorized by 5 U.S.C.
3109, and hire of passenger motor vehicles,
$66,290,000, to remain available until expen-
ded.
DEFENSE NUCLEAR FACILITIES SAFETY BOARD
SALARIES AND EXPENSES
For necessary expenses of the Defense Nuclear
Facilities Safety Board in carrying out activities
authorized by the Atomic Energy Act of 1944, as
amended by Public Law 100–456, section 1441,
$15,850,000, to remain available until expen-
ded.

DELTA REGIONAL AUTHORITY
SALARIES AND EXPENSES
For necessary expenses of the Delta Regional
Authority and to carry out its activities, as au-
thorized by the Delta Regional Authority Act of
2000, $20,000,000, to remain available until expen-
ded.

DENALI COMMISSION
For expenses of the Denali Commission in
includ ing the purchase, construction and acquisi-
tion of plant and capital equipment as nec-
essary and other expenses, $40,000,000, to remain
available until expended.

NUCLEAR REGULATORY COMMISSION
SALARIES AND EXPENSES
For necessary expenses of the Commission in
carrying out the purposes of the Energy Reorga-
nization Act of 1974, as amended, and the At-
omic Energy Act of 1944, as amended, including
official representation expenses (not to exceed $15,000), and purchase of promotional items for
use in the recruitment of individuals for employ-
ment, $16,900,000, to remain available until expen-
ded: Provided, That of the amount appro-
proved, $25,000,000, to be used from the
Nuclear Waste Fund: Provided further, That revenues from licensing fees, inspection services, and other services and collection estimated at
$468,248,000 in fiscal year 2002 shall be retained
and used for necessary salaries and expenses in
this account, notwithstanding 31 U.S.C. 3302,
and shall remain available until expended: Pro-
vided further, That, $700,000 of the funds herein
appropriated for regulatory reviews and other assistance to Federal agencies and States shall be
excluded from license fee revenues, notwith-
standing 42 U.S.C. 2214: Provided further, That
the sum herein appropriated shall be reduced by
the amount of revenues received during fiscal
year 2002 to an amount equal to the 2002 appro-
priation estimated at not more than $48,652,000:
Provided Further, That, notwithstanding
any other provision of law, no funds made
available under this Act may be expended by the
Commission to implement or enforce 10 C.F.R. Part 33, as adopted by the Commission on October 23, 2000.

OFFICE OF INSPECTOR GENERAL
For necessary expenses of the Office of
Inspector General in carrying out the provisions of
the Inspector General Act of 1978, as amended,
$5,500,000, to remain available until expended:
Provided, That revenues from licensing fees, in-
pection services, and other services and collect-
ions estimated at $5,280,000 in fiscal year 2002
shall be retained and be available until expen-
ded, for necessary salaries and expenses in
this account notwithstanding 31 U.S.C. 3302:
Provided further, That the sum herein appro-
riated shall be reduced by the amount of reve-
ues received during fiscal year 2002 so as to re-
main in a final fiscal year 2002 appropriation
estimated at not more than $220,000.

NUCLEAR WASTE TECHNICAL REVIEW BOARD
SALARIES AND EXPENSES
For necessary expenses of the Nuclear Waste
Technical Review Board authorized by Pub-
lc Law 100–203, section 5051, $3,500,000, to be
derived from the Nuclear Waste Fund, and to
remain available until expended.

TITLE V
GENERAL PROVISIONS
SEC. 501. None of the funds appropriated by
this Act may be used in any way, directly or in-
directly, to influence congressional action on any
legislation or appropriation matters pend-
ing before Congress, other than to communicate
to Members of Congress as described in section
1913 of title 18, United States Code.

SEC. 502. (a) PURCHASE OF AMERICAN-MADE
EQUIPMENT AND PRODUCTS.
Provided, That no contract shall be
awarded by any Federal agency or the
Congress that, to the greatest extent practi-
ciable, all equipment and products purchased with
funds made available in this Act should be American-
made.
(b) NOTICE REQUIREMENT.—In providing fi-
nancial assistance to, or entering into any con-
tact with, any entity using funds made avail-
able in this Act, the Federal agen-
cy, to the greatest extent practicable, shall pro-
vide to such entity a notice describing the state-
ment made in subsection (a) by the Congress.

SEC. 503. (a) PROHIBITION AGAINST THE
FALSELY LABELING PRODUCTS AS MADE IN
AMERICA.—If it has been finally determined by
Water Development Appropriations Act, 2002

America with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations. This Act may be cited as the “Energy and Water Development Appropriations Act, 2002”.

EXECUTIVE CALENDAR

Mr. DASCHLE. Madam President, as in executive session, I now ask unanimous consent that the Agriculture Committee be discharged from further consideration of the following nominees to be members of the board of directors of the Commodity Credit Corporation, and that they be placed on the Executive Calendar: Eric Bost, William Hawks, Joseph Jen, James Mosely, and J.B. Penn.

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

The nominations are as follows:

DEPARTMENT OF AGRICULTURE

Eric M. Bost, of Texas, to be a Member of the Board of Directors of the Commodity Credit Corporation.

William T. Hawks, of Mississippi, to be a Member of the Board of Directors of the Commodity Credit Corporation.

Joseph J. Jen, of California, to be a Member of the Board of Directors of the Commodity Credit Corporation.

James R. Mosely, of Indiana, to be a Member of the Board of Directors of the Commodity Credit Corporation.

J.B. Penn, of Arkansas, to be a Member of the Board of Directors of the Commodity Credit Corporation.

SENATE WORK

Mr. DASCHLE. Madam President, this is the end of the week. I thank my colleagues for the effort that has been made to get as much accomplished as we were able to achieve. We passed the energy and water appropriations bill. We passed the Legislative branch appropriations bill. We just now passed the supplemental appropriations conference report. We appointed conferees to the bankruptcy reform legislation. We confirmed 23 nominations, including 3 judicial nominees this week. And we began consideration of the Transportation appropriations bill.

While I wish we could have gone further with regard to our work on the Transportation bill, I am pleased that as a result of a bipartisan effort to achieve this success at the end of the week I think we have accomplished a good deal.

I thank the distinguished Republican leader for his efforts in allowing this kind of accomplishment to be noted. I appreciate very much the hard work of the Appropriations Committee and the appropriations subcommittees that were very involved in the work of this week; that of Senator Domenici, the ranking member of the energy and water appropriations subcommittee, and Senator Reid in particular for his outstanding leadership in bringing about the successful conclusion of his bill. Senator Domenici has done an outstanding job with his legislative branch appropriations bill.

As my colleague just noted, so much work went into the supplemental appropriations bill. I am very pleased that Senator Breaux and Senator Stevens once again were able to complete their work as expeditiously as they did. I was contacted earlier today by the Vice President who asked if we could move this bill today. It was originally my intention to hold the bill over the weekend in order to give Senators more of a chance to examine the results. The bill was just presented to us this morning. But in order to accommodate a request by the administration, we chose to take up the bill, given the fact that no one had made a request for a rollcall vote. I thank my colleagues for their cooperation in not asking for a rollcall on this particular bill so we could move it ahead to accommodate the administration's request.

I am also very pleased with the success we have had in confirming 23 additional nominations; as I said, including 3 judicial nominations. That means that in the last 2 weeks we have now confirmed 77 nominations. I don't know what kind of a record that is, but it has to be one of the largest numbers of appointments confirmed in the shortest period of time. And we will continue to work at achieving just as impressive results in the coming weeks.

Madam President, we have had a good week. I look forward to a very successful week again next week working on, first, the Transportation appropriations bill, and, secondly, other available appropriations bills, in addition, of course, to other nominations.

ORDERS FOR MONDAY, JULY 23, 2001

Mr. DASCHLE. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 2 o’clock on Monday, July 23. I further ask unanimous consent that on Monday, immediately following the prayer and the pledge, the Journal of proceedings be approved. At 4 p.m., we will resume consideration of the Transportation Appropriations Act.

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

PROGRAM

Mr. DASCHLE. Madam President, Members of the Senate, on Monday the Senate will convene under this request at 2 p.m. with 2 hours of morning business. At 4 p.m., we will resume consideration of the Transportation Appropriations Act. There will be no rollcall votes until 5:45 p.m. on Monday. There will be a rollcall vote at that time. I expect there could be additional rollcall votes on Monday evening.

ADJOURNMENT UNTIL 2 P.M. MONDAY, JULY 23, 2001

Mr. DASCHLE. Madam President, if there is no further business to come before the Senate, I ask that the Senate stand in adjournment under the previous order.

Thereupon, the Senate, at 2:30 p.m., adjourned until Monday, July 23, 2001, at 2 p.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 20, 2001:

THE JUDICIARY

Sam E. Raddio, of Montana, to be United States District Judge for the District of Montana.

Richard F. Cordull, of Montana, to be United States District Judge for the District of Montana.

DEPARTMENT OF JUSTICE

Ralph F. Boyd, Jr., of Massachusetts, to be an Assistant Attorney General.

Neele, J. Connor, of Maryland, to be an Assistant Attorney General.

THE JUDICIARY

Roger L. Gregory, of Virginia, to be United States Circuit Judge for the Fourth Circuit.
IN HONOR OF THE REPUBLIC OF LATVIA

HON. DENNIS J. KUCINICH
OF OHIO
IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2001

Mr. KUCINICH. Mr. Speaker, I rise today to honor the mark of the 10th anniversary of Latvia's adoption of the constitutional law “On the Statehood of the Republic of Latvia.”

On August 21, 1991, the Supreme Council of the Republic of Latvia took advantage of the political situation in the country and passed the law “On the Statehood of the Republic of Latvia” providing for the full restoration of Latvia’s independence. This revoked the transition period set on May 4, 1990 for the de facto rejuvenation of the state power of the Republic of Latvia.

In order to commemorate the anniversary of this very significant event, the Saeima of the Republic of Latvia will host a ceremonial meeting of the Parliament on August 21, 2001. There, they will lay flowers at the Freedom monument and organize a festive concert and garden party in Jurmala.

The Republic of Latvia has always been a strong pillar of cultural heritage and exchange. Tradition and true faith drove this State to independence, and now after 10 years later, we are celebrating this important and distinguished anniversary.

Please join me in celebrating the 10th anniversary of such a joyous occasion. The Republic of Latvia is a true stronghold for political freedom and independence.

TRIBUTE TO MARY JANE TURNIPSEED

HON. ASA HUTCHINSON
OF ARKANSAS
IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2001

Mr. HUTCHINSON. Mr. Speaker, I rise today to pay tribute to Mrs. Mary Jane Turnipseed for her outstanding service as an educator at Van Buren High School in Van Buren, Arkansas. Recently, I received a heart-felt e-mail message from one of Mrs. Turnipseed’s students. This student was searching for a way to recognize his teacher because she had truly made an impact in his life. After reading his email, I think it appropriate to recognize Mrs. Turnipseed today on the floor of the House of Representatives.

For more than twenty years Mrs. Turnipseed has dedicated herself to her profession, to her school, and most of all, to her students. As a teacher, Mrs. Turnipseed has demonstrated her diligence and desire to make learning an exciting experience. Her student described her teaching by saying, “Mrs. Turnipseed combines teaching with real-life experiences in an attempt to bring history alive. Not only does she allow us to teach on some days and as-sign hands-on projects, but also uses class discussion and physical demonstrations to allow us to not just study history, but experience it.”

Mrs. Turnipseed is a remarkable teacher, but she doesn’t stop at simply doing her job. Her student remarked, “Mrs. Turnipseed has been more than a teacher to me; she has been a mother, counselor, mentor, and most importantly a friend. When she finds a way to connect with a student, she uses the link to build a relationship like none other. We have formed a once in a lifetime relationship that I will never forget.”

Mrs. Turnipseed represents the type of educator we, as parents, want to teach our children. In an era of drugs and violence in schools around the nation, Mrs. Turnipseed provides a calm and safe environment for her students. In her class, students can forget the pressures waiting outside in the hallway and focus on learning.

Mr. Speaker and fellow colleagues, please join me in recognizing Mrs. Mary Jane Turnipseed for the truly remarkable impact she has made on the teaching profession and her students.

STATEMENT ON THE LOSS OF MRS. KATHARINE GRAHAM

HON. TOM DAVIS
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2001

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise to pay tribute to a great lady, Katharine Graham, former chairman and CEO of the Washington Post Co., who passed away on Tuesday, July 17th, from head injuries sustained after she fell on a sidewalk in Sun Valley, Idaho. My heart goes out to Mrs. Graham's family and those who became part of her extended family.

Mrs. Graham was a gutsy pioneer. She was not intimidated by power or titles and created, with the utmost integrity, her own fulcrum to help move the world. And the world came to know she was here.

Katharine Graham found the best people and backed them to the hilt. In any controversy she always came down on the side of principle. And she did so with style, grace, and good cheer. "Think no little thoughts, do no little deeds" could have served as Katharine Graham's motto.

When faced with tragic situations in her own life that would have destroyed most others, Mrs. Graham reached deep down and discovered strength. She could have lived a carefree life, going down an easy, well-traveled road. But by the sheer force of her indomitable will and genius Katharine Graham took the road less traveled. And she made it her own.

Katharine Graham's passing saddens me in a very personal way—because she was so much a part of this town and this region. Her death leaves a void. When I say “this town” I mean this great city, the District of Columbia, our Nation’s Capital, and the Washington Region. Most of the tributes to Mrs. Graham have properly noted her immense role in our great national adventure as a country, and her key part in the stewardship of one of the greatest newspapers in American history, The Washington Post. Those tributes are fully justified, as she breathed new life into the First Amendment, without which our democratic republic would be unthinkable.

But the Katharine Graham I will always remember so vividly and personally is the Katharine Graham who loved this city and who soared above the crowd in her devotion to, and involvement in, the lifeblood of Washington, D.C.

Less than 2 years ago I had the honor of being a guest in her home upon the occasion of congressional passage of the District of Columbia Tuition Act, landmark legislation I was pleased to sponsor as Chairman of the D.C. Subcommittee. Mrs. Graham and her son, Don Graham, took a keen interest in that legislation, which has provided unprecedented educational opportunities to D.C. students. Likewise with other local issues, Mrs. Graham as publisher of The Washington Post helped to insure that there would always be a very sharp focus on the real city that lies just beyond the Monumental Core of the Nation’s Capital.

So this week this town is in mourning. We grieve the passing of one of the most significant people ever to reside in our midst. Mr. Speaker, Katharine Graham's legacy is one of unshakable courage and enduring accomplishment. Our institutions of freedom and fairness have lost a great friend. May God grant us others who emulate the shining example of Katharine Graham.

TRIBUTE TO ELSIE RICH

HON. LYNN C. WOOLSEY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2001

Ms. WOOLSEY. Mr. Speaker, I rise today to honor Elsie Rich. As we prepare to celebrate Elsie’s one hundredth birthday, we can be inspired by a life that embraces joyful energy, thoughtful discussion, and a positive approach to overcoming obstacles.

Born Elsa Shiffman in Vienna Austria in August, 1901, Elsie was one of five children in a Jewish family that owned a textile factory. In 1932 she married Henry Reich (later Rich), and the two lived in Vienna until 1938. After hearing Hitler announce his plans to exterminate all the Jews in Europe, Elsie and Henry applied for visas to America. They left a few months after Hitler’s troops invaded Austria, sending many Jews to concentration camps.

In America, the Rich family lived in New York before moving to Santa Rosa, California, in 1943. They eventually bought a ranch and became U.S. citizens. “Coming to America...
was the best thing that ever happened to me,” according to Elsie. “We should enjoy the freedom, because we need to remember that we are lucky to live in such a wonderful nation.”

Since arriving in Santa Rosa, Elsie Rich has been an active member and generous financial supporter of Congregation Beth Ami and the entire Jewish community. She is a woman of active participation and strong faith who always attends weekly services. Since Henry’s death in 1976, Elsie’s life has also included exercise classes, reading, cooking, discussing world affairs, using public transportation, and enjoying all that Santa Rosa has to offer. For the last two years, she has been the oldest person to attend the Sonoma County Fair. Her upbeat energy and resilience have continued to inspire those around her.

Mr. Speaker, Elsie Rich’s one hundredth birthday is a fitting occasion to remember, in her words, that “life is like a river. You have to go with your best stream and pick out what’s best for you.” Elsie has truly exemplified that approach.

SERIOUS QUESTIONS ON STAR WARS REMAIN

HON. GEORGE MILLER OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 2001

Mr. GEORGE MILLER of California. Mr. Speaker, I commend the following editorial to my colleagues that ran in the July 18, 2001, edition of the Contra Costa Times, a suburban newspaper which serves my 7th Congressional district in California. The Contra Costa Times has a circulation of 185,000 readers.

This editorial emphasizes a reality that should not be overlooked; the success of the recent missile defense test does nothing to change the fundamental arguments against deployment of a national missile defense system. Call it NMD, Star Wars II, or whatever.

We have said it before, and there is no reason to change our position: This so-called missile defense system is a dangerous, costly exercise in foolishness.

GAMBLING ATM AND CREDIT/DEBIT CARD REFORM ACT

HON. JOHN J. LaFALCE OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 2001

Mr. L A FALCE. Mr. Speaker, two years ago the National Gambling Impact Study Commission released the final report from its three-year study of gambling in the United States. The Commission took on one of the most difficult and divisive issues in America today and produced a extremely thoughtful report with more than 70 recommendations for changes in gambling policy. Unfortunately, none of the Commission’s recommendations requiring federal legislation have yet been enacted by Congress.

I am today reintroducing legislation to implement one of the more important recommendations of the National Gambling Impact Study Commission to help lessen the potential financial losses of compulsive gambling for individuals and families. My legislation, the “Gaming ATM and Credit/Debit Card Reform Act”, amends federal law to reduce the ready availability of cash and credit for gambling by removing credit card terminals, debit card point-of-sale machines, automated transfer machines (ATMS) and other electronic cash dispensing devices from the immediate area of gambling establishments.

A major finding of the Commission is that America has been transformed during the past twenty years from a nation in which legalized gambling was limited and localized to one in which it is almost omnipresent and a major economic and entertainment activity. Some form of legalized gambling is now permitted in 47 states and the District of Columbia. Thirty-seven states officially sponsor gambling through state lotteries. Americans now spend an estimated $650 billion a year on legalized gambling—more than they spend on movies, records, theme parks, professional sports and all other forms of entertainment combined.

The Commission also said that legalized gambling can produce positive economic benefits for the communities in which it is introduced, it also produces significant negative consequences for millions of individuals and families—consequences such as bankruptcy, divorce, abuse and even suicide. A specific concern of the Commission has been the dramatic increase in problem and pathological gambling. Studies suggest that more than 5 million Americans are pathological or problem gamblers, and that another 15 million have gambling problems.

The rapid growth of compulsive gambling has been particularly noticeable among women and includes growing numbers of teenagers.

The Commission identified the ready availability of cash and credit and in and around gambling establishments as a major factor contributing to irresponsible gambling and to problem and pathological gambling behavior. Between forty and sixty percent of all money wagered by individuals in casinos, for example, is not physically brought into gambling facilities but is obtained by gamblers after their arrival.

Much of this money derives from credit markers extended by casinos, but a sizable and growing portion involves cash derived from ATM and debit cards and cash advances on credit cards.

Credit cards, debit cards and ATMs have long been used within gambling resort hotels and other gambling facilities. But their availability and use on gambling floors for purposes of making bets or purchasing playing chips was generally prohibited. This changed in 1996 when the New Jersey Casino Control Commission approved the use of credit card point-of-sale machines at gambling tables for direct purchases of playing chips. The use of cash and credit in and around gambling establishments to locations near and around gambling facilities.

Allowing gamblers to use credit or debit/ATM cards directly for gambling removes one of the last remaining checks on compulsive or problem gambling—the need to walk away to find more cash to gamble. This separation helps break the excitement of the moment and limits their credit.

Limiting credit access, eliminating credit cards and cash advances on credit cards is an important step in reducing the availability of cash and credit for gambling.

Let us translate that for you: Kadish is saying that the Pentagon intends to spend scads more of the taxpayers’ dollars than is hare-brained, a plan that, despite Saturday’s apparent success, is unworkable, prohibitively expensive, does insurmountable damage to national relations, and threatens to bring back the Cold War.

On Saturday, a prototype interceptor fired from Kwajalein Atoll in the Marshall Islands struck and destroyed a dummy warhead 140 miles above the Pacific. It was not seduced—struck and destroyed a dummy warhead 140 miles above the Pacific. It was not seduced—
Mr. Speaker, at this time, I hereby submit to the Record Record for my colleagues consideration two resolutions unanimously adopt-
The Advanced Technology Program is not public financing of established technologies. It should not be seen as speculative investment nor should its success be measured in the same economic terms as private investment. Framing the debate in these terms is fundamentally wrong and misses the point of the program. The ATP is a research and development program, not an exercise in government venture capital. The program seeks to provide a critical bridge for the "funding gap" from innovation to the marketplace of pre-competitive, emerging technologies. ATP seeks to smooth the transition from invention to commercialization, the so-called "valley of death" or "Darwinian Sea." The United States has the greatest research effort in the world. Our universities and industries develop more ideas and discover more innovations than anywhere else combined. We also understand capital markets and have used our knowledge to produce the world's most vibrant and robust economy. Yet we are still not very good at turning raw ideas into commercial products. While it is tempting to believe that this process is straightforward and should be understandable from basic social and economic principles, it is not and cannot. The relationship between the private sector and this intermediate stage between research and venture capital investment is poorly understood and the subject of intense scrutiny and venture capital investment is poor- tory and this intermediate stage between re- 
search and venture capital investment is poorly un- 
understood and the subject of intense scrutiny and 
venture capital. It would be wrong to treat it as a mature, fully-formed, capital arena. As such, there is a role for government to play. What's more, the ATP has been largely successful in carrying out that role. The purpose of the ATP is to develop and dissemi- nate high-risk technologies with the potential for broad-based economic benefits. It is de- voted to technical research; research that is more directed that basic proof-of-principle work, but not to product development. And more often than not, it involves matching funds from industry. This process has worked. In a recent review of the first 50 ATP awards, 32 projects have been successful in bringing 61 products or processes to market. Despite this success, H.R. 2500, the Fiscal Year 2002 Commerce-Joburg-Justice Appropriations bill, only provides enough funds to fulfill existing commitments and halts new awards. While I understand the rationale to suspend new ATP grants is due to the on-going pro- gram re-evaluation efforts conducted by the Secretary of Commerce, I am concerned that this may ultimately lead to a zeroing out of the program. The ATP is one of the most closely reviewed government programs of all time. In addition, the National Research Council has just completed the most comprehensive re- view of the ATP to date and the review was extremely positive. The report calls ATP an "effective federal partnership program" and claims that it "appears to have been successful in achieving its core objective." It also cites its "exceptional assessment effort" and complements its review and awards process. These are extremely strong statements from a non-partisan group that tries to avoid making policy judgments. The Academy report, however, does not say the program is perfect and does take issue with certain aspects of the ATP. It also makes recommendations for changes and improve- ments. These concerns should be taken seri- ously, but the report is still a strong endorse- ment for continuing the program. Effective pro- 
grams that produce measurable long-term economic benefits should not be sacrificed on the altar of short-term budget constraints. The success of the ATP speaks for itself and the program should be continued. At the very least, I hope that when this legislation is con- sidered in conference, there will be adequate funding to continue the program pending the Secretary's reevaluation.

TRIBUTE TO THE HORNETTES OF NASHVILLE HIGH SCHOOL

HON. JOHN SHIMKUS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 2001

Mr. SHIMKUS. Mr. Speaker, I rise today to recognize the Hornets of Nashville High School on their recent state softball championship. The Hornets defeated the Stanford Olympia Spartans 3–0 to win their first ever Class A State Softball Championship.

In addition to being crowned state champs, the Nashville Hornets tied the state record for most wins in a season with 41 victories and only 2 losses. The team gave Nashville softball fans a thrill throughout their historic season.

I would like to personally commend the team members and coaches for a job well done. They are: Cara Pries, Lindsay Henry, Tessa Schmale, Amy Harre, Amber Fark, Linda Maschhoff, Amy Rybacki, Ashley Schaeffer, Mallory Ruggles, Krystal Stein, Krysta Chopp, Danielle Boarboat, Nicole Richard, Danielle Chambers, Heather Guest, Sara Skibinski, Nicole Asberry, and Stephanie Niedbalski. Their coaches are: Neil Hamon, Wayne Harre, Charlie Heck, and Head Coach Chad Malawy. I am very proud of you all.

TRIBUTE TO THE LATE POLICE CHIEF CECIL GURR

HON. CANNON
OF UTAH
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 2001

Mr. CANNON. Mr. Speaker, I rise today with a heavy heart to pay tribute to a fallen police chief from Roosevelt, Utah. Police Chief Cecil Gurr was "off duty" in his car en route to the grocery store to run family errands when he heard a police dispatch about a domestic dispute at a nearby convenience store. As he heard the dispatcher demand he return to the call, drawing attention away from his offi- cers, Chief Gurr deliberately placed himself in the line of fire to protect his men. Caught in the exchange of gunfire, Gurr died Friday, July 6th, 2001 in the line of duty for the Duchesne County Sheriff's Office. In my prayers and condolences to his family, neighbors, and the community as a whole.

Cecil Gurr had been Roosevelt's police chief since 1978. He grew up in Roosevelt and joined its police force in 1974 after a tour of duty in Vietnam and a short stint with the FBI. Nearly 30 years of his life was devoted to pro- tecting his hometown of 4,000 residents. He is survived by his wife, Lynnette, his three chil- dren, and four grandchildren. Left behind are neighbors and a community that will greatly miss his unconditional self sacrifice, kindness, generosity, and quiet demeanor. And, now those left behind must unite to support and strengthen one another during the coming months and years as they heal.

"He was very fair and kind and always had the best interests of his community at hand . . . He’d do anything for you. He never asked for anything in return," stated Roosevelt Police Officer Brad Draper. The National Law Enforcement Officer Memorial says that "it is not how these officers died that made them heroes, it is how they lived.

We may never truly comprehend the latent danger associated with the daily routines of our law enforcement officers. They continually put themselves in danger as they stop a vehi- cle, respond to an incident or a suspicious cir- cumstance. The dangers, risks, and violence they encounter each day are very real. Sor- rowfully, at such times we pause to honor the brave law enforcement officers who serve and protect our communities. I hope they will rou- tinely be given the honor, respect and thanks they deserve—not only when life's fragile na- ture is revealed.

Mr. Speaker, today I ask that you and our colleagues join me in remembering this fine man and the selfless life he lived. On behalf of the residents of the Third District of Utah, we extend our prayers and heartfelt sym- pathy to his family and loved ones.

IN TRIBUTE TO KATHARINE GRAHAM

HON. FRANK R. WOLF
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 2001

Mr. WOLF. Mr. Speaker, our nation has lost one of the true giants of American journalism. Katharine Graham, 84, the former chairman and chief executive officer of The Post Co. and former publisher of The Washington Post, died on July 17 from head injuries she sus- tained in a fall while on a business trip in Idaho.

Mrs. Graham was a remarkable woman of courage, grace and integrity who lead the Post through what has been called two of the most celebrated episodes in American journalism: the publication in 1971 of the Pentagon Pa- pers and the Watergate scandal. She is cred- ited with transforming the Post into one of the nation's leading newspapers.

Mr. Speaker, to our colleagues who spend so much time in Washington, D.C., The Wash- ington Post is required daily reading if we want to stay on top of the news of the nation and world. To the handful of us who are privi- leged to represent congressional districts in the Washington metropolitan region, The Washington Post is our hometown newspaper and we today share in the loss of its leg- endary leader.

I would like to share with our colleagues the July 18 editorial from The Washington Post in tribute to Katharine Graham.

[From the Washington Post, July 18, 2001]

KATHARINE GRAHAM 1917–2001

It's one of the wonderful mysteries of jour- nalism that, though the thousands of people's labor may be necessary to produce each day's issue, every newspaper takes on an
identity of its own. That character is shaped by people you may have heard of—the top editor, an advice columnist, a chief political correspondent, your county’s school reporter, whose names you probably don’t know: the copy editors, the ad sellers, the press operators and distributors. Few of those who work here, though, would dispute the past as a single person who was responsible first and foremost for making our newspaper what it is today. That person is Katharine Graham, who died yesterday at the age of 84.

Mrs. Graham’s imprint was the product both of her values, which suffused the paper, and of decisions she made about its leadership and direction. At The Post and Newseum, she chose great editors, such as The Post’s Benjamin Bradlee, and then gave them the freedom and resources they needed to produce strong journalism. She also supported them at crucial moments, when their work was doubted or under attack by powerful forces in and outside of government. Two of those cases helped define her career, and The Post: her refusal to bow to the government’s efforts to block publishing the Pentagon Papers and her backing of the paper’s coverage of the Watergate scandal.

Her decision in 1971 to publish the Pentagon’s secret history of the Vietnam War, after a federal court already had blocked the New York Times from doing so, was even harder than it appears in retrospect. There was nothing harmful to national security in the papers, but the Nixon administration claimed otherwise, and its henchmen were not above threatening The Washington Post Co.’s television licenses. Mrs. Graham’s lawyers advised against publication; they said the entire business could be ruined. But after listening to arguments on both sides, Mrs. Graham said, “Let’s go. Let’s publish.” In those circumstances, she didn’t believe that the government ought to be telling a newspaper what it could not print.

She proved that again the following year, when The Post again came under enormous government pressure as it pursued, almost alone, the story behind the Watergate break-in. The White House insisted that The Post’s reporting was false, and launched a series of public and private attacks against the newspaper. But Mrs. Graham stood her ground, against all odds. Graham. Such pressure would have caused many publishers to rethink their newspapers, but Mrs. Graham did not; instead, she strengthened the paper and her team. Some two years later, partly because of the paper’s persistence, Mr. Nixon was forced to resign.

No less important to the paper’s success was the fact that Mrs. Graham was a tough-minded businesswoman who never lost sight of the mission. She was a brainy University of Chicago graduate with journalism experience, when you realize that she was a brainy University of Chicago graduate with journalism experience. When you realize that she was a brainy University of Chicago graduate with journalism experience. You get a sense of how anomalous this was given Mrs. Graham’s success as the business-minded businesswoman who never lost sight of the mission.

One of Mrs. Graham’s public faces over time became that of the society figure. Both in Georgetown, where she and her husband, Philip Graham, who took over no. One, least of all Katharine, found this strange. Only when her husband died did Mrs. Graham take over the paper; her insecurities in doing so are well documented in her Pulitzer Prize-winning autobiography, “Personal History.”

In what she amusingly called retirement, Mrs. Graham seemed only to become more active. With the publication of her autobiography, so astonishingly honest and unsentimental about herself, the well-known publisher became an even better-known author. And yet, as public a figure as she was, we here at The Post flattered ourselves to think that we saw an essential side of her that others did not. Yet there were the beneficencies of her investment, year after year, in a superior product: in new sections, new local, domestic and foreign bureaus, new and diverse talent. We were the beneficiaries of her gradual and graceful passing of the baton to the next generation, a transition that she was the top school diploma of all: heroism. American soldiers proved their valor and accomplished the greatest deed of all: heroism. When faced with the dangers of war, our American soldiers proved their valor and accomplished the greatest deed of all: heroism. How can we allow Americans to forget the heroic efforts of veterans more than 50 years ago?

As Memorial Day passes and Veterans’ Day quickly approaches, we as a country cannot escape our obligation toward our American heroes. World War II veterans have never asked for a monument and were content with our country’s gratitude for their courage and sacrifice through gestures such as a memorial. I am grateful that Americans have finally pulled together to honor these brave men and women of World War II with a national memorial.

High school students throughout Idaho have discovered a way to say thank you to the saviors of our country. As young Idahoans helped veterans to don the traditional cap and gown this year, it reminded me that throughout these 50 years we have not forgotten these men or their important role in our American history. Through the ongoing construction of the World War II Memorial, high school diplomas, and many other events, we are demonstrating our deep reverence to the heroes of our nation and keeping their memories alive.

DEPENDENT CARE TAX CREDIT

HON. JOHN P. MURTHA
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 2001
Mr. MURTHA. Mr. Speaker, the long-term care debate continues to grow as a key health care issue and it will continue to grow more in the coming decade as Americans live longer. Fortunately, more attention is starting to be focused on long-term care; the bad news is that there is a tremendous gap in ideas and solutions to make sure every family has access to affordable, quality long-term care when it is needed. In Pennsylvania already 1.9 million seniors and nearly 220,000 individuals with disabilities rely on Medicare to meet long-term care needs and 84,743 Pennsylvanians are in nursing homes.

In the next decade, the first of the “baby boomers” will reach 65 sending the need for long-term care much higher very quickly. While long-term care is usually thought of in terms of the elderly, two of every five Americans will need long-term care at some point in their lives, often because of an injury or disability as well as advanced age. It is therefore, essential that the health care system provide families with affordable, available options for long-term care—options that provide the kind of quality everyone wants to see for a family member or friend.

A major trend in long-term care is away from nursing homes, to keep people in their homes or with family as long as possible, to look after their health and to stress community support and involvement. As we sort through this issue, it is imperative that long-term care promote individual dignity, maximize independence and self-sufficiency and be provided in the least restrictive setting. This is particularly important to our community based, flexible, benefits and services. The trend in long-term care is moving away from institutions like nursing homes. This is
well illustrated in Pennsylvania where most people, particularly the elderly, dread the idea of leaving their home and family and moving to a nursing home. Consumers have become more sophisticated and are looking for alternatives of service and care that will allow people to retain their independence, including staying in their home or with family-member care givers.

Research suggests that a highly important cultural change is at work—a trend toward home and community based long-term care services. This means that government must recognize this important shift and encourage the expansion of home and community-based care programs and services.

While current government policies support and promote public funding for institutionalized care (the type of care that those in need do not prefer) society has come to rely almost exclusively on informal family-care givers to provide the type of care desired by the majority of care recipients.

Researchers estimate that the value of care giving responsibilities regularly assumed by family members and friends exceeded $200 billion in 1997. In comparison, federal spending for formal home care in 1997, was $32 billion, with an additional $83 billion for nursing home care.

Informal or family-care givers provide more long-term care and support, free of charge and with limited support, than the federal government in all settings combined.

The obvious question becomes: how about paying or providing relief to the informal or family-care giver? I am taking steps to do just that by introducing legislation to amend the Internal Revenue Code of 1986 to provide a $1,200.00 tax credit for caregivers of individuals with long-term care needs.

A $1,200.00 tax credit is the logical first step designed to recognize and compensate care givers for the long-term cost associated with informal or family-care giving.

CAPTIVE NATIONS WEEK, 43RD OBSERVANCE

HON. KEN CALVERT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 2001

Mr. CALVERT. Mr. Speaker, I rise today with a deep sense of personal conviction and pride to submit for the RECORD a proclamation on the 43rd Observance of Captive Nations Week. It was in memory of the millions who perished under authoritarian regimes and remain under authoritarian regimes still that the 86th Congress and President Dwight D. Eisenhower began the tradition of paying tribute to their fight for freedom, democracy, free market economy, human rights and national independence, with Public Law 86–90. President Ronald Reagan served to more forcibly imprint this need several years later when he called history’s most powerful authoritarian regime, the Soviet Union, an ‘evil empire.’

I am convinced that Captive Nations Week has served a vital role in the fight against authoritarian governments. This one week a year has provided, and continues to provide, a level of focused pressure and attention on those nations that utilize force, coercion and fear to maintain control over the individual. As a result, we no longer witness Germany fascism, Soviet Stalinism, the Nazi concentration and work camps of World War II and more. In time, I believe that remaining Captive Nations, such as China, will also join the community of democratic states.

China in particular provides us visible daily evidence of the human rights violations that continue to be perpetrated in the world. In this country the authoritarian government continues to deny men and women their inalienable rights, including freedom of speech, free movement and assembly, freedom of the press and the right to practice their religious beliefs without fear of persecution.

Captive Nations Week recalls our obligation to speak out for captive peoples around the world. During this one week in July, we may reaffirm our support for peaceful efforts to secure their right to liberty and self-determination. Thomas Jefferson’s timeless words on the 50th Anniversary of our Nation’s Independence in 1826 best highlight the goals of Captive Nations Week:

“All eyes are opened, or opening, to the rights of man. The general spread of the light of science has already laid open to every view the palpable truth, that the mass of mankind has not been born with saddles on their backs, nor a favored few booted and spurred, ready to ride them legitimately, by the grace of God. These are grounds of hope for others. For ourselves, let the annual return of this day forever refresh our recollections of these rights and an undiminished devotion to them. . . . Therefore, Mr. Speaker, I ask my prayers and hopes to the millions said each and every day for the “rights of man” to be secured for all peoples around the world and that Americans are privileged to experience with each breath that they breathe. And I also applaud those who would not be victimized, the individuals who refused to be swayed by untruths and promises of power—the ones who fought tyranny and prevailed. In 2001 there remain many Captive Nations, but our hope remains that one day there will be none.

CONSTITUTIONAL AMENDMENT AUTHORIZING CONGRESS TO PROHIBIT PHYSICAL DESECRATION OF THE FLAG OF THE UNITED STATES

SPEECH OF
HON. JERRY WELLER
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 17, 2001

Mr. WELLER. Mr. Speaker, I rise today to give strong support to H.J. Res. 36, the Flag Protection Amendment. Our flag is the symbol of the free world. It is the symbol that men and women have given their lives to protect and preserve. Thanks to these sacrifices, we are at peace today and are able to return the favor to the brave soldiers and sailors who stood guard to our flag and freedom from Lexington & Concord to the shores of Kuwait.

Mr. Speaker, the United States flag stands for freedom, equality, and patriotism. These qualities are embodied in the true, tried waves of the flag as she flies proudly above this building, the United States Capitol. To protect the flag is not only the right thing to do, it is the necessary action to pursue.

Mr. Speaker, I commend Mr. CUNNINGHAM and Mr. SENSENBRENNER on their hard work on this amendment and I urge my colleagues to support this meaningful and necessary piece of legislation.

SUBCHAPTER S MODERNIZATION ACT OF 2001

HON. E. CLAY SHAW, JR.
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 2001

Mr. SHAW. Mr. Speaker, today over 2 million businesses pay taxes as S corporations and the vast majority of these are small businesses. The Subchapter S Modernization Act of 2001 is targeted to these small businesses by improving their access to capital, preserving family-owned businesses, and lifting obsolete and burdensome restrictions that unnecessarily impede their growth.

Even after the relief provided in 1996, S corporations face substantial obstacles and limitations not imposed on other forms of entities. The rules governing S corporations need to be modernized to bring them more on par with partnerships and limited liability companies. For instance, S corporations are unable to attract the senior equity capital needed for their survival and growth. This bill would remove this burdensome prohibition and also provide that S corporations can attract needed financing through convertible debt.

Additionally, the bill helps preserve family-owned businesses by counting all family members as one shareholder for purposes of S corporation eligibility. The bill also increases the limit on the number of shareholders from 75 to 150. Also, nonresident aliens would be permitted to be shareholders under rules like those now applicable to partnerships.

Subchapter S Modernization Act of 2001 includes the following provisions to help improve capital formation opportunities for small businesses, preserve family-owned businesses, and eliminate unnecessary and unwarranted traps for taxpayers.

TITLE I—ELIGIBLE SHAREHOLDERS OF AN S CORPORATION

SECTION 101. MEMBERS OF FAMILY TREATED AS ONE SHAREHOLDER

The Act provides for an election to count family members that are not more than six generations removed from a common ancestor as one shareholder for purposes of the number of shareholder limitation (currently 75 shareholders). The election requires the consent of a majority of all shareholders. The provision helps family-owned S corporations plan for the future without fear of termination of their S corporation elections.

SECTION 102. NONRESIDENT ALIENS ALLOWED TO BE SHAREHOLDERS

The Act would permit nonresident aliens to be S corporation shareholders. To assure collection of the appropriate amount of tax, the Act requires the corporation to withhold and pay a tax on effectively connected income allocable to its nonresident alien shareholders. The provision enhances an S corporation’s ability to expand into international markets and expands an S corporation’s access to capital.

SECTION 103. EXPANSION OF BANK S CORPORATION ELIGIBLE SHAREHOLDERS TO INCLUDE IRAs

The Act permits Individual Retirement Accounts (IRAs) to hold stock in a bank that is
an S corporation. Additionally, the Act would exempt the sale of bank S corporation stock in an IRA from the prohibited transaction rules. Currently, IRAs own community banks, which results in a significant obstacle to banks that want to make an S election. The provision allows an IRA to own bank S stock, and thus, avoids transactions to buy back stock, which drains the bank’s resources.

**SECTION 101. INCREASE IN NUMBER OF ELIGIBLE SHAREHOLDERS TO 150**

Currently a corporation is not eligible to be an S corporation if it has more than 75 shareholders. The Act increases the number of permitted shareholders to 150. The provision will enable S corporations to raise more capital for the future without endangering their S corporation status.

**Title II—Qualification and Eligibility Requirements**

**SECTION 201. ISSUANCE OF PREFERRED STOCK**

The Act would permit S corporations to issue qualified preferred stock (QPS). QPS generally would be stock that (i) is not entitled to more than a fixed and preferred rate of dividends and does not participate in corporate growth to any significant extent, and (ii) has redemption and liquidation rights which are the issue proceeds. The Act also increases access to capital from investors who insist on having a preferential return and facilitates family succession by permitting the S corporation to relinquish control of the corporation but maintain an equity interest.

**SECTION 202. SAFE HARBOR EXPANDED TO INCLUDE CONVERTIBLE DEBT**

The Act permits S corporations to issue debt that may be converted into stock of the corporation provided that the terms of the debt are substantially the same as the terms that could have been obtained from an unrelated party. The Act also expands the current law safe-harbor debt provision to permit nonresident alien individuals as creditors. The provision facilitates the raising of investment capital.

**SECTION 203. REPEAL OF EXCESSIVE PASSIVE INCOME AS A TERMINATION EVENT**

The Act would repeal the rule that an S corporation would lose its S election if it has more than 75 shareholders. A corporate-level “sting” (or double) tax would still apply, as modified in Section 204 below, to passive income.

**SECTION 204. MODIFICATIONS TO PASIVE INCOME RULES**

The Act would increase the threshold for taxing passive income from 25 percent to 60 percent (consistent with a Joint Tax Committee recommendation on simplification measures). In addition, the Act removes gains from the sales or exchanges of stock or securities from the definition of passive investment income for purposes of the sting tax.

**SECTION 205. STOCK BASIS ADJUSTMENT FOR CERTAIN CHARITABLE CONTRIBUTIONS**

Current rules discourage charitable gifts of appreciated property by S corporations. The Act would remedy this problem by providing for an increase in the basis of shareholders' stock in an amount equal to excess of the value of the contributed property over the basis of the property contributed. This provision applies to contributions to S corporations that are to those applicable to charitable contributions by partnerships.

**Title III—Treatment of S Corporation Shareholders**

**SECTION 301. TREATMENT OF LOSSES TO SHAREHOLDERS**

In the case of a liquidation of an S corporation, current law allows double current losses to shareholders (except for a reasonable redemption or liquidation premium). Stock would not fail to be treated as QPS merely because it is converted into S stock. This provision increases the available market for S shares and provides a route for shareholders who otherwise would be limited in disposing of their shares because of the future absence of the corporation.

**SECTION 302. TRANSFER OF SUSPENDED LOSSES INCIDENT TO DIVORCE**

The Act allows for the transfer of a prorata portion of the suspended losses when S corporation stock is transferred, in whole or in part, incident to divorce. Under current IRS regulations, any suspended losses or deductions are personal to the shareholder and not deductible by the S corporation. The Act would provide that in the event of divorce, any suspended losses or deductions that are personal to the shareholder would provide a basis increase for the S corporation so long as the shareholder retains the property.

**SECTION 303. UNINCURRED PASSIVE ACTIVITY LOSS AND AT-RISK AMOUNTS BY QUALIFIED SUBCHAPTER S TRUST INCOME BENEFICIARIES**

The Act clarifies that, if a QSSST transfers its entire interest in S corporation stock to an unrelated party in a fully taxable transaction, the income beneficiaries’ suspended losses from S corporation activity under the passive activity loss rules would be freed up for use by the income beneficiary. The Act further provides that the income beneficiary’s at-risk amount with respect to S activity would be increased by the amount of gain recognized by the QSSST on a disposition of S stock. These provisions clarify a troublesome area under current law, and so, eliminate traps for the unwary taxpayer.

**SECTION 304. INTEREST EXPENSE INCURRED BY AN ELECTING SMALL BUSINESS TRUST TO ACQUIRE S CORPORATION STOCK**

The Act provides that interest expense incurred by an ESST to acquire S corporation stock is deductible by the S corporation to the extent of the deduction. The Act also clarifies that the income beneficiary of an ESST is a qualified entity entitled to deduct interest incurred to acquire an interest in a pass-through entity. Further, Congress never intended to place ESSTs at a disadvantage relative to unrelated parties.

**SECTION 305. DISREGARD OF UNEXERCISED POWERS OF APPOINTMENT IN DETERMINING POTENTIAL CURRENT BENEFICIARIES OF ESST**

The Act revises the definition of a "potential current beneficiary" in the context of the ESST eligibility rules by providing that powers of appointment should only be evaluated when the power is actually exercised. This change would prevent ESSTs from exercising nonexercisable powers without interfering with the making of an ESST election. However, proposed regulations provide that, once such powers become exercisable, the S election will automatically terminate if the power could potentially be exercised in favor of an ineligible individual. This change was actually exercised in favor of the ineligible individual or not. The application of this rule would prevent many family trusts from qualifying as ESSTs.

The Act expands the existing method to cure a potential current beneficiary problem. Under the Act, an ESST will have a period of up to one year (currently 60 days) to dispose of all of its S stock or otherwise cause the ineligible potential current beneficiary’s position in the trust to be eliminated without causing a loss in the corporation’s S election to fail.

**SECTION 306. CLARIFICATION OF ELECTING SMALL BUSINESS TRUST DISTRIBUTION RULES**

The Act clarifies that, with regard to ESST distributions, separate share treatment applies to the S and non-S portions under section 641 (c).

**SECTION 307. ALLOWANCE OF CHARITABLE CONTRIBUTIONS DEDUCTION FOR ELECTING SMALL BUSINESS TRUSTS**

The Act permits a deduction for charitable contributions made by an ESST, while taxes charitable contributions by an S corporation. By preventing an ESST from claiming a charitable contribution deduction. The Act encourages philanthropy by permitting a charitable deduction while at the same time taxing the S corporation income in the hands of the recipient charity to the extent of the deduction.

**SECTION 308. SHAREHOLDER BASIS NOT INCREASED BY INCOME DERIVED FROM CANCELLATION OF A CORPORATION’S DEBT**

The Act permits that cancellation of indebtedness (COD) income excluded from the gross income of an S corporation, i.e., due to the S corporation’s insolvency, does not increase shareholder’s basis in S corporation stock. The Act changes the result reached in the recent U.S. Supreme Court decision in Gitlitz v. Comm’r (2000).

**SECTION 309. BACK-TO-BACK LOANS AS INDEPENDENT TRANSACTIONS**

The Act clarifies that a back-to-back loan (a loan made to an S corporation shareholder who in turn loans those funds to his S corporation) constitutes “indebtedness of the S corporation to the shareholder” as to increase such shareholder’s basis in the S corporation. The provision would help many shareholders avoid inequitable pitfalls encountered where a loan to an S corporation is not properly structured, even though the shareholder has clearly made an economic outlay with respect to his investment in the S corporation for which a basis increase is appropriate.

**Title IV—Expansion of S Corporation Eligibility for Banks**

**SECTION 401. EXCLUSION OF INVESTMENT SECURITIES INCOME FROM PASSIVE INCOME TEST FOR BANKS’ S CORPORATIONS**

The Act clarifies that interest and dividends on investments maintained by a bank for liquidity and safety and soundness purposes shall not be “passive” income. By treating all bank income as earned from the active and regular conduct of a banking business, banks will no longer face the conundrum of evaluating investment decisions based on tax considerations rather than on more important safety and economic soundness issues.
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SECTION 492. TREATMENT OF QUALIFYING DIRECTOR SHARES
The Act clarifies that qualifying director shares of bank are not to be treated as a second class of stock. Instead, the qualifying director shares are treated as a liability of the bank and no income or loss from the S corporation will be allocated to these qualifying director shares. The provision clarifies the law and removes a significant obstacle unique among banks contemplating a S corporation election.

SECTION 493. BAD DEBT CHARGE OFFS IN YEARS AFTER THE DEATH YEAR TREATED AS ITEMS OF BUILT-IN LOSS
The Act permits bank S corporations to recapture up to 100 percent of their bad debt reserves on their first S corporation return and the acquiring party in a nontaxable transaction treated as a sale of the undivided interest in the LLC (as opposed to stock). IRS regulations suggest this result can be avoided by merging the QSub subsidiary into a single member LLC prior to the sale, but does not remove the significant obstacle unique among banks contemplating a S corporation election.

SECTION 494. INFORMATION RETURNS FOR QUALIFIED SUBCHAPTER S SUBSIDARIES
The Act would help clarify that a Qualified Subchapter S Subsidiary (QSSS) can provide information returns under their own tax ID number in appropriate cases, just as it currently does in the case of invalid or ten-nitated S corporation elections.

SECTION 501. RELIEF FROM INADVERTENTLY INVALID QUALIFIED SUBCHAPTER S SUBSIDIARY ELECTIONS AND TERMINATIONS
The Act provides statutory authority for the Secretary to grant relief for invalid QSub elections, and terminations of QSub status, if the Secretary determines that the circumstances resulting in such ineffectiveness or termination were inadvertent. This would help provide relief in appropriate cases.

SECTION 502. INFORMATION RETURNS FOR QUALIFIED SUBCHAPTER S SUBSIDARIES
The Act would help clarify that a Qualified Subchapter S Subsidiary (QSSS) can provide information returns under their own tax ID number in appropriate cases, just as it currently does in the case of invalid or ten-nitated S corporation elections.

SECTION 503. TREATMENT OF THE SALE OF INTEREST IN A QUALIFIED SUBCHAPTER S SUBSIDIARY
The Act treats the disposition of QSub stock as a sale of the undivided interest in the QSub’s assets based on the underlying percentage of stock transferred followed by a deemed contribution by the S corporation and the acquiring party in a nontaxable transaction. Under current law, an S corporation may be required to recognize 100 percent of the gain inherent in a QSub’s assets if it sells as little as 21 percent of the QSub’s stock. IRS regulations suggest this result can be avoided by merging the QSub into a single member LLC prior to the sale, then selling an interest in the LLC (as opposed to stock in the QSub). The Act achieves this result without any unnecessary merger of the LLC and its partners, and removes a trap for the unwary.

SECTION 504. EXCEPTION TO APPLICATION OF STEP TRANSACTION DOCTRINE FOR RESTRUCTURING WITH MAKING QUALIFIED SUBCHAPTER S SUBSIDIARY ELECTIONS
The Act provides that the step transaction doctrine does not apply to the deemed liquidation resulting from QSub elections. Application of the step transaction doctrine in the context of making a QSub election, introduces complexity and uncertainty in what should be a simple matter. The doctrine requires knowledge of decades of jurisprudence and administrative interpretations, and poses an unnecessary trap for the unwary.

TITILE VI—ADDITIONAL PROVISIONS

SECTION 505. ELIMINATION OF ALL EARNINGS AND PROFITS ATTRIBUTABLE TO PRE-1983 YEARS
The Small Business Job Protection Act of 1996 eliminated certain pre-1983 earnings and profits of S corporations that had S corporation status for their first tax year beginning after December 31, 1996. This provision should apply to all corporations (C and S) with pre-1983 S earnings and profits without regard to when they elect S corporation status. There seems to be no policy reason why the elimination was restricted to corporations with an S election in effect for their first taxable year beginning after December 31, 1996.

SECTION 506. NO GAIN OR LOSS ON DEFERRED INTERCOMPANY TRANSACTIONS BECAUSE OF CONVERSION TO S CORPORATION OR QUALIFIED CORPORATION SUBSIDIARY
The Act makes clear that any gain or income from an intercompany transaction is not taxed at the time of the S corporation or QSub election.

SECTION 507. TREATMENT OF CHARITABLE CONTRIBUTION AND FOREIGN TAX CREDIT CARRYFORWARDS
The Act provides that charitable contribution carryforwards and other carryforwards arising from a taxable year for which the corporation was a C corporation shall be allowed as a deduction against the net recognized built-in gain of the corporation for the taxable year. This provision is consistent with the legislative history of the 1986 Act.

SECTION 508. DISTRIBUTION BY AN S CORPORATION TO AN EMPLOYER STOCK OWNERSHIP PLAN
An ESOP will usually borrow from the sponsoring corporation to fund its acquisition of employer securities. In the case of a C corporation, the tax code provides that an ESOP will not be treated as engaging in a prohibited transaction if it uses any prohibited transactions, as ‘‘prohibited transactions’’ on employer securities purchased with loan proceeds to make payments on the loan. This clarification is consistent with the policy that the act of facilitating the payment of ESOP loans and thereby promotes employer ownership. Because S corporation distributions are technically not ‘‘dividends’’, the Act provides that S corporation distributions are treated as dividends. This clarification is consistent with the policy of facilitating the payment of ESOP loans and thereby promotes employer ownership. Because S corporation distributions are technically not ‘‘dividends’’, the Act provides that S corporation distributions are treated as dividends. This clarification is consistent with the policy of promoting S corporation ownership. Because S corporation distributions are technically not ‘‘dividends’’, the Act provides that S corporation distributions are treated as dividends. This clarification is consistent with the policy of facilitating the payment of ESOP loans and thereby promotes employer ownership.

SECTION 509. SPECIAL RULES OF APPLICATION
The effective dates of some amendments made by the Act may occur in years in which it is too late to file a claim for refund arising in such years from applying the amendment. The Act grants a 1-year extension beginning on the date of enactment in which to file such claims for those closed years.

Mr. Speaker, I urge my fellow members to review and support the S Corporation Modernization Act, which will help create a level playing field for small businesses. I look forward to working with my colleagues on the Ways and Means Committee to enact this bill.
Labor, which took her on assignments all across this nation. Thankfully for us New York-ers she landed in the heart of New York City, Greenwich Village, and immediately made it her home.

During her early years in the nation’s Cap-

itol, Verna grew to love the Potomac River and other waterways, a love that would signal a passion that would last a lifetime. In New York, Verna recognized the beauty and splendor of the Hudson River and its vital relationship to Greenwich Village. She decided to make it her work to preserve this relationship and save the history of this neighbor-

hood from disappearing at the hands of de-

velopers. Throughout the 1960’s Verna, along with her comrade in arms Ruth Wittenberg, spearheaded an epic movement that culminated in the astounding creation of the New York City Landmarks Law in 1965 and the designation of the Greenwich Village Historic District in 1969, which remains today the city’s largest historic district. Throughout this time Verna founded organizations that stand today to fight for the preservation of our city’s neighbor-

hoods, including the Association of Village Homeowners, the Historic Districts Council, the Greenwich Village Society for Historic Preservation, and the Federation to Preserve the Greenwich Village Waterfront & Great Port, Inc.

In 1964 Verna became a member of Man-

hattan Community Board 2. During her nearly forty-year tenure on the Community Board, she served as Chair of the Landmarks Com-

mittee for ten of those years. In 1994 she re-

ceived the Eliot Wilinsky Award from New York City’s Landmarks Preservation Com-

mission. Even today, Verna is fighting hard to pre-

serve the history of the Village during the cre-

ation of the Hudson River Park.

Amidst all of her community activism, Verna had a full life as a wife, a mother, editor and author. She is truly a dynamic woman who has had a profound impact on those she has touched.

Mr. Speaker, I salute Verna Small and all of her accomplishments. I am happy to have her and all in constant awe of her passion and fortitude. It is my hope that she will continue to fight for what she believes in for a long time to come.

BISHOP TIMLIN CELEBRATES 50 YEARS IN PRIESTHOOD

HON. PAUL E. KANJORSKI
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2001

Mr. KANJORSKI. Mr. Speaker, I rise today to call the attention of the House of Representa-
tives to the 50th anniversary of the ordina-
tion to the priesthood of Bishop James C. Timlin of the Catholic Diocese of Scranton, Pennsylvania, which includes much of my Congressional District. Bishop Timlin is an in-

stitution in Northeastern Pennsylvania, known not only for his spiritual guidance but also for his leadership in a broad range of social issues.

Bishop Timlin, the eighth bishop of Scranton and the first native-bilson to ordain, consecrated to become its bishop, celebrated his 50th anni-

versary on July 16. On September 21, he will celebrate the 25th anniversary of his elevation to the rank of bishop.

He was born in 1927 in the High Works sec-

tion of Scranton to the late James C. and Helen Norton Timlin. He attended St. John the Evangelist and Holy Rosary schools in Scan-

ton and graduated from Holy Rosary High School and St. Charles College in Catonsville, Md.

Those who knew him in childhood sensed he was on the path to the priesthood, as his face bore a radiant expression while he served Mass and he had already joined the Future Priest Club by the time he entered eighth grade at Holy Rosary. He attended St. Mary’s Seminary before com-

pleting his studies for the priesthood at the North American College in Rome.

Bishop Timlin was ordained in 1951 in Rome by the Most Rev. Martin J. O’Connor, D.D., then-Rector of North American College, who ordained him a year early because of the speed with which he managed his studies. He continued studies in Theology there before re-

turning to the diocese where in 1952 he was appointed assistant pastor at St. John the Evangelist Parish, Pittston.

On June 24, 1959, he became assistant pastor of St. Peter’s Cathedral Parish, Scan-

ton, where he served until September 12, 1966, when he was named assistant chan-
cellof the diocese and secretary to Bishop J. Carroll McCormick, D.D., the sixth Bishop of Scranton.

Other papal honors and diocesan appoint-

ments followed as he was named Chaplain to His Holiness, Pope Paul VI, on August 3, 1967, Chancellor of the diocese on December 15, 1971, and Prelate of Honor of His Holiness on April 15, 1976.

Earlier in his ministry, Bishop Timlin served as chairman of the Diocesan Liturgical Com-

mission and the Priests’ Education Commission, as well as librarian and secretary at St. Pius X Seminary, Dalton. In 1972, he was ap-

pointed to the Diocesan Board of Consultants, and three years later, was elected President of the Board of Directors of The Catholic Light.

He was named Auxiliary Bishop of Scranton on August 3, 1976. He was ordained in St. Peter’s Cathedral on September 21, when he also became a diocesan priest. In September, 1979, he became pastor of the Church of the Nativity of Our Lord, Scranton.

In the summer of 1983, Cardinal John J. O’Connor, the seventh Bishop of Scranton, appointed him chairman of the Board of Advi-
sors for St. Pius X Seminary, and chairman of the Preparatory Commission for the Diocesan Synod. Following the Cardinal’s transfer to the Archdiocese of New York in March, 1984, Bishop Timlin was elected Diocesan Adminis-

trator by the Diocesan Board of Consultants. His Holiness, Pope John Paul II, then appointed him the eighth Bishop of Scranton on April 24, 1984, and his installation followed on June 7.

Bishop Timlin has served two terms as a member of the National Conference of Catho-

lic Bishops’ Administrative Board and the Na-

tional Advisory Council. He also served as a member of the Board of the North American College, as well as a consultant on the Liturgy Committee.

He is presently a consultant to the NCCB’s Ecumenical and Migration committees. He is well known for his commitment to ecumenism. To give just two examples, he led the Jewish Federation United Jewish Campaign’s Super Sunday Telethon in 1984 and accepted an invi-

tation to the Polish National Catholic Church’s 100th anniversary banquet in 1997, where he addressed the crowd, sharing their joy and seeking to restore unity between them.

He has also served a five-year term as Episcopal Moderator of the National Associa-
tion of Holy Name Societies. A licensed ci-

sionary, the bishop is the Episcopal Mod-

erator of the National Association of Catholic Airport Chaplains.

When he was appointed bishop, he chose the motto “Fides Spes Caritas,” faith, hope, love. I think also serves as a fine summary of Bishop Timlin’s life and work.

Mr. Speaker, I am pleased to call to the at-

tention of the House of Representatives the long and dedicated service of Bishop James C. Timlin and to wish him all the best as he continues to serve Northeastern Pennsylvania.

GUAM’S STUDENT MUSICAL GROUP

HON. ROBERT A. UNDERWOOD
OF GUAM
IN THE HOUSE OF REPRESENTATIVES

Thursday, July 19, 2001

Mr. UNDERWOOD. Mr. Speaker, I rise be-

fore you today to bring attention to the out-

standing accomplishments of Guam’s student musical group, the Silouettes. They started in 1996–1997 by Michael Song in his first year as music instructor at JKF High School in Tamuning, Guam. The Silouettes have over-

come difficult obstacles on their road to suc-

cess and recognition. Originally composed of 13 female voices and a pianist and an out-
dated piano, the Silouettes struggled to earn the community’s respect in their inaugu-

ral year. Due to their unrelenting desire to succeed and tremendous hard work, the Silouettes not only excelled in gaining the local community’s respect, but also attained international recognition. They toured Korea and Japan, and eventually traveled to the U.S. mainland, where they were selected as cham-

pions in the “Show Choir” division of the 1999–2000 MusicFest Orlando. This year, the Silouettes have successfully defended their title, and have additionally placed first in the “Grand Champions” division, thereby earning the title of “Grand Champions” in the competition.

The attributes setting the Silouettes apart are the group’s tremendous ambition and will to succeed. In their inaugural year, without any community or government assistance, the group raised $17,000 and went on a tour to Korea, where they became the first foreign school students ever allowed to perform on the prestigious campus of EWAH Girls High School. The success significantly magnified their reputation, but the Silouettes continued to struggle while trying to obtain financial sup-
port. Through extensive fund-raising efforts, the group managed to raise the necessary funds to tour Japan and perform at 9 schools and for the mayor of Gifu, who awarded the group the honor of being the first student group in Japan to perform at his port. Through their diligence, dedication, hard work paid off. Due mainly to their growing reputation, Govern-

ment of Guam funds were appropriated ena-


Their magnificent talent led the Silouettes to place first in the “Show Choir” division, in
which pop music is played using drums and other musical instruments accompanying the piano. In 2000–2001, the group not only defended their “Show Choir” title, but also won the “Concert Choir” division, playing classical music relying solely on the piano. To win both titles, the Silhouettes defeated a total of 47 schools, and were selected as “Grand Champions” by the committee of judges. Due to their success, the Silhouettes have produced their first CD, earned two resolutions in the Guam Legislature, and garnered the appreciation and pride of the entire island of Guam. I, therefore, think that you join me in commending this outstanding group of students for their phenomenal success.

I additionally wish to submit for the RECORD, the names of the members of the Silhouettes: Michael Song (Music Director), Troy Taitano (Accompanist), Brian Machie (Drummer), Ray Yoshida (Sound Technician), Charleen Remotigue, Verna Ventura, Karen Ikeno, Kim Solomon, Emily Servino, Taro Atencio, Gwen Nolos, Lucretio San Nicolas, Anselma Reyes, Azusa Hanashima, Sheena Hess, Michelle Ganado, Althea Aybay, Lily Tizon, Geneva McCoy, Kris Tiongzen, Eugene Guillermo, Daryl Muya, Calvin Huyhn, Jeff Moreno, Steve Terlaje, Robert Brito.

National Guard Youth Challenge Program

HON. RICHARD H. BAKER
Of LOUISIANA

IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 2001

Mr. BAKER. Mr. Speaker, I am introducing legislation to provide additional Federal funding for the National Guard Youth ChalleNGe Program and would like to commend all my colleagues to join me in sponsoring this legislation.

Our Nation is facing an epidemic in juvenile crime and education delinquency of historical proportion. Over 2,806 students drop out of high school each day, while another 17,297 students are expelled. Dropping out of school and failing to identify or working toward achieving personal goals is leading young people down a path of self-destruction. The National Guard Youth ChalleNGe Program was created in order to help these young people enhance their life skills, increase their educational levels, improve their employment potential, and provide tools and experience for success.

Since 1993, over 27,800 at-risk youth have graduated from the program, and more than 19,170 of the graduates received their high school diploma or GED. The Youth ChalleNGe Program helps 16 to 18-year-old male and female high school dropouts complete their high school education; prepare for employment, higher education, or a career in the military; and obtain the skills necessary to succeed in life.

All troubled youth should have an opportunity to turn their lives around and realize success. Unfortunately, because of federal funding restraints, only 24 states and Puerto Rico can offer this program. In addition, of the states that offer the program, only 37 percent of interested young adults who have applied have been able to participate because of the lack of funding. Currently, federal law caps federal spending for the Youth ChalleNGe Program at $62.5 million. States must share 35 percent of the cost while the federal government assumes 65 percent. By lifting the $62.5 million cap and adjusting the federal/state match from 65 to 75 percent, I believe this is the right thing to do to help America’s at-risk youth. This program is a success, and its performance outshines virtually every other federal program that targets at-risk youth. The benefits are proven and substantial. I invite my colleagues to review my legislation, and I respectfully request their support.

TRIBUTE TO TOM PHILLIPS AND WILLIAM RUSHER

HON. RON PAUL
Of TEXAS

IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 2001

Mr. PAUL. Mr. Speaker, on Saturday, August 4th Young Americans for Freedom (YAF) will hold its National Convention in Newport Beach, California. The event the organization will honor two fine people. Mr. Tom Phillips, Chairman of Phillips International, will receive the organization’s highest award, the Guardian of Freedom. Mr. Phillips has been a strong supporter of YAF and is involved in various other entities engaged in the fight for liberty. As publisher of “Human Events,” he has helped to further a publication steeped in the tradition of freedom. Mr. Phillips has also shown a particular interest in the kind of private preservation activities I so frequently advocate. Rather than leave it to the taxpayers to fund and the federal government to manage, Mr. Phillips has personally helped to fund the Preservation of President Reagan’s Ranch by the Young America’s Foundation so that it might be used as a training ground for youth people dedicated to the right way of life which President Reagan spoke of so often.

Also, at this event, Mr. William Rusher will receive a lifetime achievement award. Mr. Rusher was instrumental in the founding of YAF in 1960 around those set of principles enunciated in the Sharon Statement, a great document explicating the philosophy of freedom. In addition, Mr. Rusher was instrumental in many other important activities such as the Draft Goldwater Committee and the National Review Magazine.

Mr. Speaker, I wanted to take this opportunity to honor YAF as it prepares for its 41st convention, as well as to offer my congratulations to these honoraries.

HONORING CHAMPION WRESTLER JOEL EDWARDS

HON. CURT WELDON
Of PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 2001

Mr. WELDON of Pennsylvania. Mr. Speaker, I would like to take a moment to congratulate an extremely accomplished high school athlete from my congressional district, in Upper Darby, PA. Joel Edwards, a recent graduate of Upper Darby High School, recently won the Pennsylvania State wrestling championship in his weight class.

Joel Edwards has proven himself to be one of the best, if not the best, wrestler. Upper Darby High has ever had. Joel has a long list of accomplishments: a two-time Sectional champion, two-time District champion, two time Regional champion, and the 2001 State Champion. In addition, Joel recently placed eighth in the nation in the National High School Senior Wrestling Championship, earning him All-American honors. These accomplishments are but a few, but show Joel’s remarkable wrestling talent. Numerous honors and awards have been bestowed on Joel for his accomplishments. The Philadelphia Inquirer and the Delaware County Daily Times named him “Wrestler of the Year”, and he was also a three-time All-League and All-County selection. His career record was a phenomenal 116–23.

Joel is now on his way to a great institution of higher learning, Penn State University, where he has been given a full scholarship to pursue his wrestling career for the Nittany Lions. It is my pleasure to represent Joel Ed- ward at the Congress and awards in Washington, D.C. Joel Edwards is a true hero. He has been a great source of community spirit and pride in the entire Upper Darby area. I wish Joel continued success at Penn State and again wish to congratulate him on his remarkable achievements.

IN HONOR OF WILLIAM HAMBRECHT

HON. NANCY PELOSI
Of CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 2001

Ms. PELOSI. Mr. Speaker, I rise today to celebrate a business pioneer, a philanthropist, and a long time friend, Bill Hambrecht. Bill is being inducted into the Bay Area Business Hall of Fame today, Thursday, July 19. I can think of no other gentleman to receive such a distinct honor.

William R. Hambrecht is Founder, Chairman, and CEO of WR Hambrecht & Co., an investment banking, entrepreneurial investment firm headquartered in San Francisco. In 1968, he co-founded Hambrecht & Quist which he headed until the late 1990s.

William Hambrecht is a legendary trailblazer in investment banking. Through his “West Coast-style” investing, he has engineered major success stories such as Genentech, Apple Computers, and Amazon.com. By bringing fresh ideas to the financial world such as its innovative auction-style OpenIPOs, WR Hambrecht & Co. has been recognized as a groundbreaking investing company.

His philanthropic work demonstrates his concern for the community and the environment. He serves as a Director of Beacon Education Management, an education management company. He also sits on the board of KOED, San Francisco’s public television and radio station and is a trustee of the Sierra Club.

William Hambrecht is dedicated to education and business growth. He serves on the Advisory Board of the Haas School of Business at
Mr. ORTIZ. Mr. Speaker, I rise to share my pride today in the beautiful South Texas city of Brownsville which was chosen by the National Civic League and Allstate Insurance Company as an “All American City.” Brownsville was one of 10 municipalities named All American Cities. This is a recognition for civic excellence honoring communities where citizens, government, businesses, non-profits and others demonstrate success in partnering to resolve critical challenges before the community. Brownsville is a great example of this dynamic.

Brownsville’s unique location “On the Border by the Sea,” with its multi-cultural, historical and natural resources, is a good look at what America will be, and should be, over the next decades. It is a friendly city, populated by smart, visionary people which borders both the Gulf of Mexico and Mexico itself.

Brownsville’s rich history includes: Karankawa Indians, Spanish explorers, vaqueros (Mexican cowboys), ranchers, soldiers, prospectors and present day captains of business and industry. The City of Brownsville was incorporated in 1853, taking its name from Fort Brown Post Commander Major Jacob Brown.

But of all the natural resources, easily the most valuable, most often-cited natural treasure is the people of Brownsville themselves. The nicest people I know live in the Rio Grande Valley. The life is easy, but the work is hard. So often, the border area is seen by both the United States and Mexico as a separate region, a place unto itself.

But the people there find ways to deal with the challenges that face them . . . the challenge of finding the water they need, keeping up with the rapidly-growing population, and supporting infrastructure for the international trade that flows across the U.S.-Mexico border. This bi-cultural city, which is big, but not too big, is a family oriented place of beauty. The unique culture, resacas, religion, the right to the beach and to the neighboring country of Mexico, all bring tourists to this area of the country in droves.

This leading border city whose people come together when the mission or purpose calls is most deserving of this award. All the people who participated in the award process are to be commended.

I ask my colleagues to join me in honoring the community of Brownsville on this outstanding achievement.

TAINW PRESIDENT CHEN SHUI-BIAN CHAMPIONS HUMAN RIGHTS

HON. DONALD M. PAYNE
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 2001

Mr. PAYNE. Mr. Speaker, President Chen Shui-bian of Taiwan recently completed his first year of service as head of state, and I would like to take this occasion to congratulate him and comment on a few of Taiwan’s achievements.

Taiwan has long been a friend of the United States. Over the last decades, Taiwan has made great strides towards becoming a model of rapid political reform. Taiwan subscribes to the private enterprise system and offers its people one of the highest standards of living in Asia. In terms of its trading relations with us, Taiwan represents our seventh largest export market, thus providing many jobs for our manufacturers. In addition, more than 30,000 Taiwan students are studying at U.S. colleges and universities. The U.S. is the number one destination for most of Taiwan travelers. Taiwan and the United States share many values in common such as attachment to freedom, democracy, and human rights.

One of the most notable feature of President Chen’s administration is his championing of human rights. For many decades, human rights had been a taboo subject in Taiwan until Taiwan’s martial law was repealed in 1987. In recent years, the government has been cooperating with civic groups to recognize the government’s past mistakes and has taken concrete steps to help raise human rights awareness. Under the sponsorship of the Human Rights Foundation, in 1999 a monument was erected in Green Island, off the southeast coast of Taiwan, opposite Taitung County. The monument was to help people remember the many victims who were imprisoned and died in Green Island, a notorious prison camp. To prevent future violations of human rights, Chen’s government has made every effort to guarantee its people the most basic human rights—freedom of expression, the right to assemble peacefully, and freedom of association. There will be no more extrajudicial killings. Civil liberties are to be respected at all times.

In his inaugural address delivered on May 20, 2000, President Chen committed Taiwan to upholding the Universal Declaration of Human Rights, the International Covenant of Civil and Political Rights, and the Declaration and Action Program of 1993 Vienna Conference on Human Rights. In essence, President Chen believes that every citizen ought to enjoy the right to work, the right to freedom of association, the right to an education, the right to medical care, the right to participate in elections, and the right to political security in the event of unemployment, illness, and disability. Also, President Chen has urged the Taiwan legislature to consider drafting legislation to protect the rights of women, children, the elderly, and the indigenous people, laborers, and soldiers. Clearly, there is a long way to go and human rights work is a never ending effort.

It is appropriate that we applaud Taiwan’s many efforts in upholding and maintaining human rights for its people. Taiwan is indeed fortunate to have its president as its foremost human rights champion.

PERSONAL EXPLANATION

HON. LUIS V. GUTIERREZ
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 2001

Mr. GUTIERREZ. Mr. Speaker, was unavoidably absent from this Chamber when rollcall vote Nos. 206, 213, 214 were cast. I want the RECORD to show that had I been present in this Chamber at the time these votes were cast, I would have voted “yes” on rollcall vote No. 206, “yes” on rollcall vote 213, “yes” on rollcall vote 214.

IN HONOR OF AMBASSADOR JAMES C. HORMEL

HON. NANCY PELOSI
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 2001

Ms. PELOSI. Mr. Speaker, I rise today to pay tribute to a distinguished, accomplished man who by devoting his life to public service has become a champion for social justice, a leader in his community, and an example of courage for us all. Today, Thursday, July 19 in my district in San Francisco, the American Civil Liberties Union will honor Ambassador James C. Hormel with the 2001 On The Frontline Award. He is most deserving of this award and I am proud to acknowledge his contributions on this occasion.

Ambassador Hormel graduated from Swarthmore College and received his J.D. from the University of Chicago Law School where he later served as the Dean of Students. He also established the James C. Hormel Public Service Program at the University, which encourages law students to venture into public service.

Ambassador Hormel has spent a lifetime fighting sexual orientation discrimination. He helped originate the Human Rights Campaign, the country’s largest gay and lesbian political organization. For the last two decades, Mr. Hormet has assisted many local and national AIDS organizations, including San Francisco AIDS Foundation, Project Open Hand, AIDS Emergency Fund and Shanti Project.

In 1996, the San Francisco Public Library opened the James C. Hormel Gay & Lesbian Center. Mr. Hormel’s generous donation kicked off a major fundraising campaign and created an endowment to ensure the center’s continuing development.

Ambassador Hormel was nominated to serve as Ambassador to Luxembourg. Mr. Hormel lived in the glare of the spotlight but he did not shy away from the intense inspection of his personal life. He remained graceful,
TOM KNITTER LEAVES MILWAUKEE’S THOMAS MORE HIGH SCHOOL AFTER 33 YEARS

HON. GERALD D. KLECZKA
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 2001

Mr. KLECZKA. Mr. Speaker, I would like to publicly thank Mr. Tom Knitter, an outstanding educator and community leader from my district, who is moving on to a new set of challenges and opportunities in California.

Tom Knitter first began teaching social studies and physical education at Pio Nono High School in 1968. Ten years later, when Pio Nono merged with my alma mater, Don Bosco, Tom settled in at the newly formed Thomas More High School, where he became the assistant principal. With Tom as its wrestling coach from 1973 to 1982, the school brought home three state championships. In 1987 he was named principal of Thomas More, and seven years later he became the school’s first president.

Since that time Tom has worked tirelessly as the school’s chief executive officer. He has been responsible for its strategic planning, development, finances, and marketing for the better part of a decade. On July 21, 2001, Tom celebrates his 33-year association with Thomas More High School, and says good-bye, as he leaves for a position with Garces High School in Bakersfield, California.

Tom is leaving behind many friends, memories, and most importantly, many lives that were touched by his unparalleled dedication to molding today’s students of Thomas More High School into tomorrow’s leaders. The people of Bakersfield are privileged to gain the services of a talented educator with such a passion for his work.

The void left by the departure of Tom and Josie, his wife of 30 years, will not be easily filled. In addition to his responsibilities as the head of a National Blue Ribbon School, he has worked with groups such as the Healthier Communities Initiative, the Archdiocese of Milwaukee Marketing Committee, and the National Catholic Education Association.

And so, it is with both great appreciation and sadness that I join the entire community at Thomas More High School in thanking Tom Knitter for his 33 years of exemplary service, and wishing him all the best in his future endeavors.

PERSONAL EXPLANATION

HON. JOHN B. LARSON
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 2001

Mr. LARSON of Connecticut. Mr. Speaker, I rise today to state on the record that my vote on Roll Call Vote No. 248 (final passage for H.R. 2500, Commerce, Justice, State Appropriations for Fiscal Year 2002) did not register. I inserted my voting card into the machine and voted aye, but my vote did not register. This is the second time that this has occurred this year on the final vote, and I feel the fact that my voting card was recently replaced after it would not work at all. While I realize that human error can be involved in this situation, the fact that I was in the Chamber and voting, and my card has malfunctioned so many times in the past, I think it is self-evident that my vote should have been recorded as aye on Roll Call Vote 248 and I ask unanimous consent that this statement appear after Roll Call Vote No. 248 in the permanent CONGRESSIONAL RECORD.

TRIBUTE TO MATTHEW ALEXANDER ENGEL

HON. STEVE ISRAEL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 2001

Mr. ISRAEL of New York. Mr. Speaker, it is with great pride that I rise today to recognize one of New York’s outstanding young students, Matthew Alexander Engel. The Boy Scouts of his troop will honor him as they recognize his achievements by giving him the Eagle Scout honor.

Since the beginning of this century, the Boy Scouts of America have provided thousands of boys and young men each year with opportunities to make friends, explore new ideas, and develop leadership skills while learning self-reliance and teamwork. This award is presented only to those who possess the qualities that make our nation great: commitment to excellence, hard work, and genuine love of community service. Becoming an Eagle Scout is an extraordinary award with which only the finest Boy Scouts are honored. To earn the award—the highest advancement rank in Scouting—a Boy Scout must demonstrate proficiency in the rigorous areas of leadership, service, and outdoor skills.

I ask my colleagues to join me in congratulating the recipients of these awards, as their activities are indeed worthy of praise. Their leadership benefits our community and they serve as role models for their peers.

Also, we must not forget the many heroes, who continue to devote a large part of their lives to make all this possible. Therefore, I salute the families, scout leaders, and countless others who have given generously of their time and energy in support of scouting.

It is with great pride that I recognize the achievements of Mr. Engel, and bring the attention of Congress to this successful young man on his day of recognition. Congratulations to Matthew and his family.

TRIBUTE TO JUDGE VIRGINIA MAE DAYS

HON. ZOE LOFGREN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 20, 2001

Ms. LOFGREN. Mr. Speaker, I rise to congratulate Judge Virginia Mae Days, who is retiring after more than 20 years on the bench of the Santa Clara County Superior Court. When Governor Edmund Brown Jr. appointed her in 1981, Judge Mae Days was the first Latina on the bench in Santa Clara County.

A lifelong resident of the Bay Area, Virginia Mae Days was born in San Jose in 1934. She served in the US Navy WAVES during the Korean War, earning both the National Defense Service Ribbon and the Good Conduct Medal. After the war, Judge Days attended the University of California at Berkeley for both her undergraduate and graduate years, earning her law degree there in 1963.

Judge Days’ long record of service to Santa Clara County includes 6 years as the mayor of Morgan Hill and terms on Santa Clara County’s drug abuse commission, regional criminal justice planning board and human relations commissions. Immediately prior to her appointment to the bench, Judge Days was the Director of the California Department of Veterans Affairs.

Throughout her tenure on the Court, Judge Virginia Mae Days has been a strong role model for the community. She summed this philosophy up best in March of 2000 at a dinner honoring the groundbreaking women jurists of Santa Clara County: “The more the bench reflects the community, the fairer the process.”

I want to thank Judge Mae Days for her many years of service to our community and wish her nothing but the best in this next phase of her life.

IN HONOR OF HERBERT AND MARION SANDLER

HON. NANCY PELOSI
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 2001

Ms. PELOSI. Mr. Speaker, I rise to salute Herbert and Marion Sandler for their longstanding at entrepreneurial and philanthropic commitment to the San Francisco community. Today, Thursday, July 19 in my district, Herbert and Marion Sandler will be inducted into the Bay Area Business Hall of Fame. They are most deserving of this honor and I am proud to acknowledge their contributions on this occasion.

Herbert and Marion Sandler co-founded Golden West Financial Corporation in Oakland, California in 1963. As Chief Executive Officers and Chairmen of the Board, they have had phenomenal success in building Golden West Financial into a Fortune 500 company. With 420 offices and $57 billion in assets, it is the third largest savings and loan in the country today.

Marion Sandler has been recognized by Fortune Magazine as one of the most powerful women in business today. By being one of the first women to break through the Fortune 500...
glass ceiling, her accomplishments are an inspiration to businesswomen everywhere. Goldman West Financial Corporation has the significant distinction of being one of the very few major companies with more women on its Board of Directors than men.

Herbert Sandler serves on numerous advisory boards sharing his expertise with others. He was elected to the Board of Directors of the Federal Home Loan Bank of San Francisco. He also serves as a member of the board of directors of the Success for All Foundation and of the Center For Real Estate and Urban Economics of the University of California at Berkeley.

The Sandlers are committed to philanthropy and community activism. Through the Sandler Family Supporting Foundation, they support nonprofit and community organizations in the Bay Area and nationwide. Among the numerous recipients of their generosity are the Sandler Program for Asthma Research, the Human Rights Center at the University of California at Berkeley, and the National Women’s Law Center. They also fund many research grants in the fields of medicine and social work. In addition, Herbert and Marion have donated generously to worthy causes such as Human Rights Watch.

It is with personal and civic pride that I celebrate with my dear friends on this festive occasion. The Sandler’s dedication to the people of the Bay Area has had a significant, lasting effect on Californians. Their service to our country and our community is indeed a cause for celebration.

PERSONAL EXPLANATION

HON. CHRISTOPHER SHAYS
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 19, 2001

Mr. SHAYS. Mr. Speaker, during recorded vote 248, on final passage of H.R. 2500, the Defense Authorization Appropriations Act for Fiscal Year 2002, a vote 248, on final passage of H.R. 2500, the Defense Authorization Appropriations Act for Fiscal Year 2002, a

TRIBUTE TO THE BALLISTIC MISSILE DEFENSE ORGANIZATION

HON. SILVESTRE REYES
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, July 20, 2001

Mr. REYES. Mr. Speaker, I rise today to congratulate the men and women of the Ballistic Missile Defense Organization for the successful ballistic missile defense test that took place late Saturday night over the Pacific Ocean. The first success since 1999, the ballistic missile interceptor that shot down a dummy warhead used a “hit to kill” technology and was able to destroy its target hundreds of miles away from launch point. This test demonstrated our commitment to defending against the threat of Intercontinental Ballistic Missile launches and once again shows that this “bullet to bullet” method of target destruction is technologically feasible. Further, it justifies our need to continue with vigorous testing as we aggressively move forward with maturing our ballistic missile defense capabilities. We must continue to develop, test and fund missile defense technologies to create a defensive system to protect this nation and our allies against missile threats worldwide. Mr. Speaker, I yield back the balance of my time.

TRIBUTE TO DEBBY O’CONNOR

HON. GARY G. MILLER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, July 20, 2001

Mr. GARY G. MILLER of California. Mr. Speaker, I rise to pay tribute and honor the accomplishments of Debby O’Connor of Diamond Bar, California.

Mrs. O’Connor served as Mayor of the City of Diamond Bar for the year 2000. In that position she demonstrated civic leadership, responsibility and commitment to her community. She previously served as Mayor Pro Tem, and served a two-year term on the Parks and Recreation Commission.

Mrs. O’Connor is Co-Chair of the Community/Civic Task force. She is the City of Diamond Bar’s voting delegate on the Wildlife Corridor Conservation Authority and on the San Gabriel Valley Economic Partnership of Commerce and Cities. She is one of the City Council’s liaisons to the volunteer planning committee behind the City’s successful anniversary celebrations and, is also very involved with the Diamond Bar Community Foundation.

In addition to her Council duties, she has demonstrated her long-time support and concern for the community by being actively involved in the Friends of the Diamond Bar Library, Diamond Bar Improvement Association, Lorbeer Middle School PTSA, Diamond Ranch High School Boosters and Diamond Point Elementary School Safety Site and Technology committees. She is a youth soccer referee and board member for the Region 311, American Youth Soccer Organization. Mrs. O’Connor has been a dedicated fundraiser for the Diamond Bar/Walnut YMCAs since 1996, and has also served on the board for the Diamond Bar Community Nursery School and Diamond Point Swim and Racquet Club.

Mrs. O’Connor’s leadership in strong economic development programs and her impressive record of civic and volunteer community involvement have earned the admiration and respect of those who have had the privilege of working with her. I would like to congratulate Debby O’Connor on these accomplishments and thank her for her outstanding service to her community.

ENVIRONMENTAL TERRORISM REDUCTION ACT

HON. DARLENE HOOLEY
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Friday, July 20, 2001

Ms. HOOLEY of Oregon. Mr. Speaker, America’s a long tradition of civic activism. From the anti-slavery movement to women’s suffrage to the civil rights era, citizen activists have accomplished many important social reforms by working together through peaceful means to influence their friends and neighbors and building support for change.

We Americans fight for change at the ballot box and in the halls of legislatures—not with incendiary devices and pipe bombs.

Mr. Speaker, unfortunately violent acts in the name of protecting the environment are growing in alarming numbers throughout the western United States. Earlier this month I visited a timber company facility in Monmouth, Oregon that had been burned down in an arson perpetrated by the Earth Liberation Front.

In the Monmouth attack, which roused fire-fighters out of bed on Christmas morning, the arson caused the roof to collapse only minutes after those who were fighting the fire pulled out. Paul Evans, the mayor of Monmouth and a volunteer firefighter who fought the blaze that Christmas day, told me he narrowly escaped injury or death in the fire. Ironically, Paul, who is now serving a military tour of duty in the Persian Gulf, was probably in more danger in his own town than he now is in Kuwait.

Mr. Speaker, these are not victimless crimes, and they must be halted. That is why I’m introducing the Environmental Terrorism Reduction Act.

The most challenging aspect of these crimes is that the perpetrators have been difficult to apprehend, leaving most of these crimes unsolved because with limited resources and manpower, local law enforcement officials have little success closing these cases.

The Environmental Terrorism Reduction Act closes this gap by requiring the Attorney General to establish a national clearinghouse for information on incidents of eco-terrorism to help investigators stay ahead of the curve in preventing additional acts of terror.

In addition, this bill establishes the Environmental Terrorism Reduction Program in the Department of Justice. This program would authorize the Attorney General, upon consultation with the heads of Federal, State, and local law enforcement agencies and the Governor of each applicable State, to designate any area as a high intensity environmental terrorism area. After making such a designation local law enforcement agencies could access funding to assist them in solving and preventing these types of crimes in the future.

Mr. Speaker, I believe the provisions in the Environmental Terrorism Reduction Act will greatly aid our communities and industries that are vulnerable to eco-terrorism. It is high time the federal government addressed this situation, and I urge my colleagues to join me in sponsoring this measure and enacting it into law.

INTRODUCTION OF COLORADO SCHOOL LANDS BILL

HON. MARK UDALL
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Friday, July 20, 2001

Mr. UDALL of Colorado. Mr. Speaker, I am introducing a bill to modify the 1875 Act—usually referred to as the Colorado Enabling Act—that provided for admission of Colorado to the Union. The bill is cosponsored...
by my colleague, Representative DeGette. I greatly appreciate her support.

The purpose of this bill is to remove any possible conflict between a decision of the people of Colorado and that original federal legislation under which some 3 million acres of federal lands were granted to our state.

In a recent newspaper editorial on this subject, the people of Colorado have voted to ask the federal government to do so if the legislature decided solely by the people of Colorado, and not determined by Congress. So, the bill I am introducing today does not include a specific acreage limit. That would be left to Colorado law to control.

Mr. Speaker, Colorado is experiencing rapid population growth. That is putting increasing pressure on all of our undeveloped lands. In response, the people of Colorado have voted to allow some of these school grant lands to remain as open spaces to be managed for their natural resource values and qualities.

This is a positive step toward finally solving the problem, Colorado must ask Congress to amend our statehood act. The 10 percent of state lands held in the Stewardship Trust could then be permanently set aside.

But before the amendment’s passage, a federal court firmly said the land board is obligated always to fund schools first, under the federal law that granted Colorado statehood. That means the State Land Board might have to accept profitable offers even on lands now in the Stewardship Trust.

To solve the problem, Colorado must ask Congress to amend our statehood act. The 10 percent of state lands held in the Stewardship Trust could then be permanently set aside.

However, the state could only ask the federal government to do so if the legislature guaranteed an equally secure funding source for public education. Moreover, the Stewardship Trust will work in the long run only if the legislature also patches an obvious and troubling gap in Amendment 16, which we’ll discuss tomorrow.

CONSTITUTIONAL AMENDMENT AUTHORIZING CONGRESS TO PROHIBIT PHYSICAL DESECRATION OF THE FLAG OF THE UNITED STATES

SPEECH OF

HON. SILVESTRE REYES
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 17, 2001

Mr. REYES. Mr. Speaker, I rise today in support of House Joint Resolution 36, proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the United States flag. I urge all Members to support this resolution. This is a positive step toward finally taking necessary accountability in protecting the integrity and sanctity of our most precious national symbol.

I understand that this issue has experienced years of contentious debate involving constitutional challenges. Rather than focus on these arguments, I would rather take this time to share a story written in my local newspaper. The story concerns a local shopping center that proudly flies a 30-by-30-foot American flag that has recently been taken from its flag pole for the first time in several years in order to have its wind-torn, tattered appearance repaired so that it may return with a new and fully restored appearance. The local community was outraged, and many community members felt their freedom of expression was being denied.

INTRODUCTION OF THE EXPORT ADMINISTRATION ACT OF 2001

HON. BENJAMIN A. GILMAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, July 20, 2001

Mr. GILMAN. Mr. Speaker, I have today introduced the “Export Administration Act of 2001”, H.R. 2581.

This bill is identical to counterpart legislation that has been reported by the Senate Committee on Banking, Housing, and Urban Affairs, S. 149, except that it includes two additional sections relating to nuclear transfers to North Korea. These additional sections are substantively identical to legislation that Congressman Ed Markey and I introduced last year, H.R. 4251 (106th Congress), the “Congressional Oversight of Nuclear Transfers to North Korea Act of 2000”.

H.R. 4251 was intended to ensure that Congress will be fully involved in the decision our nation may have to make in several years to either permit or delay the transfer to North Korea of key components for the two light water nuclear reactors that are being built in North Korea pursuant to the 1994 Agreed Framework with North Korea. H.R. 4251 commanded broad bipartisan support in the House of Representatives and was approved on May 15, 2000, by a vote of 374–6. Regrettably, the Senate did not approve H.R. 4251 before final adjournment of the 106th Congress last year.

Last year’s vote demonstrates that the two additional sections I have added to the text of S. 149 are essentially non-controversial.
have included them in the text of the bill I am introducing today because they relate the control of dual-use exports and should, in my opinion, be included in any Export Administration Act enacted this year.

I would note that I have basied the bill I am introducing today on S. 149 because that measure contains strong support in the Senate and elsewhere. I have reservations about certain aspects of the Senate bill, however, and accordingly anticipate that I will support some amendments to this legislation as it moves forward in the legislative process.

PERSONAL EXPLANATION

HON. SUE WILKINS MYRICK
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Friday, July 20, 2001

Mrs. MYRICK. Mr. Speaker, since I was unexpectedly called away from the Capitol, I was unable to participate in the following votes. If I had been present, I would have voted as follows:

- July 17, 2001: Rollcall vote 233, on H. Amdt. 169 to H.R. 2500, increasing funding by $11.7 million for the methamphetamine lab seizures program by the DEA, I would have voted “nay.”
- Rollcall vote 234, on H. Amdt. 170 to H.R. 2500, increasing funding for the Economic Development Administration by $73 million, I would have voted “nay.”
- Rollcall vote 235, on H. Amdt. 171 to H.R. 2500, striking Section 103 from the bill which prohibits the use of funds to pay for abortions services in federal prisons, I would have voted “nay.”
- Rollcall vote 236, on the motion to approve the Journal, I would have voted “yea.”
- Rollcall vote 237, on the motion to disagree to the Senate amendment and agree to a conference on H.R. 1, I would have voted “yea.”
- Rollcall vote 238, on the motion to table the motion to instruct conferees to H.R. 1, I would have voted “yea.”

IN RECOGNITION OF THE 27TH BLACK ANNIVERSARY OF CYPRUS

HON. CAROLYN B. MALONEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, July 20, 2001

Mrs. MALONEY of New York. Mr. Speaker, it is my distinct honor and privilege to commemorate the 27th anniversary of the 1974 illegal Turkish invasion of Cyprus. I have commemorated this day each year since I have become a Member of Congress and unfortunately, each year the occupation continues. The continued presence of Turkish troops represents a gross violation of human rights and international law.

Since their invasion of Cyprus in July of 1974, Turkish troops have continued to occupy 37% of Cyprus. This is in direct defiance of numerous United Nations resolutions and has been a major source of instability in the eastern Mediterranean. Recent events, however, have created an atmosphere where there is now no valid excuse to avoid resolving this long-standing problem.

Peace in this region cannot happen without committed and sustained US leadership, which is why I am heartened that President Bush, like his predecessor President Clinton, is committed to working towards the reunification of Cyprus. He recently stated (and I quote): “I want you to know that the United States stands ready to help Greece and Turkey as they work to improve their relations.” I am also committed to a just and lasting settlement of the Cyprus dispute.

I was also encouraged to read last week that the European Union considers the status quo in Cyprus unacceptable and has called on the Turkish Cypriot side to resume the U.N.-led peace as soon as possible with a view to finding a comprehensive settlement.

Now is the time for a solution. More than twenty years ago, [in 1977 and 1979] the leaders of the Greek and Turkish Cypriot communities reached two high level agreements which provided for the establishment of a bicomunal bizonal federation. Even though these agreements were endorsed by the U.N. Security Council Resolution 649 of 1990, there has been no action on the Turkish side to fulfill the details and reach a final agreement. Instead, for the last 27 years, there has been a Turkish Cypriot leader presiding over a regime recognized only by Turkey and condemned as “legally invalid” by the U.N. Security Council in resolution 542 (1984) and 550 (1984). Cyprus has been divided by the green line—a 113-mile barbed wire fence that runs across the island and Greek-Cypriots are prohibited from visiting the towns and communities where their families have lived for generations. The influx of people illegally stationed on the island, is one of the most militarized areas in the world. This situation has also meant the financial decline of the once rich northern part of Cyprus to just one quarter of its former earnings. Perhaps the single most destructive element of Turkey’s fiscal and foreign policy is its nearly 27 year occupation of Cyprus.

We now have an atmosphere where there is no valid excuse for not resolving this long-standing problem. Cyprus is set for accession to the European Union in 2004, and I am hopeful that this reality will act as a catalyst for a lasting solution of the Cyprus problem. EU membership for Cyprus will clearly provide important economic, political, and social benefits for all Cypriots, both Greek and Turkish alike. This is why both sides must return to the negotiating table without any conditions. There is also a new climate of cooperation between Turkey’s Ismail Cem and Greece’s George Papandreou is a positive sign. More has been achieved in a year than what has been accomplished in 27 years of occupation. But, his cooperation needs to extend to the resolution of the Cyprus occupation. While the U.S., the EU, Greece and Cyprus have all acted to accommodate Turkish concerns, however, it remains to be seen whether Turkey will put pressure on Rafik Denkash to bargain in good faith. And this means, if it, Turkey wants the Cyprus problem resolved, it will not let Denkash stand in the way.

Now is the time for a solution to the Cyprus problem. It will take diligent work by both sides, but with U.S. support and leadership, I am very hopeful that we will reach a peaceful and fair solution soon. Twenty-seven years is too long to have a country divided. It is too long to be kept from your home. It is too long to be separated from family. We have seen many tremendous changes around the world in the last several years; it is now time to add Cyprus to the list of places where peace and freedom have triumphed.
years. In indoor track, she was a four time All-New England pentathlete, a three time All-Eastern College Athletic Conference (ECAC) selection, and the winner of the New England Pentathlon Championship title for the past three years. Amanda was also extremely successful in outdoor track. She was a three time All-New England selection, a two time All-NESCAC selection, and an All-ECAC member in 1999. Amanda Rival also competed well enough to earn All-American honors in 1999. This year, Rival recorded the team’s season best times in the shot put, long jump, high jump, javelin, 100-meter hurdles and the 200-meter dash.

In addition to her many athletic achievements, Amanda Rival has also thrived as a student at Trinity College. She was acknowledged for her success as a student-athlete by receiving the prestigious Trinity Club of Hartford award this year. Amanda also received Trinity’s award for architecture for her academic achievements in that field of study. Amanda Rival graduated from Trinity College this past spring with a 3.0 G.P.A.

I commend Amanda Rival for the determination and dedication she has shown throughout her life as a student-athlete. I urge my colleagues to join me in wishing her nothing but the best of luck in the next chapter of her life, as I am sure she will continue to maintain a strong work ethic throughout her life.

SUPPORT OF THE PATIENT BILL OF RIGHTS IN ORDER TO IMPROVE QUALITY OF HEALTH CARE FOR HISPANICS

HON. SILVESTRE REYES
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Friday, July 20, 2001

Mr. REYES. Mr. Speaker, every American is concerned with good health and accessing quality health care. However, far too many Americans including many Hispanics do not have adequate health care options. When Health Maintenance Organizations, HMOs, were first introduced, they were promoted as cost-saving revolutions in preventative health care. However, what subscribers did not anticipate is that their health care options would be restricted. It is dangerous for health related decisions to be taken away from doctors and health care professionals and assigned to HMOs, insurance companies, and corporate bureaucrats.

With 37 percent of the Hispanic population lacking health insurance, access is a huge issue. However, access to coverage does not always translate into access to quality health care. Many Latinos with health insurance experience numerous barriers to quality health care. Anyone who deals with the bureaucracy of managed care plans knows that it is daunting; for those with limited English skills, it is overwhelming. Two-thirds of privately-insured Latinos are enrolled in managed care plans while only about half of privately-insured Whites are in managed care. Hispanics are thus, more likely to be the victim of care delayed, or more even disturbing, care denied. In addition, Hispanics are more likely to have limited provider options and limited treatment options.

We must enact patient protections for all Americans in managed care plans. In so doing, we are not only protecting Hispanics, but all Americans. We must pass the bipartisan Patients’ Bill of Rights and return medical decision to patients and their doctors. Again, I encourage my colleagues to support this important legislation.

AARP CRITICIZES BUSH SOCIAL SECURITY PRIVATIZATION PLAN

HON. JANICE D. SCHAKOWSKY
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Friday, July 20, 2001

Mr. SCHAKOWSKY. Mr. Speaker, Next week, the President’s handpicked Social Security Commission will issue an interim report, a version of which is already circulating among Commission members, the media and Social Security experts.

It is disappointing, but far from unexpected, that the interim report is attempting to “spin” the fundamental change in Social Security. The Commission and the Bush Administration are laying the groundwork for next fall’s final report, which will call for privatization and individual retirement accounts.

They are trying to claim that the sky is falling—the only way that they can justify the drastic changes that they are proposing. But the facts are different. Even without any changes, Social Security will be able to pay full benefits through 2038 and, after that, it will be able to pay 73 percent of benefits. Moderate changes are not needed but not a privatization plan that will take $1 trillion out of the Trust Fund and reduce future benefits by up to 54 percent. It’s also reasonable to ask President why, if he thinks the situation is so dire, he decided to give a $1.7 trillion tax break, the majority of which goes to the wealthiest Americans, before taking steps to protect Social Security.

I want to draw my colleagues’ attention to a statement by AARP on the interim plan, which I think says it best: the Commission is out of the mainstream. The plan is just a “public relations” ploy to undermine the basic guarantee of Social Security that will lead to “a dramatic overhaul of Social Security that would lead to cuts in guaranteed benefits and shift financial risk to individuals.”

STATEMENT BY AARP EXECUTIVE DIRECTOR WILLIAM D. NOVELLI ON THE DRAFT INTERIM SOCIAL SECURITY COMMISSION REPORT

WASHINGTON, July 19.—The following is a statement by AARP Executive Director William D. Novelli on the Draft Interim Social Security Commission Report.

The President’s Social Security Commission continues to work toward a predetermined outcome—a dramatic overhaul of Social Security that would lead to cuts in guaranteed benefits and shift financial risk to individuals.

Today’s draft interim report puts forward a fundamentally flawed and biased theory of the nature and purpose of Social Security. It implies that the program is riskier than private investment. It recycles old alarmist arguments that the financial shape of Social Security is in the worst possible light. The rhetoric in the report demonstrates how far outside the mainstream the Commission goes to be headed, referring to Social Security as a “novelty” and calling the system “broken.”

The draft report lays the public relations groundwork for a campaign to change the fundamental nature of Social Security. It argues for turning Social Security into a system of wealth-building. But Social Security was designed to provide income protection and a floor of financial security. For many, especially women and minorities, Social Security is the only income-protection they will have, providing them with a lifetime, guaranteed benefit that is adjusted annually for inflation. The report ignores the fact that other vehicles currently exist for wealth-building through personal savings and employer provided pensions.

Individual accounts do not address Social Security’s long-term financing issues. Add-on accounts—which have merit—can add value on top of Social Security, but taking money from workers’ Social Security contributions to fund new private accounts only worsens Social Security’s ability to pay today’s retirees and advances the date of insolvency.

Social Security is the bedrock of our nation’s income security system. To preserve this benefit for future generations, the Commission should focus on all potential options and tradeoffs, rather than a narrow and fundamental restructuring of the program. The sooner the nation begins to address the problem of long-term financing, the more moderate the changes that are needed and the more time provided for those affected to adjust their plans.

INTERNET GAMBLING PAYMENTS PROHIBITION ACT

HON. JOHN J. LaFALCE
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Friday, July 20, 2001

Mr. LAFALCE. Mr. Speaker, two years have passed since the Congressional-mandated National Gambling Impact Study Commission released its final report on gambling in the United States. A major recommendation of the report, adopted unanimously by the Commission, was a Federal prohibition on Internet gambling. The Commission determined that the traditional approach of relying on regulation was inadequate to address the problem of Internet gambling and that Federal legislation was needed.

The bill I am introducing today, the “Internet Gambling Payment Prohibition Act,” seeks to implement this important Commission recommendation. However, it does not propose an outright prohibition of Internet gambling, since outright prohibition presents significant technical and enforcement difficulties. Instead, the bill would restrict the electronic payments that currently allow people to make Internet gambling possible. Regulation of electronic payment transfers and the most traditional check clearance system are Federal responsibilities that, in my view, offer the most effective means to address the unique challenges of Internet gambling.

Any American with a computer and a credit card can find numerous opportunities for high stakes gambling on the Internet. The number of Internet gambling sites has grown geometrically in recent years. The Internet Gaming Council has identified some 1,400 websites that entice people to engage in some form of gambling. The typical Internet gambling site or virtual casino operates from locations outside the United States, in places such as Antigua
or the Netherlands Antilles that impose little regulatory scrutiny other than collecting licensing fees. And Internet gambling is proving to be extremely lucrative for both site operators and their host countries. Between 1999 and 2001, combined annual revenues received by Internet gambling operators nearly tripled, from $1.3 billion to $3.1 billion. Industry experts expect annual revenues to double or more by 2003.

The problems presented by these lucrative and poorly regulated Internet gambling operations are numerous. There is no meaningful way to limit participation in gambling by adolescents or by problem gamblers. There is no assurance as to the integrity of the web site operators or the honesty of their games. There are little or no protections against security breaches, hacking, diversion of credit card payments or identity theft. And there is a strong chance that many off-shore gambling operations will be used as part of money laundering and other criminal operations.

Perhaps my greatest concern with Internet gambling is the problems created by compulsive gambling, which in the past were largely localized to areas with legal gambling, will be experience anywhere, but without any added public revenues to help address these problems. The National Commission identified a very strong correlation between the availability of high stakes gambling opportunities and the incidence of problem or pathological gambling. Current estimates of compulsive gamblers range from 1.5% of the adult population to over 5%, depending on the amount of legal gambling in the state. Add to this another 15% of people which the Commission identified as also being at risk at any time of becoming addicted gamblers, the potential universal problem gamblers is significant. Psychologists estimate that more than 5 percent of people develop a gambling problem at some time, twice the rate of cocaine or other serious drug addiction.

Like alcoholism or any other addiction, the problems of compulsive gambling are not limited to individual gamblers, but affect entire families and communities. At a minimum, compulsive gambling leads to severe indebtedness and often bankruptcy. By the time most problem gamblers seek help they have debts exceeding $120,000 and their families are in shambles. Compulsive gamblers have a high incidence of broken families and lost homes, poor work productivity and job terminations, health problem and related alcohol or drug addiction. Most alarming is the high suicide rate among problem gamblers. The New York Times reported in 1999 that more than 80 percent of compulsive gamblers seriously considered suicide and nearly 20 percent attempt or commit suicide and nearly 20 percent attempt or commit suicide and nearly 20 percent attempt or commit suicide or half way around the world.

Other bills have been introduced that propose to prohibit payments only to "unlawful" Internet gambling operations. While this approach may be appealing politically, it is of little practical benefit. The open and unrestricted nature of the world wide web makes distinctions between legal or unlawful gambling extremely difficult, if not impossible. We cannot distinguish with any certainty the location of most Internet gambling sites, nor the location of persons attempting to access these sites. If Internet gambling is legal anywhere in the world, it will be available to people everywhere in the world. These restrictions on a community's pari-mutuel operations, banks and money transmittings services would also be liable if it is determined that they knowingly participated in transferring payments to known Internet gambling operations. The benefit of this approach is that it is equally effective in denying payment to Internet gambling operations regardless of whether they are based within a state or half way around the world.

Mr. Speaker, I believe the bill I am offering today provides the only effective approach for prohibiting payments of illegal gambling. I urge adoption of this needed legislation.


denial of credit cards on games that appear little different than the computer games that they have played for years. What seems an easy opportunity to win a big jackpot could result in financial losses that could harm their families and destroy their future plans.

The issue Congress must address is how we can protect our nation’s youth from the growing availability and potential negative consequences of Internet gambling. To me, the answer is simple. We cut off Internet gambling in its source by blocking primary payment vehicles that make on-line betting possible. My legislation, the “Internet Gambling Payment Prohibitions Act,” would prohibit known Internet gambling sites from accepting any check, credit card, debit card or other form of electronic transfer as payment of any bet or wager over the Internet. The effect of this prohibition is to deny known Internet gambling sites from being approved for credit card, debit and other electronic transfer accounts. While liability for accepting prohibited payments on games that appear little different than the credit card issuers, banks and money transmittings services would also be liable if it is determined that they knowingly participated in transferring payments to known Internet gambling operations. The benefit of this approach is that it is equally effective in denying payment to Internet gambling operations regardless of whether they are based within a state or half way around the world.

Other bills have been introduced that propose to prohibit payments only to “unlawful” Internet gambling operations. While this approach may be appealing politically, it is of little practical benefit. The open and unrestricted nature of the world wide web makes distinctions between legal or unlawful gambling extremely difficult, if not impossible. We cannot distinguish with any certainty the location of most Internet gambling sites, nor the location of persons attempting to access these sites. If Internet gambling is legal anywhere in the world, it will be available to people everywhere in the world. These restrictions on a community’s pari-mutuel operations, banks and money transmittings services would also be liable if it is determined that they knowingly participated in transferring payments to known Internet gambling operations. The benefit of this approach is that it is equally effective in denying payment to Internet gambling operations regardless of whether they are based within a state or half way around the world.

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I urge adoption of this needed legislation.
efforts to contribute to education. He served as a member on both the President’s Advisory Council and the College President’s Fundraising Committee at St. Mary’s College of California.

Timothy worked in the private sector as Vice President of a major San Francisco Bay Area wholesale liquor distributor. After retiring, he volunteered thirty hours per week in his community at Kaiser Hospital, and at the Contra Costa Regional Medical Center as head liaison for surgery and recovery until his death.

A lifelong active member of the Democratic Party, he placed his ideals alongside those of Franklin Delano Roosevelt. He served on Representative Jerome Waldie’s “kitchen cabinet” during Waldie’s terms in the California State Legislature and United States Congress. He continued to work for Waldie during his campaign for governor of California.

Timothy John Lynch, Sr. was an example of a model citizen for all. His tireless efforts to make a positive impact in his community, his state, and his country are evident. We ask our colleagues to join us in paying tribute to this great person, wonderful character, and community leader.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2002

SPEECH OF
HON. JUANITA MilleNDER-McDONALD OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, July 20, 2001

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2506) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes;

Ms. MILLENDER-McDONALD. Mr. Chairman, I am submitting the following letter that I received from the U.S. Agency for International Development pertaining to my amendment on HIV/AIDS in the Foreign Operations Appropriations Act, 2001.

U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT,
Hon. JUANITA MilleNDER-McDONALD,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN MilleNDER-McDONALD:
Enclosed is a copy of our recent report to Congress on the U.S. Agency for International Development’s efforts to prevent mother-to-child transmission of HIV/AIDS. It describes the vital role of mother-to-child transmission prevention activities and the complex issues that must be addressed as we and others expand our efforts in this important area.

Thank you for your interest in these programs.

Sincerely,
ROBERT M. LESTER,
Acting Deputy Asst. Administrator,
Bureau for Legislative and Public Affairs.
Enclosure: a/s.
HIGHLIGHTS

Senate agreed to Supplemental Appropriations Conference Report.
The House agreed to the conference report on H.R. 2216, Supplemental appropriations.

Senate

Chamber Action

Routine Proceedings, pages S7987–S8031

Measures Introduced: Eight bills were introduced, as follows: S. 1210–1217.

Measures Reported:

S. 1215, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002. (S. Rept. No. 107–42)

S. 1216, 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, 2002. (S. Rept. No. 107–43)

Department of Transportation and Related Agencies Appropriations Act: Senate continued consideration of H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, taking action on the following amendments proposed thereto:

Adopted:

Murray Amendment No. 1029 (to Amendment No. 1025), of a technical nature.

Subsequently, the amendment was modified.

Pending:

Murray/Shelby Amendment No. 1025, in the nature of a substitute.

Murray/Shelby Amendment No. 1030 (to Amendment No. 1025), to enhance the inspection requirements for Mexican motor carriers seeking to operate in the United States and to require them to display decals.

A unanimous-consent agreement was reached providing for further consideration of the bill at 4 p.m., on Monday, July 23, 2001.

Supplemental Appropriations—Conference Report: Senate agreed to the conference report on H.R. 2216, making supplemental appropriations for the fiscal year ending September 30, 2001, clearing the measure for the President.

Energy and Water Development Appropriations Amendment Modified: Reid/Domenici Amendment No. 1024, to make certain revisions and improvements to the bill to H.R. 2311, making appropriations for energy and water development for the fiscal year ending September 30, 2002, was modified.

Nominations Confirmed: Senate confirmed the following nominations:

By 93 yeas 1 nay (Vote No. EX. 244), Roger L. Gregory, of Virginia, to be United States Circuit Judge for the Fourth Circuit.

By unanimous vote of 95 yeas (Vote No. EX. 245), Sam E. Haddon, of Montana, to be United States District Judge for the District of Montana.

By unanimous vote of 93 yeas (Vote No. EX. 246), Richard F. Cebull, of Montana, to be United States District Judge for the District of Montana.

Ralph F. Boyd, Jr., of Massachusetts, to be an Assistant Attorney General.

Eileen J. O’Connor, of Maryland, to be an Assistant Attorney General.

Executive Communications:

Executive Reports of Committees:

Messages From the House:

Measures Placed on Calendar:

Statements on Introduced Bills:

Additional Cosponsors:
Amendments Submitted: Pages S8023–24
Additional Statements: Pages S8011–12
Text of H.R. 2311, as Previously Passed: Pages S8024–31
Notices of Hearings:
Authority for Committees:
Record Votes: Three record votes were taken today. (Total—246) Pages S7992–93
Adjournment: Senate met at 9:15 a.m., and adjourned at 2:30 p.m., until 2 p.m., on Monday, July 23, 2001. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S8031.)

Committee Meetings

(Committees not listed did not meet)

TRADE ADJUSTMENT ASSISTANCE

Committee on Finance: Subcommittee on International Trade concluded hearings to examine issues related to trade adjustment assistance programs, which are designed to help dislocated workers, communities, and firms adjust to the rapid economic changes that characterize the globalization of national economies, including General Accounting Office reports on the Trade Adjustment Assistance and the North American Free Trade Agreement Transitional Adjustment Assistance programs, after receiving testimony from Loren Yager, Director, International Affairs and Trade, General Accounting Office; Lori G. Kletzer, University of California Institute for International Economics, Santa Cruz; Cindy Arnold, El Puente Community Development Corporation, El Paso, Texas; Robert Rhodes, Eastern New Mexico University, Roswell; Robert L. Carlson, North Dakota Farmers Union, Jamestown, on behalf of the National Farmers Union; and Robert Hamp, Pennsylvania.

BUSINESS MEETING

Committee on Veterans' Affairs: Committee ordered favorably reported the nomination of Gordon H. Mansfield, of Virginia, to be Assistant Secretary of Veterans Affairs for Congressional Affairs.

House of Representatives

Chamber Action

Bills Introduced: 7 public bills, H.R. 2579–2585; and, 1 resolution, H. Con. Res. 189 were introduced. Pages H4347–48
Reports Filed: No Reports were filed today.
H. Res. 204, the rule that waived points of order against the conference report was agreed to by voice vote. Pages H4355–56
Legislative Program: The Majority Leader announced the Legislative Program for the week of July 23. Pages H4367–68
Meeting Hour—Monday, July 23: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, July 23. Page H4368
Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, July 25. Page H4368

Senate Messages: Message received from the Senate today appears on page H4370.
Referrals: S. 180 was referred to the Committee on International Relations. Page H4377
Quorum Calls—Votes: One yea-and-nay vote developed during the proceedings of the House today and appears on page H4367. There were no quorum calls.
Adjournment: The House met at 9 a.m. and adjourned at 11:39 a.m.

Committee Meetings

LEGISLATIVE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Legislative approved for full Committee action the Legislative appropriations for fiscal year 2002.

CURB CHILDREN'S EXPOSURE TO VIOLENT CONTENT—ENTERTAINMENT INDUSTRY'S EFFORTS

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing
entitled: “An Examination of the Entertainment Industry’s Efforts to Curb Children’s Exposure to Violent Content.” Testimony was heard from C. Lee Peeler, Associate Director, Advertising Practices, FTC; and public witnesses.

**PRISONER RELEASE IN THE DISTRICT OF COLUMBIA**

**Committee on Government Reform:** Subcommittee on the District of Columbia held a hearing on “Prisoner Release in the District of Columbia—The Role of Halfway Houses and Community Supervision in Prisoner Rehabilitation.” Testimony was heard from the following officials of the Department of Justice: Kathleen Hawk Sawyer, Director, Bureau of Prisons; and Edward Riley, Chairman, U.S. Parole Commission; Laurie E. Ekstrand, Director, Justice Issues, GAO; from the following officials of the District of Columbia: Kathy Patterson, Chair, Committee on the Judiciary, City Council; Margret Nedelkoff Kellems, Deputy Mayor, Public Safety and Justice; Charles H. Ramsey, Chief of Police; John Clark, Corrections Trustee, Office of the Corrections Trustee; James Anthony, Deputy Director, Department of Corrections; and Jasper E. Ormond, Jr., Interim Director, Court Services and Offender Supervision Agency; and a public witness.

**CONGRESSIONAL PROGRAM AHEAD**

**Week of July 23 through July 28, 2001**

**Senate Chamber**

*On Monday,* Senate will resume consideration of H.R. 2299, Department of Transportation and Related Agencies Appropriations Act.

**During the balance of the week,** Senate expects to consider any other cleared legislative and executive business, including appropriation bills when available.

**Senate Committees**

*(Committee meetings are open unless otherwise indicated)*

**Special Committee on Aging:** July 26, to hold hearings to examine Medicare enforcement actions focusing on the federal governments anti-fraud efforts, 10 a.m., SD–124.

**Committee on Agriculture, Nutrition, and Forestry:** July 24, to hold hearings to examine the proposed federal farm bill focusing on livestock issues, 9 a.m., SR–328A.

**Committee on Appropriations:** July 25, Subcommittee on Labor, Health and Human Services, and Education, to hold hearings to examine education technology issues, 9:30 a.m., SD–106.

July 26, Full Committee, business meeting to mark up proposed legislation making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002; and making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, 3 p.m., S–128, Capitol.

**Committee on Armed Services:** July 24, Subcommittee on SeaPower, to hold hearings on proposed legislation authorizing funds for fiscal year 2002 for the Department of Defense and the Future Years Defense Program, focusing on Navy shipbuilding programs, 2:30 p.m., SR–222.

July 25, Subcommittee on Strategic, to hold hearings on proposed legislation authorizing funds for fiscal year 2002 for the Department of Defense and the Future Years Defense Program, focusing on global power projection, 9 a.m., SD–124.

**Committee on Banking, Housing, and Urban Affairs:** July 24, to hold oversight hearings to examine the Semi-Annual Report on Monetary Policy of the Federal Reserve; and to hold a business meeting to consider the nomination of Harvey Pitt, of North Carolina, to be a Member of the Securities and Exchange Commission, 10 a.m., SH–216.

July 24, Subcommittee on Housing and Transportation, to hold oversight hearings to examine the Federal Housing Administration Multifamily Housing Mortgage Insurance Program, 2 p.m., SD–538.

July 25, Subcommittee on Economic Policy, to hold hearings to examine the risks of a growing balance of payments deficit, 10 a.m., SD–538.

July 26, Full Committee, to hold hearings to examine the problem, impact, and responses of predatory mortgage lending practices, 10 a.m., SD–538.

**Committee on Commerce, Science, and Transportation:** July 23, Subcommittee on Science, Technology, and Space, to hold hearings to examine the use of technology in the health care system, focusing on opportunities and obstacles regarding the use of Internet technology to empower patients to improve their health care, 1 p.m., SR–255.

July 24, Full Committee, to hold hearings to examine seaport security issues, 9:30 a.m., SR–253.

July 24, Subcommittee on Consumer Affairs, Foreign Commerce, and Tourism, to hold hearings to examine prescription drug issues, 2:30 p.m., SR–253.

July 25, Full Committee, to hold hearings on the nomination of Mary Sheila Gall, of Virginia, to be Chairman of the Consumer Product Safety Commission, 9:30 a.m., SR–253.

July 26, Full Committee, to hold hearings to examine chemical harmonization issues, 9:30 a.m., SR–253.

**Committee on Energy and Natural Resources:** July 24, to hold hearings on proposals related to global climate change and measures to mitigate greenhouse gas emissions, including S. 597, the Comprehensive and Balanced Energy Policy Act of 2001; S. 388, the National Energy Security Act of 2001; and S. 820, the Forest Resources for the Environment and the Economy Act, 9:30 a.m., SD–106.

July 25, Full Committee, business meeting to consider pending calendar business, 9:30 a.m., SD–366.

**Committee on Environment and Public Works:** July 23, Subcommittee on Transportation and Infrastructure, to hold oversight hearings to examine the role of the federal
government in meeting infrastructure needs, 3 p.m., SD—406.

July 25, Full Committee, to hold hearings on the nomination of David A. Sampson, of Texas, to be Assistant Secretary of Commerce for Economic Development; and the nomination of George Tracy Mehan III, of Michigan, to be Assistant Administrator for the Office of Water, the nomination of Judith Elizabeth Ayres, of California, to be Assistant Administrator for the Office of International Activities, and the nomination of Robert E. Fabricant, of New Jersey, to be General Counsel, all of the Environmental Protection Agency; and to consider committee rules of procedures for the 107th Congress, 9:30 a.m., SD—406.

July 26, Full Committee, to hold hearings to examine the environmental and public health impacts of power plant emissions, 9:30 a.m., SD—406.

Committee on Foreign Relations: July 24, to hold hearings to examine the Administration’s missile defense program and the Anti-Ballistic Missile Treaty focusing on the legal and technical issues associated with missile defense, 10 a.m., SD—419.

July 24, Full Committee, to continue hearings to examine the Administration’s missile defense program and the Anti-Ballistic Missile Treaty focusing on the means of addressing ballistic missile and weapons proliferation threats, 2:30 p.m., SD—419.

Committee on Governmental Affairs: July 23, Subcommittee on International Security, Proliferation and Federal Services, to hold hearings to examine the role of the Federal Emergency Management Agency in managing a bioterrorist attack and the impact of public health concerns on bioterrorism preparedness, 2 p.m., SD—342.

July 24, Full Committee, to hold hearings to examine S. 159, to elevate the Environmental Protection Agency to a cabinet level department, to redesignate the Environmental Protection Agency as the Department of Environmental Protection Affairs, 10 a.m., SD—342.

July 24, Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia, to hold hearings to examine the role of health insurance in promoting quality cares for seniors, children and individuals with disabilities, 2:30 p.m., SD—342.

July 25, Full Committee, to hold hearings to examine current entertainment ratings, focusing on evaluation and improvement, 9:30 a.m., SD—342.

July 25, Subcommittee on International Security, Proliferation and Federal Services, to hold hearings on S. 995, to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in non-disclosure policies, forms, and agreements that such policies, forms and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel, 2:30 p.m., SD—342.

Committee on Health, Education, Labor, and Pensions: July 25, to hold hearings to examine genetics research issues and non-discrimination in health insurance and employment, 9:30 a.m., SD—450.

Committee on Indian Affairs: July 24, business meeting to mark up S. 87, to amend the Native Hawaiian Health Care Improvement Act to revise and extend such Act; S. 91, to amend the Native American Languages Act to provide for the support of Native American Language Survival Schools; and S. 746, to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity; to be followed by hearings on S. 266, to provide for the long-term leasing of lands on the Warm Springs Reservation, and for the approval of an agreement between the U.S. Department of the Interior, the Portland General Electric Company and the Confederated Tribes of the Warm Springs Reservation, 10 a.m., SR—485.

July 25, Full Committee, to hold oversight hearings on the implementation of the Indian Gaming Regulatory Act, 10:30 a.m., SH—216.

Select Committee on Intelligence: July 25, to hold closed hearings on intelligence matters, 2:30 p.m., SH—219.

Committee on the Judiciary: July 24, Subcommittee on Administrative Oversight and the Courts, to hold hearings to examine the role of the Senate in the nomination and confirmation process, 10 a.m., SD—226.

July 24, Full Committee, to hold hearings on pending judicial nominations, 2 p.m., SD—226.

July 25, Full Committee, to hold hearings on S. 1157, to reauthorize the consent of Congress to the Northeast Interstate Dairy Compact and to grant the consent of Congress to the Southern Dairy Compact, a Pacific Northwest Dairy Compact, and an Intermountain Dairy Compact, 10 a.m., SD—226.

July 25, Subcommittee on Technology, Terrorism, and Government Information, to hold oversight hearings to examine the National Infrastructure Protection Center, focusing on the fight against cybercrime, 2 p.m., SD—226.

Committee on Small Business and Entrepreneurship: July 26, to hold hearings to examine the business of environmental technology, 10:30 a.m., SR—428A.

Committee on Veterans’ Affairs: July 24, to hold hearings to examine prescription drug issues in the Department of Veterans Affairs, 2:30 p.m., SR—418.

House Chamber

To be announced.

House Committees

Committee on Agriculture: July 26, to consider the Farm Bill, 10 a.m., 1300 Longworth.

Committee on Appropriations: July 23, Subcommittee on Defense, executive, hearing on Intelligence Budget Overview, 9:30 a.m., H—405 Capitol, and a hearing on the Navy/Marine Corps Budget Overview, 1:30 p.m., 2362–A Rayburn.

July 23, Subcommittee on Military Construction, hearing on 2002 Budget Overview, 1:30 p.m., B–308 Rayburn.

Committee on Armed Services: July 26, Special Oversight Panel on the Merchant Marine, to consider recommendations to the National Defense Authorization Act for Fiscal Year 2002, 9 a.m., 2216 Rayburn.


Committee on the Budget, July 25, hearing on Medicare: The Need for Reform, 10 a.m., 210 Cannon.

Committee on Education and the Workforce, July 24, Subcommittee on Employer-Employee Relations, hearing on Genetic Non-Discrimination: Implications for Employers and Employees, 2 p.m., 2175 Rayburn.

July 24, Subcommittee on Select Education, hearing on Status of Financial Management at the Department of Education, 9:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, July 24, Subcommittee on Oversight and Investigations, hearing on How Secure is Sensitive Commerce Department Data and Operations? 10 a.m., 2322 Rayburn.


July 26, Subcommittee on Health, hearing entitled “Medicare Modernization: Examining the President’s Framework for Strengthening the Program,” 9:15 a.m., 2123 Rayburn.

Committee on Financial Services, July 24, Subcommittee on Domestic Monetary Policy, Technology, and Economic Growth, hearing on the design and security of currency, 2 p.m., 2128 Rayburn.

July 24, Subcommittee on Financial Institutions and Consumer Credit, hearing on H.R. 556, Unlawful Internet Gambling Funding Prohibition Act, and other Internet gambling proposals, 10 a.m., 2128 Rayburn.

July 25, full Committee, to consider the following bills: H.R. 2510, Defense Production Act Amendments of 2001; and the Office of Multifamily Housing Assistance Restructuring Extension Act of 2001, 10 a.m., 2128 Rayburn.


July 26, Subcommittee on Financial Institutions and Consumer Credit, hearing entitled “Viewpoints of Select Regulators on Deposit Insurance Reform,” 10 a.m., 2128 Rayburn.

Committee on Government Reform, July 23, Subcommittee on National Security, Veterans’ Affairs, and International Relations, hearing on Combating Terrorism: Federal Response to a Biological Weapons Attack, 2:30 p.m., 2154 Rayburn.

July 24, Subcommittee on Criminal Justice, and Human Resources, to consider pending business, 10 a.m., 2154 Rayburn.

July 24, Subcommittee on National Security, Veterans’ Affairs, and International Relations, hearing on Federal Interagency Data-Sharing and National Security, 10 a.m., 2247 Rayburn.

July 25, full Committee, to consider pending business, 10 a.m., 2154 Rayburn.

July 26, Subcommittee on Census, hearing on America’s Abroad, How Can We Count Them? 1:30 p.m., 2247 Rayburn.


Committee on International Relations, July 25, hearing on the Dayton Accords: A View From the Ground, 10:15 a.m., 2172 Rayburn.

July 25, Subcommittee on International Operations and Human Rights, hearing on A Discussion on the U.N. World Conference Against Racism, 2 p.m., 2172 Rayburn.

July 26, Subcommittee on East Asia and the Pacific, hearing on U.S.-Korea Relations after the Policy Review, 10 a.m., 2200 Rayburn.

July 26, Subcommittee on Middle East and South Asia, hearing on U.S. Policy Towards the Palestinians—Part I, 10 a.m., 2172 Rayburn.

Committee on the Judiciary, July 24, to mark up the following bills: H.R. 2175, Born-Alive Infants Protection Act of 2001; H.R. 2505, Human Cloning Prohibition Act of 2001; H.R. 2048, Patent and Trademark Office Authorization Act of 2002; H.R. 2278, to provide for work authorization for non-immigrant spouses of intracompany transferees, and to reduce the period of time during which certain intracompany transferees have to be continuously employed before applying for admission to the United States; H.R. 2277, to provide for work authorization for nonimmigrant spouses of treaty traders and treaty investors; H.R. 1840, to extend eligibility for refugee status of unmarried sons and daughters of certain Vietnamese refugees; and H.R. 1007, James Guelff Body Armor Act of 2001, 10 a.m., 2141 Rayburn.

July 26, Subcommittee on Courts, the Internet, and Intellectual Property, hearing on H.R. 2522, Federal Courts Improvement Act of 2001, 10 a.m., 2141 Rayburn.


July 25, full Committee, to mark up H.R. 701, Conservation and Reinvestment Act, 10 a.m., 1324 Longworth.

July 26, Subcommittee on Forests, and Forest Health, hearing on the following bills: H.R. 1576, James Peak Wilderness, Wilderness Study, and Protection Area Act; and H.R. 1772, to provide for an exchange of certain property between the United States and Ephraim City, Utah, 10 a.m., 1334 Longworth.

July 26, Subcommittee on National Parks, Recreation and Public Lands, hearing on the following bills: H.R. 2385, Virgin River Dinosaur Footprint Preserve Act; and H.R. 2488, to designate certain lands in the Pilot Range in the State of Utah as wilderness, 2 p.m., 1334 Longworth.


Committee on Rules, July 24, to consider a measure making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, 1 p.m., H–313 Capitol.

July 25, Subcommittee on Legislative and Budget Process, hearing on Biennial Budgeting, 10 a.m., H–313 Capitol.

Committee on Science, July 25, hearing on Live From Space: the International Space Station, 12 p.m., 2318 Rayburn.

July 26, Subcommittee on Environment, Technology and Standards, hearing on Combating the Invaders: Research on Non-Native Species, 11 a.m., 2318 Rayburn.

Committee on Small Business, July 24, Subcommittee on Rural Enterprise, Agriculture and Technology, hearing on renewable fuels, 10 a.m., 2360 Rayburn.

July 24, Subcommittee on Tax, Finance, and Exports, hearing on Trade Promotion Authority and the reauthorization of the Trade Adjustment Assistant program, and their respective impacts on small business exporters and farmers, 2 p.m., 2360 Rayburn.


Committee on Transportation and Infrastructure, July 24, Subcommittee on Highways and Transit, hearing on Highway Work Zone Safety, 2 p.m., 2167 Rayburn.

July 25, Subcommittee on Railroads, hearing on Current Status and Future Prospects of Amtrak and High Speed Rail, 10 a.m., 2167 Rayburn.

July 26, Subcommittee on Aviation, hearing on the Competitiveness of the U.S. Aircraft Manufacturing Industry, 10 a.m., 2167 Rayburn.

July 26, Subcommittee on Coast Guard and Maritime Transportation, hearing on Drug Interdiction, 2 p.m., 2167 Rayburn.

Committee on Ways and Means, July 26, Subcommittee on Social Security, hearing on Misleading Mailings Targeted to Seniors, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, July 25, executive, hearing on Intelligence Budget Issues, 2 p.m., H–405 Capitol.

July 26, executive, hearing on Counternarcotics Issues, 1:30 p.m., H–405 Capitol.
Next Meeting of the SENATE
2 p.m., Monday, July 23

Senate Chamber

Program for Monday: After the recognition of two Senators for speeches and the transaction of any morning business (not to extend beyond 4 p.m.), Senate will resume consideration of H.R. 2299, Department of Transportation and Related Agencies Appropriations Act.

Next Meeting of the HOUSE OF REPRESENTATIVES
12:30 p.m., Monday, July 23

House Chamber

Program for Monday: Consideration of Suspensions.

Extension of Remarks, as inserted in this issue

HOUSE
Baker, Richard H., La., E1384
Barcia, James A., Mich., E1382
Calvert, Ken, Calif., E1380
Cannon, Chris, Utah, E1378
Davis, Tom, Va., E1375
Gilman, Benjamin A., N.Y., E1388
Gutierrez, Luis V., Ill., E1385
Hooley, Darlene, Ore., E1387
Hutchinson, Ann, Ark., E1375
Israel, Steve, N.Y., E1386
Kanjorski, Paul E., Pa., E1383
Knecht, Gerald D., Wis., E1386
Kucinich, Dennis J., Ohio, E1375, E1389
LaFalce, John J., N.Y., E1376, E1390
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Loftgren, Zoe, Calif., E1386
Maloney, Carolyn B., N.Y., E1389
Millender-McDonald, Juanita, Calif., E1392
Miller, Gary G., Calif., E1387
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Morella, Constance A., Md., E1377
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Ortiz, Solomon P., Tex., E1385
Paul, Ron, Tex., E1384
Payne, Donald M., N.J., E1385
Peleo, Nancy, Calif., E1384, E1385, E1386
Pombo, Richard W., Calif., E1397
Reyes, Silvestre, Tex., E1387, E1388, E1390
Sanchez, Loretta, Calif., E1381
Schakowsky, Janice D., Ill., E1380
Shaw, E. Clay, Jr., Fla., E1380
Shays, Christopher, Conn., E1387
Shimkus, John, Ill., E1378
Simpson, Michael K., Idaho, E1379
Stark, Fortney Pete, Calif., E1392
Tauscher, Ellen O., Calif., E1391
Udall, Mark, Colo., E1387
Underwood, Robert A., Guam, E1383
Weldon, Curt, Pa., E1384
Weller, Jerry, Ill., E1380
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