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House of Representatives

The House met at 2 p.m.

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

God of our forebears in faith, and ever-present Lord of life,

Be with us as we begin this fall session of the 107th Congress.

Bless the families of all of the Members of the House of Representatives.

Bless also the workers in district offices and all the people met during summer recess.

Now, help all Members to focus their attention on the priorities set before them by the deepest desires of the American people and the honest dialogue of colleagues in this House.

Encourage them in sincere debate until the best ideas surface.

Guide them to sound resolution on complex issues so that Your Holy Will will be accomplished in our time and bright hope be instilled in Your people.

Grant eternal peace to former Member, The Honorable FLOYD DAVIDSON SPENCE, and former Chaplain, Dr. James David Ford, who died since our last gathering. May their families and friends be surrounded with the consolation and peace which You alone can offer.

May all Americans catch a glimpse of Your glory that they may risk everything to bring about Your Kingdom of truth, justice and love 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 Maryland (Mr. CUMMINGS) come forward and lead the House in the Pledge of Allegiance.

Mr. CUMMINGS led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monohan, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2133. An act to establish a commission for the purpose of encouraging and providing for the commemoration of the 50th anniversary of the Supreme Court decision in Brown v. Board of Education.

H.R. 2620. An act 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.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2620) ''An Act 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,'' requests a conference with the House on the disagreeing votes of the two Houses thereon; and appoints Ms. MIKULSKI, Mr. LEAHY, Mr. HARKIN, Mr. BYRD, Mr. KOHL, Mr. JOHNSON, Mr. HOLLINGS, Mr. INOUYE, Mr. BOND, Mr. BURNS, Mr. SHELBY, Mr. CRAIG, Mr. DOMENICI, Mr. DEWINE, and Mr. STEVENS, to be the conferees on the part of the Senate.

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

S. 238. An act to authorize the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River basin, Oregon.

S. 329. An act to require the Secretary of the Interior to conduct a theme study on the peopling of America, and for other purposes.

S. 356. An act to establish a National Commission on the Bicentennial of the Louisiana Purchase.

S. 491. An act to authorize the Secretary of the Interior, pursuant to the provisions of the Reclamation Wastewater and Groundwater Study and Facilities Act to participate in the design, planning, and construction of the Denver Water Reuse project.

S. 498. An act to amend the National Trails System Act to include national discovery trails, and to designate the American Discovery Trail, and for other purposes.

S. 506. An act to amend the Alaska Native Claims Settlement Act, to provide for a land exchange between the Secretary of Agriculture and the Huna Totem Corporation, and for other purposes.

S. 509. An act to establish the Kenai Mountains-Turnagain Arm National Heritage Corridor in the State of Alaska, and for other purposes.

S. 584. An act to designate the United States courthouse located at 40 Centre Street in New York, New York, as the ''Thurgood Marshall United States Courthouse''.

S. 737. An act to designate the facility of the United States Postal Service located at 811 South Main Street in Yerington, Nevada, as the ''Joseph E. Dini, Jr. Post Office''.

S. 970. An act to designate the facility of the United States Postal Service located at 39 Tremont Street, Paris Hill, Maine, as the ''Horatio King Post Office Building''.

S. 1026. An act to designate the United States Post Office located at 60 Third Avenue in Long Branch, New Jersey, as the ''Pat King Post Office Building''.

S. 1046. An act to establish a commission for the purpose of encouraging and providing for the commemoration of the 50th anniversary of the Supreme Court decision in Brown v. Board of Education.

S. 1144. An act to amend title III of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11331 et seq.) to reauthorize the Federal Emergency Management Food and Shelter Program, and for other purposes.

S. 1198. An act to reauthorize Franchise Fund Pilot Programs.

S. Con. Res. 59. Concurrent resolution expressing the sense of Congress that there

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should be established a National Community Health Center Week to raise awareness of health services provided by community, migrant, public housing, and homeless health centers.

S. Con. Res. 62. Concurrent resolution congratulating Ukraine on the 10th anniversary of the restoration on its independence and supporting its full integration into the Euro-Atlantic community of democracies.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 3, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 3, 2001 at 3:40 p.m.

That the Senate passed without amendment H.R. 2213.

That the Senate passed without amendment H. Con. Res. 208.

With best wishes, I am

Sincerely,

DANIEL STRODEL
(For Jeff Trandahl, Clerk of the House).

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES
Washington, DC, August 6, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 6, 2001 at 3:50 p.m.

That the Senate passed without amendment H.R. 93.

That the Senate passed without amendment H.R. 271.

That the Senate passed without amendment H.R. 364.

That the Senate passed without amendment H.R. 427.

That the Senate passed without amendment H.R. 558.

That the Senate passed without amendment H.R. 821.

That the Senate passed without amendment H.R. 988.

That the Senate passed without amendment H.R. 1183.

That the Senate passed without amendment H.R. 1753.

That the Senate passed without amendment H.R. 2043.

With best wishes, I am

Sincerely,

MARTHA C. MORRISON
(For Jeff Trandahl, Clerk of the House).

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following resignation from the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, August 3, 2001.

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

DEAR MR. SPEAKER: As a result of my nomination by President George W. Bush and my subsequent confirmation by the U.S. Senate to serve as Administrator of the Drug Enforcement Administration, I hereby resign from the U.S. House of Representatives. This resignation is to be effective at 2400 hours on Monday, August 6, 2001.

Enclosed you will find a copy of my letter to Governor Mike Huckabee of Arkansas stating the same.

Sincerely,

ASA HUTCHINSON.

HOUSE OF REPRESENTATIVES,
Washington, DC, August 3, 2001.

Governor MIKE HUCKABEE,
State Capitol Building,
Little Rock, AR.

DEAR GOVERNOR HUCKABEE: Please accept this letter as notice that my resignation from the U.S. House of Representatives shall be effective at the 2400 hours on Monday, August 6, 2001.

Sincerely,

ASA HUTCHINSON.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Pursuant to clause 4 of rule I, Speaker Pro Tempore WOLF signed the following enrolled bills on Tuesday, August 7, 2001:

H.R. 93, Federal Firefighters Retirement Age Fairness Act;

H.R. 271, to direct the Secretary of the Interior to convey a former Bureau of Land Management administrative site to the city of Carson City, Nevada, for use as a senior center;

H.R. 364, to designate the facility of the United States Postal Service located at 5927 Southwest 70th Street in Miami, Florida, as the ''Marjory Williams Scrivens Post Office;''

H.R. 427, to provide further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, and for other purposes;

H.R. 558, to designate the Federal Building and United States Courthouse located at 504 West Hamilton Street in Allentown, Pennsylvania, as the ''Edward N. Cahn Federal Building and United States Courthouse;''

H.R. 821, to designate the facility of the United States Postal Service located at 1030 South Church Street in Asheboro, North Carolina, as the ''W. Joe Trogdon Post Office Building;''

H.R. 988, to designate the United States Courthouse located at 40 Centre Street in New York, as the ''Thurgood Marshall United States Courthouse;''

H.R. 1183, to designate the facility of the United States Postal Service located at 113 South Main Street in Sylvania, Georgia, as the ''G. Elliot Hagan Post Office Building;''

H.R. 1753, to designate the facility of the United States Postal Service located at 419 Rutherford Avenue, N.E., in Roanoke, Virginia, as the ''M. Caldwell Butler Office Building;''

H.R. 2043, to designate the facility of the United States Postal Service located at 2719 South Webster Street in Kokomo, Indiana, as the ''Elwood Haynes 'Bud' Hillis Post Office Building;''

H.R. 2213, to respond to the continuing economic crisis adversely affecting American Agricultural Producers.

IN HONOR OF OUR GREAT COLLEAGUES

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

Mr. HASTERT. Madam Speaker, it is my sad duty to announce to the House of Representatives the death of the late Honorable FLOYD SPENCE of South Carolina on August 16, 2001. His funeral was held in Columbia, South Carolina, on August 21, 2001.

Later today, the gentleman from South Carolina (Mr. SPRATT), the dean of the South Carolina delegation, will offer a resolution in memory of our beloved colleague. Members are invited to contact the gentleman from South Carolina (Mr. SPRATT) or the gentleman from South Carolina (Mr. GRAHAM) if they wish to participate in this tribute. Members will be advised of plans for a subsequent Special Order in memory of FLOYD SPENCE. I think we will all remember FLOYD SPENCE for his love of this Nation, his love of this House, and his strong and spirited defense always for the armed services members of this country.

It is also my very sad duty to announce to the House the death of our Chaplain Emeritus, James David Ford on August 27, 2001. Jim Ford had been the beloved Chaplain of the House for 21 years, from 1979 until his retirement in the year 2000. A memorial ceremony honoring Chaplain Ford's life and his service to this House will be held on Tuesday, September 11, at 1 p.m. in the Cannon Caucus Room. I extend my personal condolences to Chaplain Ford's family and his many friends during this time of bereavement.

HEARTFELT CONDOLENCES TO THE RILEY FAMILY

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

Mr. ARMEY. Madam Speaker, those of us who are privileged to work in this wonderful institution and get to know one another and our families, we should take the time every now and then to reflect on what a great privilege we have to know one another.

Two or three years ago I made a trip to Alabama for BOB RILEY. Lord have mercy, Madam Speaker, I ended up at the wrong airport late, frustrated, tired, and disconcerted. All of a sudden, there appeared right there in the lobby of that airport two beautiful ladies: BOB's wonderful wife, Patsy, and his beautiful daughter, Jenice. They resolved that they would get me to my

appointed round on time, and I have kidded with the two ladies for years afterwards about how it was such a pleasure to see so much of Alabama, but I had not known it was a blur, as Jenice drove that car.

Jenice, a beautiful child, and clearly the apple of her daddy's eye, was at that time and since having a very private battle with cancer. Most of us did not know that because she was so cheerful. This child would lift my spirits on the occasions that I saw her. She was always upbeat, always happy, always optimistic, always enthusiastic, always full of praise for her Lord.

Madam Speaker, she was taken from us during this recess period to heaven. I know it hurts BOB and Patsy and all of us that had the privilege of knowing this wonderful young lady.

Madam Speaker, I rise at this moment to say, for what little comfort I can offer BOB and Patsy, no eye has ever seen, no mind can know the glory and the beauty of Jenice today. As our Lord and Savior told us, if it were not true, I would have told you. Your loss is felt and shared by all of us.

KEEPING OUR PROMISE TO THE COAST GUARD

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

Mr. ISRAEL. Madam Speaker, as a new Member of this body, let me extend my condolences to the majority leader on the loss that he has suffered.

Madam Speaker, during the August recess, I joined the United States Coast Guard Fire Island Station for a tour of erosion areas on the south shore of my district. As we returned to the station, the Coast Guard received a report of a swimmer in distress. Coast Guard personnel risked their lives that day, despite turbulent waters and an incoming storm to save another life.

Imagine my surprise, Madam Speaker, to learn that many of those same courageous men and women are forced to take part-time jobs because their rate of pay is too low and the cost of housing and health care on Long Island is too high. Some of those people go from saving lives and property during the day to serving pizza and waiting on tables at night.

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Madam Speaker, it is not sufficient merely to pay tribute to the men and women of the Coast Guard. We have to pay them living wages for protecting our shores and saving our lives.

As a new Member of the House Coast Guard Caucus, I am honored to join my colleagues in our efforts to keep our promises to those who protect our lives and our shores with fair pay, decent housing, and affordable health care.

CONDOLENCES TO THE FAMILY OF THE REVEREND JIM FORD

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

Mr. LAHOOD. Madam Speaker, I rise today to offer my condolences to the family of Reverend Jim Ford. Jim was a very, very good personal friend of mine and many of us in this House. He served the House for over 20 years with great distinction; and in serving the people that work in this House, including the Members and the staff, he served his country very well.

He was a very proud man. He cared very much about the House of Representatives, the Members who are sent here. His service to this House and to his country will long be remembered because it was a service of distinction and integrity, and really trying to help Members and families get through troubled times, but also bringing people together through the marriages that he performed for a number of Members.

So we will long remember our friend, Jim Ford, and our condolences go out to his family for the loss that they have incurred. We wish Godspeed to Reverend Ford. He will long be remembered in the halls of the House of Representatives.

CONDOLENCES TO FAMILY OF THE REVEREND JIM FORD

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

Mr. COBLE. Madam Speaker, I, too, want to join my friend, the gentleman from Illinois (Mr. LAHOOD) in remembering Jim Ford.

Tom Bliley, a recently retired Member from Virginia, and I and other Members would play tennis frequently with Chaplain Ford. I really came to know him, Madam Speaker, on the tennis court rather than within these halls.

He used to have a shot: He would put an obvious spin on the ball. When the ball would strike the surface of the court, it would be virtually impossible to gauge in what direction it would go. Jim Ford called that his squirrel shot, and Bliley and I used to refer to that as Chaplain Ford's patented squirrel shot.

Madam Speaker, we have an outstanding Chaplain in Father Dan. We had an outstanding Chaplain in Jim Ford. We want to remember Mrs. Ford and the children in this hour of grief.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT). Pursuant to clause 8 of rule XX, the Chair announces that she will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 6 of rule XX.

Any record vote on postponed questions will be taken after debate has concluded on all motions to suspend the rules, but not before 6 p.m. today.

DRUG-FREE COMMUNITIES SUPPORT PROGRAM REAUTHORIZATION ACT

Mr. SOUDER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2291) to extend the authorization of the Drug-Free Communities Support Program for an additional 5 years, to authorize a National Community Antidrug Coalition Institute, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2291

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

SECTION 1. FIVE-YEAR EXTENSION OF DRUG-FREE COMMUNITIES SUPPORT PROGRAM.

(a) FINDINGS.—Congress makes the following findings:

(1) In the next 15 years, the youth population in the United States will grow by 21 percent, adding 6,500,000 youth to the population of the United States. Even if drug use rates remain constant, there will be a huge surge in drug-related problems, such as academic failure, drug-related violence, and HIV incidence, simply due to this population increase.

(2) According to the 1994–1996 National Household Survey, 60 percent of students age 12 to 17 who frequently cut classes and who reported delinquent behavior in the past 6 months used marijuana 52 days or more in the previous year.

(3) The 2000 Washington Kids Count survey conducted by the University of Washington reported that students whose peers have little or no involvement with drinking and drugs have higher math and reading scores than students whose peers had low level drinking or drug use.

(4) Substance abuse prevention works. In 1999, only 10 percent of teens saw marijuana users as popular, compared to 17 percent in 1998 and 19 percent in 1997. The rate of past-month use of any drug among 12- to 17-year-olds declined 26 percent between 1997 and 1999. Marijuana use for sixth through eighth graders is at the lowest point in 5 years, as is use of cocaine, inhalants, and hallucinogens.

(5) Community Anti-Drug Coalitions throughout the United States are successfully developing and implementing comprehensive, long-term strategies to reduce substance abuse among youth on a sustained basis. For example:

(A) The Boston Coalition brought college and university presidents together to create the Cooperative Agreement on Underage Drinking. This agreement represents the first coordinated effort of Boston's many institutions of higher education to address issues such as binge drinking, underage drinking, and changing the norms surrounding alcohol abuse that exist on college and university campuses.

(B) In 2000, the Coalition for a Drug-Free Greater Cincinnati surveyed more than 47,000 local students in grades 7 through 12. The results provided evidence that the Coalition's initiatives are working. For the first time in a decade, teen drug use in Greater Cincinnati appears to be leveling off. The data collected from the survey has served as a tool to strengthen relationships between schools and communities, as well as facilitate the growth of anti-drug coalitions in communities where such coalitions had not existed.

(C) The Miami Coalition used a three-part strategy to decrease the percentage of high school seniors who reported using marijuana at least once during the most recent 30-day period. The development of a media strategy, the creation of a network of prevention agencies, and

discussions with high school students about the dangers of marijuana all contributed to a decrease in the percentage of seniors who reported using marijuana from over 22 percent in 1995 to 9 percent in 1997. The Miami Coalition was able to achieve these results while national rates of marijuana use were increasing.

(D) The Nashville Prevention Partnership worked with elementary and middle school children in an attempt to influence them toward positive life goals and discourage them from using substances. The Partnership targeted an area in East Nashville and created after school programs, mentoring opportunities, attendance initiatives, and safe passages to and from school. Attendance and test scores increased as a result of the program.

(E) At a youth-led town meeting sponsored by the Bering Strait Community Partnership in Nome, Alaska, youth identified a need for a safe, substance-free space. With help from a variety of community partners, the Partnership staff and youth members created the Java Hut, a substance-free coffeehouse designed for youth. The Java Hut is helping to change norms in the community by providing a fun, youth-friendly atmosphere and activities that are not centered around alcohol or marijuana.

(F) Portland's Regional Drug Initiative (RDI) has promoted the establishment of drug-free workplaces among the city's large and small employers. Over 3,000 employers have attended an RDI training session, and of those, 92 percent have instituted drug-free workplace policies. As a result, there has been a 5.5 percent decrease in positive workplace drug tests.

(G) San Antonio Fighting Back worked to increase the age at which youth first used illegal substances. Research suggests that the later the age of first use, the lower the risk that a young person will become a regular substance abuser. As a result, the age of first illegal drug use increased from 9.4 years in 1992 to 13.5 years in 1997.

(H) In 1990, multiple data sources confirmed a trend of increased alcohol use by teenagers in the Troy community. Using its ''multiple strategies over multiple sectors'' approach, the Troy Coalition worked with parents, physicians, students, coaches, and others to address this problem from several angles. As a result, the rate of twelfth grade students who had consumed alcohol in the past month decreased from 62.1 percent to 53.3 percent between 1991 and 1998, and the rate of eighth grade students decreased from 26.3 percent to 17.4 percent. The Troy Coalition believes that this decline represents not only a change in behavior on the part of students, but also a change in the norms of the community.

(6) Despite these successes, drug use continues to be a serious problem facing communities across the United States. For example:

(A) According to the Pulse Check: Trends in Drug Abuse Mid-Year 2000 report—

(i) crack and powder cocaine remains the most serious drug problem;

(ii) marijuana remains the most widely available illicit drug, and its potency is on the rise;

(iii) treatment sources report an increase in admissions with marijuana as the primary drug of abuse—and adolescents outnumber other age groups entering treatment for marijuana;

(iv) 80 percent of Pulse Check sources reported increased availability of club drugs, with ecstasy (MDMA) and ketamine the most widely cited club drugs and seven sources reporting that powder cocaine is being used as a club drug by young adults;

(v) ecstasy abuse and trafficking is expanding, no longer confined to the ''rave'' scene;

(vi) the sale and use of club drugs has grown from nightclubs and raves to high schools, the streets, neighborhoods, open venues, and younger ages;

(vii) ecstasy users often are unknowingly purchasing adulterated tablets or some other substance sold as MDMA; and

(viii) along with reports of increased heroin snorting as a route of administration for initiates, there is also an increase in injecting initiates and the negative health consequences associated with injection (for example, increases in HIV/AIDS and Hepatitis C) suggesting that there is a generational forgetting of the dangers of injection of the drug.

(B) The 2000 Parent's Resource Institute for Drug Education study reported that 23.6 percent of children in the sixth through twelfth grades used illicit drugs in the past year. The same study found that monthly usage among this group was 15.3 percent.

(C) According to the 2000 Monitoring the Future study, the use of ecstasy among eighth graders increased from 1.7 percent in 1999 to 3.1 percent in 2000, among tenth graders from 4.4 percent to 5.4 percent, and from 5.6 percent to 8.2 percent among twelfth graders.

(D) A 1999 Mellman Group study found that—

(i) 56 percent of the population in the United States believed that drug use was increasing in 1999;

(ii) 92 percent of the population viewed illegal drug use as a serious problem in the United States; and

(iii) 73 percent of the population viewed illegal drug use as a serious problem in their communities.

(7) According to the 2001 report of the National Center on Addiction and Substance Abuse at Columbia University entitled ''Shoveling Up: The Impact of Substance Abuse on State Budgets'', using the most conservative assumption, in 1998 States spent $77,900,000,000 to shovel up the wreckage of substance abuse, only $3,000,000,000 to prevent and treat the problem and $433,000,000 for alcohol and tobacco regulation and compliance. This $77,900,000,000 burden was distributed as follows:

(A) $30,700,000,000 in the justice system (77 percent of justice spending).

(B) $16,500,000,000 in education costs (10 percent of education spending).

(C) $15,200,000,000 in health costs (25 percent of health spending).

(D) $7,700,000,000 in child and family assistance (32 percent of child and family assistance spending).

(E) $5,900,000,000 in mental health and developmental disabilities (31 percent of mental health spending).

(F) $1,500,000,000 in public safety (26 percent of public safety spending) and $400,000,000 for the state workforce.

(8) Intergovernmental cooperation and coordination through national, State, and local or tribal leadership and partnerships are critical to facilitate the reduction of substance abuse among youth in communities across the United States.

(9) Substance abuse is perceived as a much greater problem nationally than at the community level. According to a 2001 study sponsored by The Pew Charitable Trusts, between 1994 and 2000—

(A) there was a 43 percent increase in the percentage of Americans who felt progress was being made in the war on drugs at the community level;

(B) only 9 percent of Americans say drug abuse is a ''crisis'' in their neighborhood, compared to 27 percent who say this about the nation; and

(C) the percentage of those who felt we lost ground in the war on drugs on a community level fell by more than a quarter, from 51 percent in 1994 to 37 percent in 2000.

(b) EXTENSION AND INCREASE OF PROGRAM.—Section 1024(a) of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1524(a)) is amended—

(1) by striking ''and'' at the end of paragraph (4); and

(2) by striking paragraph (5) and inserting the following new paragraphs:

''(5) $50,600,000 for fiscal year 2002;

''(6) $60,000,000 for fiscal year 2003;

''(7) $70,000,000 for fiscal year 2004;

''(8) $80,000,000 for fiscal year 2005;

''(9) $90,000,000 for fiscal year 2006; and

''(10) $99,000,000 for fiscal year 2007.''.

(c) EXTENSION OF LIMITATION ON ADMINISTRATIVE COSTS.—Section 1024(b) of that Act (21 U.S.C. 1524(b)) is amended by striking paragraph (5) and inserting the following new paragraph (5):

''(5) 6 percent for each of fiscal years 2002 through 2007.''.

(d) ADDITIONAL GRANTS.—Section 1032(b) of that Act (21 U.S.C. 1533(b)) is amended by adding at the end the following new paragraph (3):

''(3) ADDITIONAL GRANTS.—

''(A) IN GENERAL.—Subject to subparagraph (F), the Administrator may award an additional grant under this paragraph to an eligible coalition awarded a grant under paragraph (1) or (2) for any first fiscal year after the end of the 4-year period following the period of the initial grant under paragraph (1) or (2), as the case may be.

''(B) SCOPE OF GRANTS.—A coalition awarded a grant under paragraph (1) or (2), including a renewal grant under such paragraph, may not be awarded another grant under such paragraph, and is eligible for an additional grant under this section only under this paragraph.

''(C) NO PRIORITY FOR APPLICATIONS.—The Administrator may not afford a higher priority in the award of an additional grant under this paragraph than the Administrator would afford the applicant for the grant if the applicant were submitting an application for an initial grant under paragraph (1) or (2) rather than an application for a grant under this paragraph.

''(D) RENEWAL GRANTS.—Subject to subparagraph (F), the Administrator may award a renewal grant to a grant recipient under this paragraph for each of the fiscal years of the 4-fiscal-year period following the fiscal year for which the initial additional grant under subparagraph (A) is awarded in an amount not to exceed amounts as follows:

''(i) For the first and second fiscal years of that 4-fiscal-year period, the amount equal to 80 percent of the non-Federal funds, including in-kind contributions, raised by the coalition for the applicable fiscal year.

''(ii) For the third and fourth fiscal years of that 4-fiscal-year period, the amount equal to 67 percent of the non-Federal funds, including in-kind contributions, raised by the coalition for the applicable fiscal year.

''(E) SUSPENSION.—If a grant recipient under this paragraph fails to continue to meet the criteria specified in subsection (a), the Administrator may suspend the grant, after providing written notice to the grant recipient and an opportunity to appeal.

''(F) LIMITATION.—The amount of a grant award under this paragraph may not exceed $100,000 for a fiscal year.''.

(e) DATA COLLECTION AND DISSEMINATION.—Section 1033(b) of that Act (21 U.S.C. 1533(b)) is amended by adding at the end the following new paragraph:

''(3) CONSULTATION.—The Administrator shall carry out activities under this subsection in consultation with the Advisory Commission and the National Community Antidrug Coalition Institute.''.

(f) LIMITATION ON USE OF CERTAIN FUNDS FOR EVALUATION OF PROGRAM.—Section 1033(b) of that Act, as amended by subsection (e) of this section, is further amended by adding at the end the following new paragraph:

''(4) LIMITATION ON USE OF CERTAIN FUNDS FOR EVALUATION OF PROGRAM.—Amounts for activities under paragraph (2)(B) may not be derived from amounts under section 1024(a) except for amounts that are available under section 1024(b) for administrative costs.''.

(g) TREATMENT OF FUNDS FOR COALITIONS REPRESENTING CERTAIN ORGANIZATIONS.—Section 1032 of that Act (21 U.S.C. 1532) is further amended by adding at the end the following new subsection:

''(c) TREATMENT OF FUNDS FOR COALITIONS REPRESENTING CERTAIN ORGANIZATIONS.—Funds appropriated for the substance abuse activities of a coalition that includes a representative of the Bureau of Indian Affairs, the Indian Health Service, or a tribal government agency with expertise in the field of substance abuse may be counted as non-Federal funds raised by the coalition for purposes of this section.''.

(h) PRIORITY IN AWARDING GRANTS.—Section 1032 of that Act (21 U.S.C. 1532) is further amended by adding at the end the following new subsection:

''(d) PRIORITY IN AWARDING GRANTS.—In awarding grants under subsection (b)(1)(A)(i), priority shall be given to a coalition serving economically disadvantaged areas.''.

SEC. 2. SUPPLEMENTAL GRANTS FOR COALITION MENTORING ACTIVITIES UNDER DRUG-FREE COMMUNITIES SUPPORT PROGRAM.

Subchapter I of chapter 2 of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1531 et seq.) is amended by adding at the end the following new section:

''SEC. 1035. SUPPLEMENTAL GRANTS FOR COALITION MENTORING ACTIVITIES.

''(a) AUTHORITY TO MAKE GRANTS.—As part of the program established under section 1031, the Director may award an initial grant under this subsection, and renewal grants under subsection (f), to any coalition awarded a grant under section 1032 that meets the criteria specified in subsection (d) in order to fund coalition mentoring activities by such coalition in support of the program.

''(b) TREATMENT WITH OTHER GRANTS.—

''(1) SUPPLEMENT.—A grant awarded to a coalition under this section is in addition to any grant awarded to the coalition under section 1032.

''(2) REQUIREMENT FOR BASIC GRANT.—A coalition may not be awarded a grant under this section for a fiscal year unless the coalition was awarded a grant or renewal grant under section 1032(b) for that fiscal year.

''(c) APPLICATION.—A coalition seeking a grant under this section shall submit to the Administrator an application for the grant in such form and manner as the Administrator may require.

''(d) CRITERIA.—A coalition meets the criteria specified in this subsection if the coalition—

''(1) has been in existence for at least 5 years;

''(2) has achieved, by or through its own efforts, measurable results in the prevention and treatment of substance abuse among youth;

''(3) has staff or members willing to serve as mentors for persons seeking to start or expand the activities of other coalitions in the prevention and treatment of substance abuse;

''(4) has demonstrable support from some members of the community in which the coalition mentoring activities to be supported by the grant under this section are to be carried out; and

''(5) submits to the Administrator a detailed plan for the coalition mentoring activities to be supported by the grant under this section.

''(e) USE OF GRANT FUNDS.—A coalition awarded a grant under this section shall use the grant amount for mentoring activities to support and encourage the development of new, self-supporting community coalitions that are focused on the prevention and treatment of substance abuse in such new coalitions' communities. The mentoring coalition shall encourage such development in accordance with the plan submitted by the mentoring coalition under subsection (d)(5).

''(f) RENEWAL GRANTS.—The Administrator may make a renewal grant to any coalition awarded a grant under subsection (a), or a previous renewal grant under this subsection, if the coalition, at the time of application for such renewal grant—

''(1) continues to meet the criteria specified in subsection (d); and

''(2) has made demonstrable progress in the development of one or more new, self-supporting community coalitions that are focused on the prevention and treatment of substance abuse.

''(g) GRANT AMOUNTS.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), the total amount of grants awarded to a coalition under this section for a fiscal year may not exceed the amount of non-Federal funds raised by the coalition, including in-kind contributions, for that fiscal year. Funds appropriated for the substance abuse activities of a coalition that includes a representative of the Bureau of Indian Affairs, the Indian Health Service, or a tribal government agency with expertise in the field of substance abuse may be counted as non-Federal funds raised by the coalition.

''(2) INITIAL GRANTS.—The amount of the initial grant awarded to a coalition under subsection (a) may not exceed $75,000.

''(3) RENEWAL GRANTS.—The total amount of renewal grants awarded to a coalition under subsection (f) for any fiscal year may not exceed $75,000.

''(h) FISCAL YEAR LIMITATION ON AMOUNT AVAILABLE FOR GRANTS.—The total amount available for grants under this section, including renewal grants under subsection (f), in any fiscal year may not exceed the amount equal to five percent of the amount authorized to be appropriated by section 1024(a) for that fiscal year.

''(i) PRIORITY IN AWARDING INITIAL GRANTS.—In awarding initial grants under this section, priority shall be given to a coalition that expressly proposes to provide mentorship to a coalition or aspiring coalition serving economically disadvantaged areas.''.

SEC. 3. FIVE-YEAR EXTENSION OF ADVISORY COMMISSION ON DRUG-FREE COMMUNITIES.

Section 1048 of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1548) is amended by striking ''2002'' and inserting ''2007''.

SEC. 4. AUTHORIZATION FOR NATIONAL COMMUNITY ANTIDRUG COALITION INSTITUTE.

(a) IN GENERAL.—The Director of the Office of National Drug Control Policy may, using amounts authorized to be appropriated by subsection (d), make a grant to an eligible organization to provide for the establishment of a National Community Antidrug Coalition Institute.

(b) ELIGIBLE ORGANIZATIONS.—An organization eligible for the grant under subsection (a) is any national nonprofit organization that represents, provides technical assistance and training to, and has special expertise and broad, national-level experience in community antidrug coalitions under section 1032 of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1532).

(c) USE OF GRANT AMOUNT.—The organization receiving the grant under subsection (a) shall establish a National Community Antidrug Coalition Institute to—

(1) provide education, training, and technical assistance for coalition leaders and community teams, with emphasis on the development of coalitions serving economically disadvantaged areas;

(2) develop and disseminate evaluation tools, mechanisms, and measures to better assess and document coalition performance measures and outcomes; and

(3) bridge the gap between research and practice by translating knowledge from research into practical information.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for purposes of activities under this section, including the grant under subsection (a), amounts as follows:

(1) For each of fiscal years 2002 and 2003, $2,000,000.

(2) For each of fiscal years 2004 and 2005, $1,000,000.

(3) For each of fiscal years 2006 and 2007, $750,000.

SEC. 5. PROHIBITION AGAINST DUPLICATION OF EFFORT.

The Director of the Office of National Drug Control Policy shall ensure that the same or similar activities are not carried out, through the use of funds for administrative costs provided under subchapter II of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1521 et seq.) or funds provided under section 4 of this Act, by more than one recipient of such funds.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. SOUDER) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana (Mr. SOUDER).

GENERAL LEAVE

Mr. SOUDER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2291.

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

There was no objection.

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

Madam Speaker, it is appropriate and an honor that the first legislation we are to address upon our return is to fund community-based drug prevention programs. Nothing is tearing at the social fabric of our Nation like the abuse of illegal narcotics and alcohol.

Madam Speaker, the Drug-Free Communities Support Program Reauthorization Act is one of the cornerstones of our national strategy to reduce the demand for illegal drugs; and its reauthorization has strong bipartisan support, not only here in the House, but also in communities across the Nation.

The bill is also a priority for the Bush administration. The Drug-Free Communities Support Program, administered by the Office of National Drug Control Policy, works to prevent drug use among youth at the community level by providing Federal financial incentives for coalitions to join together at the local level to keep their children from using drugs.

This legislation will reauthorize the program for 5 years through fiscal year 2007 and improve the services provided to grantees in several important ways.

I would like to thank the primary House sponsors of this bill, the gentleman from Ohio (Mr. PORTMAN) and the gentleman from Michigan (Mr. LEVIN), as well as the primary Senate sponsors, Senator GRASSLEY and Senator BIDEN, for their bipartisan and bicameral leadership on this bill.

I would also like to thank the ranking member of the Subcommittee on Criminal Justice, Drug Policy and Human Resources, the gentleman from Maryland (Mr. CUMMINGS), for his work on the bill, and particularly for his efforts to ensure that drug-free communities' assistance reaches economically disadvantaged areas.

Madam Speaker, prevention and treatment is probably the most challenging area of our Nation's narcotic

strategy, largely because it remains so difficult to determine with certainty which strategies and programs work and which do not.

The Drug-Free Communities Support Program, however, is one of the few programs which have clearly had a meaningful impact on reducing drug abuse by our youth, and it deserves not only our strong support but also the significant increases in authorized funding which are provided in the bill.

The program today assists 307 communities in 49 States, from Ketchikan, Alaska to Kauai, Hawaii; from Old Town, Maine to Fort Lauderdale, Florida, and to San Juan, Puerto Rico, all of which raise the majority of their funds from the private sector rather than from government grants.

I would like to highlight two coalitions from my district with which I am very familiar: Drug-Free Noble County and the United Way of Allen County, both in northeast Indiana.

In Fort Wayne, multiple groups, including faith-based organizations, have joined together to help prevent usage of illegal narcotics. Drug-Free Noble County, under the commendable leadership of Judge Michael Kramer and Barry Humble, won national recognition for the excellence of his PRIDE program, which was supported by Drug-Free Communities Support funds.

Rural communities often do not have the resources to adequately address drug prevention issues, and the success of the Drug-Free Noble County program demonstrates how this program helps build meaningful partnerships between local grass roots coalitions and the Federal government in such rural and small town areas.

We also know that the Drug-Free Communities Support Program can make a meaningful difference from the results obtained by other coalitions nationwide. In Miami, the percentage of seniors who reported using marijuana dropped from over 22 percent in 1995 to 9 percent in 1997.

In San Antonio, the average age of first illegal drug use among teens increased from 9.4 years in 1992 to 13.5 years in 1997. In Nashville, school attendance and test scores rose measurably as a result of the efforts of the Nashville Prevention Partnership.

All of these successes support not only the reauthorization of the program, but also increased funding. This bill supports President Bush's request to increase the authorization from $43.5 million to $50.6 million in fiscal year 2002, accompanied by steady increases each year through fiscal year 2007.

This program has had steadily increasing interest from communities across the Nation looking for assistance with community anti-drug efforts. Our purpose in increasing the authorized funding in this bill was to ensure that adequate funds would be available for grants to deserving communities.

We have also encouraged ONDCP, as well as our oversight committee, to conduct careful evaluation and oversight to ensure that the increased funding does not dilute the recognized quality of drug-free communities support programs or coalitions.

The bill also provides for several improvements to the Drug-Free Communities Support Program over the next 5 years, each of which is aimed at improving the quality of services to be offered to grantees and local coalitions.

First, we have provided for additional grants to be made available to successful coalitions for the purpose of mentoring prospective new coalitions. The program was always intended as one which would foster grass roots antidrug activity and interaction, and I believe that this new provision will work to achieve that goal.

Also, experience has shown that successful coalitions have already been enlisted to help others in neighboring areas build their own program. It is not fair to ask the taxpayers of those areas to bear the cost for others. I believe that Federal assistance is appropriate.

Second, the bill provides for the creation and modest funding to initially support a new Community Antidrug Coalitions Institute to act as a national clearinghouse for technical assistance and training to be provided to local coalitions.

Just as with the grants to the coalitions themselves, the institute is eventually intended to be financed entirely by the private sector. Given the significant increase in the prospective number of coalitions, the committee believed that the creation of the institute was a good and prudent step to ensure the continued quality and effectiveness of the work of the drug-free communities participants.

I would finally like to highlight a couple of additional issues which were addressed in the subcommittee and full committee and are reflected in the reported bill which is the committee amendment under consideration this afternoon.

First, although each of the new entities we are creating to assist grantees is needed and appropriate, it is important to ensure that there is no duplication of effort among the several entities that will now be providing assistance, and the committee amendment directs ONDCP to take steps to prevent such duplication.

Second, the subcommittee has reduced the proposed increase in the current 3 percent statuary cap for administrative expenses from 8 percent down to 6 percent. An analysis of this issue is available in the committee's report. We wanted to ensure, however, that the maximum possible amount of funding in fact is to go to community coalitions.

I very much appreciate the willingness of the bill's sponsors to work with us on this issue.

Third, the committee bill includes an amendment offered by the gentleman from Maryland (Mr. CUMMINGS), which I supported, to ensure that drug-free communities assistance is targeted to economically disadvantaged areas.

Finally, I would like to thank the gentleman from Indiana (Mr. BURTON), the chairman, and the gentleman from Louisiana (Chairman TAUZIN), of the Committee on Energy and Commerce, for working with us to move this bill quickly to the floor.

Madam Speaker, I include for the RECORD an exchange of correspondence regarding the jurisdiction of the Committee on Energy and Commerce.

The material referred to is as follows:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, July 30, 2001.

Hon. DAN BURTON,
Chairman, Committee on Government Reform,
Rayburn House Office Building,
Washington, DC.

DEAR CHAIRMAN BURTON: I am writing with regard to H.R. 2291, which the Committee on Government Reform ordered reported on July 25, 2001. The Committee on Energy and Commerce was named as an additional Committee of jurisdiction upon the bill's introduction.

I recognize your desire to bring this bill before the House in an expeditious manner. Accordingly, I will not exercise the Committee's right to exercise its referral. By agreeing to waive its consideration of the bill, however, the Energy and Commerce Committee does not waive its jurisdiction over H.R. 2291. In addition, the Energy and Commerce Committee reserves its authority to seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this or similar legislation. I ask for your commitment to support any request by the Energy and Commerce Committee for conferees on H.R. 2291 or similar legislation.

I request that you include this letter as a part of the Committee's report on H.R. 2291 and in the Congressional Record during debate on its provisions. Thank you for your attention to these matters.

Sincerely,

W.J. ''BILLY'' TAUZIN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC, July 30, 2001.

Hon. W.J. ''BILLY'' TAUZIN,
Chairman, Committee on Energy and Commerce,
Rayburn House Office Building,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter of July 30, 2001, regarding H.R. 2291, a bill to extend the authorization of the Drug-Free Communities Support Program.

I agree that the Committee on Energy and Commerce has valid jurisdictional claims to certain provisions of this legislation, and I appreciate your decision not to exercise your referral in the interest of expediting consideration of the bill. I agree that by foregoing your right to consider this legislation, the Committee on Energy and Commerce is not waiving its jurisdiction. I will also support your Committee's request to seek conferees on provisions of the bill that fall within your jurisdiction, should the bill go to a House-Senate conference. Further, as you requested, this exchange of letters will be included in the Committee report on the bill and in the Congressional Record as part of the floor debate.

Thank you for your cooperation in this matter.

Sincerely,

DAN BURTON,
Chairman.

Madam Speaker, the Drug-Free Communities Act is one of the most successful demand reduction programs and

has had a meaningful impact on local communities across the country. I strongly support its reauthorization and urge my colleagues to support the bill.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, as the ranking minority member of the Subcommittee on Criminal Justice, Drug Policy, and Human Resources, it gives me great pleasure to express my wholehearted support of H.R. 2291, which authorizes the highly successful and highly popular Drug-Free Communities Support Program for an additional 5 years.

From its original enactment in 1997, the Drug-Free Communities Act has enjoyed remarkable bipartisan support in Congress. The concept of providing direct matching grants and technical assistance to community-based coalitions with a demonstrated will and capacity to combat substance abuse has broad appeal to Members on both sides of the aisle.

Communities across the country have rallied to the challenge by making a long-term commitment to fighting substance abuse through broad-based community anti-drug coalitions. The Drug-Free Communities Support Program is unique and important because it recognizes that substance abuse does not just affect individual users and their loved ones. Substance abuse has a cumulative impact on communities in every aspect of community life.

No one has a better reason or incentive to fight the spread of substance abuse than the people who live, work, and serve in those communities.

The Drug-Free Communities Support Program reinforces this inherent incentive, encouraging all sectors of a community to coalesce at the grass roots level around the objective of substance abuse prevention and anti-drug education. The bill before us both renews and amplifies our commitment to this approach.

H.R. 2291 reflects a great deal of time and effort put forth by the bill's authors, the gentleman from Ohio (Mr. PORTMAN) and the gentleman from Michigan (Mr. LEVIN), and Senators GRASSLEY and BIDEN, who have worked hand-in-hand with the Office of National Drug Control Policy, the Office of Juvenile Justice and Delinquency Prevention, and the Community Anti-drug Coalitions of America to produce a bill that, like the original Drug-Free Communities Act, deserves the support of all Members in this body.

Their collective efforts have given us a bill that not only provides for a 5-year extension of the existing Drug-Free Communities-based Grant Program, but also significantly increases the funding levels for the program in fiscal year 2002 and in each of the out-years.

The gentleman from Indiana (Mr. SOUDER) must be congratulated for his efforts in making this a priority of our subcommittee; and I do appreciate, and I know our entire committee and this Congress appreciates, the bipartisan spirit in which he led us through the process of bringing this bill.

□ 1430

As we put it out of committee, moreover, the bill incorporates an amendment by the gentleman from Illinois (Mr. DAVIS), a fellow member of the Subcommittee on Criminal Justice, that further augments the authorization levels for fiscal years 2005, 2006, and 2007.

Increasing the authorization levels will afford us the flexibility to allow the program to expand, to meet greater-than-expected demands should that circumstance arise. Apart from providing for additional grant money, H.R. 2291 also augments the existing grant program in three very important ways. First, it authorizes coalitions that have completed the 5-year funding cycle to apply immediately for renewal grants subject to an increased match requirement. Second, it creates a new supplemental mentoring program to enable mature coalitions to mentor young and emerging ones. Third, it provides an additional $2 million to establish a national community anti-drug coalition institute for the purpose of stimulating new coalition activity and disseminating state-of-the-art research and technical assistance to coalitions nationally.

In my view, Madam Speaker, the goals of providing mentoring support to emerging coalitions and stimulating new coalition activity are especially important because, in spite of the program's success to date, not all communities affected by the problems of substance abuse have been able to participate in a drug-free community support program. Indeed, even while the increased funding levels in H.R. 2291 will enable more eligible coalitions to participate, more money alone will not undo the hard truth described in the timeless song, ''God Bless the Child.'' ''Them that's got shall have. Them that's not shall lose.''

Sadly, Madam Speaker, that poignant lyric aptly describes the tragic plight of many economically disadvantaged communities that are in the most desperate need of assistance in their fight against the dreadful menace of substance abuse.

A case in point is my own district in Baltimore City. Few, if any, areas in the Nation have been as severely affected by the scourge of drugs as some of the neighborhoods that I represent in Baltimore. Yet despite serious efforts to establish and maintain a community anti-drug coalition capable of qualifying for a drug-free communities matching grant, no funding has yet been awarded to a coalition in the Baltimore area.

At the same time, Madam Speaker, it is plainly ironic and clearly problematic from a public policy standpoint that the very devastation caused by substance abuse also places communities like Baltimore City at serious disadvantage when it comes to qualifying for matching grants. I tell my colleagues firsthand that the lack of drug-free communities coalition in Baltimore City is by no meanings a function of insufficient will. Fundamentally, it is a question of resources.

We must find a way to enable disadvantaged communities to exercise their will to make their neighborhoods and keep their young children drug-free. An amendment that I authored during the mark up of H.R. 2291 in the Subcommittee on Criminal Justice, Drug Policy and Human Resources seeks to address this problem. Quite simply, its provisions amend the original bill to target base grants, supplemental mentoring grants, and institute support to coalitions that seek to serve economically disadvantaged areas.

By giving priorities to such coalitions, economically depressed areas such as my own district in Baltimore City can begin to reap the benefits that the drug-free community support program is providing already to hundreds of communities across this great Nation.

In closing, Madam Speaker, I wanted to congratulate the bill's authors for their hard work. I also thank the Chairman of the Subcommittee on Criminal Justice, Drug Police and Human Resources, the gentleman from Indiana (Mr. SOUDER), for his support of H.R. 2291 and for assisting with my amendment.

I look forward to our moving H.R. 2291 a step closer to enactment today. I urge all of my colleagues to vote in favor of this very, very important and effective legislation.

Madam Speaker, I reserve the balance of my time.

Mr. SOUDER. Madam Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. PORTMAN) whose efforts in Cincinnati were an early model for this and who, without his persistence at a time when Congress was not adapting too many new programs, managed to move this bill through and is really the father of this legislation.

Mr. PORTMAN. Madam Speaker, I thank the gentleman for yielding me time and for his strong support of this program.

I rise in strong support of H.R. 2291, legislation introduced with the gentleman from Michigan (Mr. LEVIN) to reauthorize the Drug-free Communities Act. This legislation is both bipartisan and bicameral. We have worked very closely with Senator GRASSLEY and Senator BIDEN to draft this reauthorization. I would like to thank and credit all of them for their efforts in bringing this consensus bill to the floor today.

Madam Speaker, I would like to commend the gentleman from Indiana (Mr.

SOUDER) and the gentleman from Maryland (Mr. CUMMINGS) of the Subcommittee on Criminal Justice, Drug Policy and Human Resources for their strong personal commitment to reducing substance abuse in their communities and around this country. They bring a lot of knowledge and passion to this issue, also for their good work to improve this legislation as it worked through the process. I would like to thank the gentleman from Indiana (Mr. BURTON) and the gentleman from California (Mr. WAXMAN) to not just improve the legislation, but to move it expeditiously through the subcommittee and through the committee and also to achieve a waiver from another important committee of this Congress to get this to the floor today.

Madam Speaker, almost every American family has felt the pain of substance abuse. We are here to talk about a very positive, proactive approach to lessening that pain. The Drug-free Communities Act is an innovative program first established in 1997. It establishes a matching grant program to support and encourage local communities that have shown that they have a comprehensive, long-term commitment to reducing substance abuse among young people. The grants which have to be matched dollar for dollar with non-Federal resources, have now been awarded directly to 307 of these community coalitions in 49 States, the District of Columbia, Puerto Rico and the Virgin Islands.

The drug-fee communities act takes a very different approach than this Congress has taken in the past on the so-called war on drugs. Instead of trading new Federal bureaucracies, instead of looking for solutions outside of our borders, this legislation and program deals directly with local coalitions working to reduce the demand for drugs in communities through effective education and prevention. And it is working.

Coalitions are successful because they devise prevention strategies and methods specific to the communities and because they are inclusive, involving all of those who influence a young person's decisions.

In his Rose Garden speech announcing the new nominee for ONDCP director, the President made the point well that the most effective way to reduce the supply of drugs to America is to dry up the demand. He specifically mentioned the Drug-free Communities Act as an effective tool to achieve demand reduction.

I am pleased to say that these community-based coalitions around the country are making real progress. In my own community in Cincinnati, the coalition for drug-free Greater Cincinnati has now trained over 6,000 parents in how to talk to their children about drugs and have launched a new program to reach even more parents. We have partnered with local TV, radio and print media to implement one of the most aggressive anti-drug media campaigns in the country. Last year alone, over $1 million of free public-service time was donated to our effort.

We also fielded the most comprehensive drug use survey ever done in our area to make sure our efforts are truly targeted. Our own survey shows there is a very strong correlation between the number of ads our teens see, these public-service ads, and their choice to remain substance free. We have also spearheaded the faith community initiative which has trained over 100 local congregations to implement substance abuse prevention programs in their churches, mosques and synagogues.

Our student Congress now involves young people from over 25 junior and senior high schools. They are ambassadors who go back to their schools and promote Teen Institute and other good programs in the schools at the peer level. Our drug-free work-place task force has led to over 100 new certified drug-free work places in our area alone.

These are the types of efforts, Madam Speaker, this legislation can help spread throughout our Nation.

H.R. 2291 continues funding for the Drug-Free Communities Act through fiscal year 2007. It also authorizes a new national anti-drug coalition institute which provides needed education, training and technical assistance to coalitions. The institute will be vital, I believe, in developing and disseminating evaluation and testing mechanisms to assist coalitions in the very important and sometimes overlooked area of measuring and assessing our performance in the area of prevention.

The ultimate goal of the Drug-free Communities Act is to get as much bang for the buck as possible and to send dollars and assistance directly into community efforts with a minimal amount being spent on administrative expenses. I am thus pleased that the bill continues to cap administrative costs at a modest level, although some adjustments were made that I think were probably necessary.

It is important to keep in mind that the Drug-free Communities Act was intended to be a catalyst for communities and not a steady stream of funding to cover coalition operating expenses. Therefore, coalitions must start over and reapply for drug-free community grants after an initial 5-year period and must match 125 percent of any new grants, not just 100 percent. Thereafter, it goes up to a 150 percent march. This in effect will encourage coalitions to grow their programs and become less reliant on Federal dollars.

Madam Speaker, some of our larger, more successful coalitions spend a lot of time sharing information and practices with smaller, sometimes-struggling coalitions. That, and trying to get off the ground by these smaller coalitions, is a real struggle.

I am pleased this bill acknowledges this and builds on it. H.R. 2291 includes an optional $75,000 supplemental to the drug-free communities grant application that would foster mentoring among these coalitions. These grants are meant to supercede the basic drug-free communities grant program, and only those meeting very strict criteria will be eligible to be mentors. By the way, this is capped at 5 percent of the total funding.

The bill also includes language suggested by the gentleman from Maryland (Mr. CUMMINGS) that will ensure that economically depressed areas will continue to be served by the drug-free communities program. We talked about that a moment ago. Specifically, that will be helpful when it comes to mentoring. I applaud the gentleman for his efforts in this area.

In conclusion, Madam Speaker, I want to thank once again the gentleman from Indiana (Mr. BURTON), the gentleman from Indiana (Mr. SOUDER), the gentleman from California (Mr. WAXMAN), the gentleman from Maryland (Mr. CUMMINGS), Senator GRASSLEY and Senator BIDEN, and of course my partner in this, the gentleman from Michigan (Mr. LEVIN), for crafting a bill that will continue to redo the demand for drugs in America through what we know works. I urge my colleagues to join us in supporting the continuation of this effective approach to substance abuse.

Mr. CUMMINGS. Madam Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Madam Speaker, I begin by thanking the sponsors of this legislation, the gentleman from Ohio (Mr. PORTMAN) and the gentleman from Michigan (Mr. LEVIN), for their leadership on this very critical issue.

I am very pleased today to rise in support of this legislation because it truly has bipartisan support.

H.R. 2291, the Drug-free Communities Support Program Reauthorization Act, address one of the most serious problems we have in America today, the scourge of drug use and drug abuse. Unfortunately, many of our efforts in the war against drugs have been very disappointing. Fortunately, however, this program is a notable expect. It focus on two very important elements: first, it focuses on children, early intervention to prevent young people from getting involved in drugs, prevent young people from developing the drug habit. Second and critically and we have heard talk about this today, it focuses on local communities. Not all the knowledge resides here in Washington. And it is very important that we allow local communities, coalitions to come together to provide solutions that make sense in their neighborhoods.

At the heart of this program are grants to broad-based local coalition groups composed of representatives of children, parents, businesses, the media, law enforcement, religious and other civic groups, health care professionals and others all working together to combat drug abuse in their communities.

In my own district, an organization called the Community Services Coalition receives Federal funds which they match to serve these useful purposes. According to the project director, the program has identified some of the risk factors that lead to drug abuse and drug use. It has been a benefit not just to the individuals who are affected but also to their families and to the larger community. The grant helps identify successful programs and also helps identify gaps in services because sometimes our intentions do not meet our efforts. We also need to identify areas which require further monitoring.

Madam Speaker, I think this program is an excellent program. I am very pleased to support it on a bipartisan basis.

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

□ 1445

Mr. CUMMINGS. Madam Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. LEVIN), a cosponsor of this legislation.

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

Mr. LEVIN. Madam Speaker, this program is rooted in real local experience. About 5 years ago the gentleman from Ohio (Mr. PORTMAN) and I were preparing notes. We told each other how successful our efforts were in our local communities. In.

My case, one community in particular, where there had been a coalition which had brought together a very diverse group of people from law enforcement, from schools, elected officials, from the religious community, businessmen, parents and students, we asked ourselves in this battle against substance abuse if these were examples of success in Cincinnati and in my case in Troy, Michigan, how could we spread this success throughout the country. So it was the local experience that was the germination of this idea and which led with the help of so many others to the 1997 law.

Madam Speaker, I would like to thank the gentleman from Maryland (Mr. CUMMINGS) and the gentleman from Indiana (Mr. SOUDER) for working with us in taking this program farther down the road because now, instead of a few coalitions, there are over 300, well over 300, which have been supported with seed money, as the gentleman from Ohio (Mr. PORTMAN) indicated.

This is not an effort to give people or coalitions or groups money and then they use that money; they have to use their own resources, their own talents, their own imagination. This is seed money.

So now, while 10 years ago there was one coalition in the district I represent, now there are seven, plus two umbrella organizations. We have learned from this experience, and the gentleman from Indiana and the gentleman from Maryland and the gentleman from Ohio have enumerated that.

We have expanded the authorization levels and we have encouraged self-sufficiency by making sure if there is a further grant, there is additional match. We have also made sure that there is a mentoring program here so that successful entities can parent those that are in their infancy.

Madam Speaker, as mentioned, we have added a new idea, a training and technical assistance institute. I also want to congratulate the gentleman from Maryland (Mr. CUMMINGS) or say a word about that because it is so important that this effort spread in those communities, often so much in need where there is not perhaps the immediate access to resources, receive the support that is necessary. So the amendment of the gentleman from Maryland (Mr. CUMMINGS) is an important amendment.

Let me just close by saying, we all know there is no magic wand to this effort against drug abuse. We all know there is no single answer. We all know that we have to strive to find the answers. We owe it to our children, to our grandchildren, to our friends, to people of all ages at all places, in all circumstances. This is an effort to say to the country, this Congress is serious.

We extend a hand. We extend some resources. Ultimately the job is up to the community. So far so good; and we hope with the help of this program there will be more good efforts in this country to tackle this continuing serious problem, drug abuse.

Mr. CUMMINGS. Madam Speaker, I yield 2 minutes to the gentlewoman from the District of Columbia (Ms. NORTON), who has been at the forefront of this fight.

Ms. NORTON. Madam Speaker, I thank the gentleman for yielding me this time, and I thank the gentleman for his excellent bipartisan work with the gentleman from Indiana (Mr. SOUDER) on this important bill which sailed through the Committee on Government Reform, on its merits, for good reason.

Madam Speaker, I am indebted to the gentleman from Michigan (Mr. LEVIN) and the gentleman from Ohio (Mr. PORTMAN) for taking a good idea and nationalizing it. This bill deals with alcohol abuse, drug abuse, tobacco abuse, and researchers know, perhaps it is in the biology of young people, to get a person hooked, get them hooked when they are young. So it is impossible to overemphasize the importance of reaching people early.

This is an extraordinary bill for the way it leverages almost nothing. It essentially goes into communities and says, here is a little bit of money, let the community do it. What we are doing here with these grants is to say that communities can do far more cheaply and devotedly what it takes a lot more professionals to do if we do not get in there early.

I want to mention a grant that we have in the District of Columbia. We have only one; it is a $100,000 grant. The grants are very competitive. The grant in the District of Columbia is an example of what the faith-based community can do. We have an enormously controversial faith-based bill here, full of constitutional traps, discriminatory patterns.

But look at what the D.C. Community Prevention Partnership is doing with none of that controversy. It increases awareness of faith-based institutions and effective prevention principles.

So take the churches and the faith-based organizations and teach them about the principles, and the churches will do the rest. It also links community-based youth-serving organizations with neighborhood faith-based institutions. Again, none of the controversy, but leveraging faith-based institutions.

Madam Speaker, I congratulate Members on their authorship of this bill.

Mr. CUMMINGS. Madam Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. DAVIS), who sits on the Subcommittee on Criminal Justice, Drug Policy and Human Resources, and was very instrumental in making sure that this legislation was appropriately amended.

Mr. DAVIS of Illinois. Madam Speaker, I rise today in support of H.R. 2291, the Drug-Free Communities Support Program reauthorization. I also commend the sponsors, the gentleman from Ohio (Mr. PORTMAN) and the gentleman from Michigan (Mr. LEVIN). I also commend the gentleman from Indiana (Mr. SOUDER) and the gentleman from Maryland (Mr. CUMMINGS) for their cooperation in moving this legislation to the floor.

Madam Speaker, I also acknowledge and thank the recently appointed drug czar, former Representative Hutchinson, for visiting with me to discuss these issues back at home in Illinois.

I am pleased to support the reauthorization of this vital program because it goes a long way towards reducing drug use in our communities.

All of us are aware of the tremendous drug use problems. We are aware of the fact that even young people today are beginning to use habit-forming drugs at an early age. When we talk about getting a bang for the buck or getting the most for the dollars that we spend, what we are really doing is taking a little bit of money, no more than $100,000, but we are empowering large numbers of people to become engaged, to become involved, to interact with each other, to discuss issues, to find ways to combat a problem.

Madam Speaker, I suggest this is one of the most effective utilizations of small amounts of money that we could ever have. I thank the Committee on Government Reform for accepting my amendment. I thank the chairman and ranking member for their tremendous leadership in moving this legislation.

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

Madam Speaker, in closing, not long after we held a hearing on this legislation, Judge Michael Kramer of Noble County, Indiana, sent me a note. He testified at our hearing. He talked about how he had to step out of the role as a judge and do things in the community, to do some prevention-type things because he had seen so much pain come before him. One of the things that he said in his note was he said, we have been doing a pretty good job, and he happens to be from the district of the gentleman from Indiana (Mr. SOUDER), and we want to share what we are doing with people in Baltimore and other areas.

Going back to what the gentleman from Illinois (Mr. DAVIS) talked about, the whole idea of people working together to address this problem, here was a wonderful judge in, I am sure, a rural area of our country extending his hand to help us out in the City of Baltimore. The fact is that this is what this is all about: trying to give people an opportunity to affect their lives, to be empowered in their own community and take control of situations.

Madam Speaker, as I listened to the many witnesses that came before us, it was clear that there are so many people that want to do something, and they have two problems: One, they need a limited amount of resources; two, a lot of times they need somebody to help them, to show them how to do what they have to do. This legislation addresses both of those issues very effectively.

As I said in the Committee on Government Reform, and I will say it no matter where I go, out of the many things that I have been a part of in this Congress, this is one of the most important things. One of the things that this legislation does, Madam Speaker, is clearly it saves a lot of lives and it saves a lot of pain. So I am very, very pleased to urge this House to support this legislation unanimously.

Madam Speaker, I thank the gentleman from Michigan (Mr. LEVIN) and the gentleman from Ohio (Mr. PORTMAN) and the gentleman from Indiana (Mr. SOUDER) and the ranking member for all of their support for getting this legislation to the floor. I urge that we adopt this legislation.

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

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

Madam Speaker, this is a worldwide battle. It is not a battle just in the United States. Yesterday five Colombian national police were painfully gassed in police headquarters in large part because of a war caused in Colombia because of American drug consumption.

Last week some Members were in Venezuela at the Andean parliament session to discuss antinarcotics efforts in the Andean nations where most of our cocaine and heroin comes from. As they look at creative ways to reduce the amount of poppy and coca that is grown, as they look for ways to reduce the consumption in their area, what we do in America has a direct impact on South America and Central America.

Madam Speaker, we went up to Pucalpa and we saw in the Amazonian jungle fires coming up throughout this national park as peasants stripped the woods along the Amazon basin in order to plant more coca for American consumption.

While Plan Colombia is important and the Andean Initiative is important, and law enforcement efforts are important and interdiction efforts are important, the fact is, unless we concentrate more aggressively on prevention and treatment in America where the demand begins, we cannot make any other program work. The demand is beginning here, and this bill is the anchor of our Federal prevention efforts in America. This is a desperate battle we cannot afford to lose.

Mr. GILMAN. Madam Speaker, I rise today in strong support of H.R. 2291, the Reauthorization of the Drug Free Communities Act (DFCA). I want to commend my colleague, Representative PORTMAN, for introducing this important legislation.

This program is a major component of our national demand reduction strategy. Over the last five years, through its program of distributing grants to community organizations, the DFCA has demonstrated itself to be a resounding success.

This success is due in part to the nature of the grant recipients, various anti-drug coalitions. These coalitions are community groups containing representatives of youth, parents, private industry, media and press, law enforcement, health care professionals and religious and civic leaders working together to provide a cohesive, effective anti-drug message and strategy.

H.R. 2219 reauthorizes the (DFCA) for an additional five years, and increases its overall funding levels by $10 million each year. Prior awardees would be able to apply for new grants, in addition to being eligible for ''mentoring grants'' in order to assist new coalitions with their initial start-up efforts.

Madam Speaker, the threat posed by illegal drugs is one of the largest national security threats facing our nation.

In addition to costs associated with supply and demand reduction, drug use costs our nation billions each year in health care expenses and lost productivity. Moreover, it also has intangible costs in terms of broken families and destroyed lives.

Our children are on the front lines as victims of the drug war. They are the primary target of both the drug producers and the sellers. The (DFCA) has a proven track record of success in reducing demand for drugs among our younger population. Given that today's adolescents are potentially the addicts of tomorrow, I wholeheartedly support extending and expanding a Federal program that has demonstrated past success in our war on drugs.

Accordingly, I urge my colleagues to give this bipartisan bill their wholehearted support.

Mr. HOLT. Madam Speaker, substance abuse is one of our Nation's most pervasive problems. It is a disease that does not discriminate on the basis of age, gender, socioeconomic status, race or creed. And while we tend to stereotype drug abuse as an urban problem, the steadily growing number of heroin and methamphetamine addicts in rural villages and suburban towns shows that is simply not the case.

We have nearly 15 million drug users in this country, 4 million of whom are hard-core addicts. We all know someone—a family member, neighbor, colleague or friend—who has become addicted to drugs or alcohol although we may be unaware. And we are all affected by the undeniable correlation between substance abuse and crime—an overwhelming 80 percent of the 2 million men and women behind bars today have a history of drug and alcohol abuse or addiction or were arrested for a drug-related crime.

All of this comes at a hefty price. Drug abuse and addiction cost this Nation $110 billion in law enforcement and other criminal justice expenses, medical bills, lost earnings and other costs each year. Illegal drugs are responsible for thousands of deaths each year and for the spread of a number of communicable diseases, including AIDS and Hepatitis C. And a study by the National Center on Addiction and Substance Abuse at Columbia University (CASA) shows that 7 out of 10 cases of child abuse and neglect are caused or exacerbated by substance abuse and addiction.

Another CASA study recently revealed that for each dollar that States spend on substance-abuse related programs, 96 cents goes to dealing with the consequences of substance abuse and only 4 cents to preventing and treating it. Investing more in prevention and treatment is cost-effective because it will decrease much of the street crime, child abuse, domestic violence, and other social ills that can result from substance abuse.

If we can get kids through age 21 without smoking, abusing alcohol, or using drugs, they are unlikely to have a substance abuse problem in the future. But there are still those who shrug their shoulders and say ''kids are kids—they are going to experiment.'' Others find the thought of keeping kids drug-free too daunting a task, and they give up too soon.

But the truth is that we are learning more and more about drug prevention as researchers isolate the so-called ''risk'' and ''protective'' factors for drug use. In other words, we now know that if a child has low self-esteem or emotional problems; has a substance abuser for a parent; is a victim of child abuse; or is exposed to pro-drug media messages, that child is at a higher risk of smoking, drinking and using illegal drugs. But the good news is that we are also learning what decreases a child's risk of substance abuse.

The Drug Free Communities program allows coalitions to put prevention research into action in cities and towns nationwide by funding initiatives tailored to a community's individual needs. It currently funds more than 300 community coalitions across the country that work to reduce drug, alcohol, and tobacco use.

And they are making a difference, which is just one of the reasons that I am proud to support this important bill reauthorizing the program.

Drug abuse plagues the entire community. We all feel the consequences—crime, homelessness, domestic violence, child abuse, despair—and we all need to do something about it. Prevention messages must come from all sectors of the community, from a number of

different voices. Coalitions bring those groups together, give them information they need, help develop programs that work, and nurture them to success.

I believe that the Drug Free Communities program is a powerful prevention initiative and I urge my colleagues to support its reauthorization.

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

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The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Indiana (Mr. SOUDER) that the House suspend the rules and pass the bill, H.R. 2291, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

SENSE OF HOUSE REGARDING ESTABLISHMENT OF SUMMER EMERGENCY BLOOD DONOR MONTH

Mr. SOUDER. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res 202) expressing the sense of the House of Representatives regarding the establishment of a Summer Emergency Blood Donor Month to encourage eligible donors in the United States to donate blood, as amended.

The Clerk read as follows:

H. RES. 202

Whereas every 3 seconds someone in the United States needs a blood transfusion;

Whereas approximately 32,000 pints of blood are used each day in the United States;

Whereas donated blood is used for transfusions of platelets, red blood cells, and plasma;

Whereas between 5 and 8 pints of red blood cells and approximately 5 pints of platelets are needed for the average open-heart surgery;

Whereas people who have been in car accidents and suffered massive blood loss may require transfusions of 50 pints or more of red blood cells;

Whereas blood centers are often in short supply of type O and type B blood;

Whereas shortages of type O and type B blood are most acute during the summer and during traditional vacation periods during the winter;

Whereas blood shortages can result in canceled surgeries, emergency room closures, and even death;

Whereas the Southeastern United States was in short supply of blood for transfusions before being hit by tropical storm Allison and is now experiencing a blood shortage crisis;

Whereas other States are donating blood from their own fragile blood supplies to the States that were hit hardest by tropical storm Allison;

Whereas the State of New York is experiencing a blood shortage crisis;

Whereas eligible donors in the State of New York are less than half as likely as other eligible donors in the United States to donate blood;

Whereas due to higher rates of cancer and other factors, the demand for blood in New York is higher than in other States;

Whereas the State of New York and the entire United States would benefit from increased blood donation;

Whereas the establishment of a Summer Emergency Blood Donor Season would encourage eligible donors in the United States to donate blood; and

Whereas the summer of 2001 would be an appropriate season to establish as Summer Emergency Blood Donor Season: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) a Summer Emergency Blood Donor Season should be established to encourage eligible donors in the United States to donate blood; and

(2) the President should issue a proclamation calling on the people of the United States to observe the summer of 2001 with appropriate programs and activities, including, in the case of eligible donors, the donation of blood.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. SOUDER) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana (Mr. SOUDER).

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

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

Mr. SOUDER. Madam Speaker, House Resolution 202 expresses the sense of Congress that the President should establish a Summer Emergency Blood Donor Month to encourage eligible donors in the United States to donate blood. Although we just celebrated Labor Day, which is the traditional end of summer, the health care system continues to experience a shortage of blood donors. This resolution expresses the support of Congress to encourage blood donors to help their families and neighbors in times of need and will hopefully serve to increase public awareness of this issue.

I thank the principal sponsors of this resolution, the gentlewoman from New York (Mrs. MCCARTHY) and the gentleman from New York (Mr. KING), for their work on this resolution, which I support.

Madam Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Madam Speaker, I yield myself such time as I may consume.

Since 1970, the President of the United States has proclaimed January as National Volunteer Blood Donor Month, highlighting the importance of giving the gift of life through the donation of blood. House Resolution 202 will continue to help raise the public's awareness about blood donation by establishing a Summer Emergency Blood Donor Month.

Every 3 seconds, someone needs blood. Each day, patients across the country receive approximately 32,000 units of this vital resource. This year alone, as many as 4 million patients will require blood transfusions, as accident victims, people undergoing surgery and patients receiving treatment for leukemia, cancer and other diseases. By donating blood just once, each of us can save up to three lives. Too many Americans wait until they need blood before they truly realize the importance of volunteer blood donation. Sixty percent of the U.S. population is eligible to donate blood, but only 5 percent do so. While women and minority groups are volunteering to donate blood in increasing numbers, the 5 percent who donate blood are generally college-educated white males between the ages of 30 and 50 who are married and have an above-average income.

The gentlewoman from New York (Mrs. MCCARTHY) should be commended for raising all Americans' awareness about the importance of donating blood and giving the gift of life. Blood donations are most needed during holidays and in the summer. It is during the holidays and summer that the number of donations decline while the demand continues or even increases. This resolution will go a long way in addressing the Nation's need for blood during this critical period.

I have always been told, Madam Speaker, that you cannot lead where you do not go and you cannot teach what you do not know. So I am pleased to note that each year at some point in time I find some way to go to a blood donor organization, get on the couch, get on the table, have my blood pressure taken and give blood, even if I have got some reservation or hesitation.

Again I want to commend the gentlewoman from New York (Mrs. MCCARTHY) and the gentleman from New York (Mr. KING) and urge all Members of this body to enthusiastically support this resolution.

Madam Speaker, I reserve the balance of my time.

Mr. SOUDER. Madam Speaker, I yield 1 minute to the gentleman from New York (Mr. KING), the principal cosponsor.

Mr. KING. Madam Speaker, I thank the gentleman from Indiana for yielding time. I rise in strong support of House Resolution 202.

At the outset, let me thank the gentleman from Indiana for bringing this bill to the floor and moving it along. I also want to pay a special debt of thanks to the gentlewoman from New York (Mrs. MCCARTHY) for the effort and the leadership she has shown in this issue as she has on so many other health-related issues.

Madam Speaker, the gentleman from Illinois really laid out the case. The reality is that every 3 seconds somebody needs a transfusion. Thirty-two thousand pints of blood are needed every

day. Yet as the demand goes up, the supply is going down. It is essential that the Federal Government play a leadership role. One way to do that, one very noted way of doing that is to set aside a month during the summer season, to set aside the summer season as the time when donation will be urged, encouraged. This is the time when the demand is at its greatest.

That is why I am again proud to stand in support of House Resolution 202. It deserves the unanimous support of this body. I thank the gentleman from Indiana, as I said. I thank the gentlewoman from Long Island, New York (Mrs. MCCARTHY) for the leadership she has shown on this issue.

Mr. DAVIS of Illinois. Madam Speaker, I yield such time as she may consume to the gentlewoman from New York (Mrs. MCCARTHY), the author of this legislation and one of the more sensitive Members of this body in relationship to human needs.

Mrs. MCCARTHY of New York. Madam Speaker, I want to thank the gentleman from Indiana (Mr. BURTON) and the gentleman from California (Mr. WAXMAN) of the Committee on Government Reform for allowing this resolution to come to the floor so rapidly. I want to certainly thank my good friend from Long Island, New York (Mr. KING) for helping me on this issue. I want to associate myself with the kind words that the gentleman from Illinois (Mr. DAVIS) mentioned.

We talk about giving blood. I know as a nurse over so many years, people are afraid to give blood. There is nothing to be afraid of. If you do not like needles, just turn your eye. You can give it in 15 minutes. But taking that 15 minutes out of your life has an opportunity to save so many lives. We always think about giving blood in times of our community when there are accidents or a tragedy happens and people do go to the hospitals to give blood. This is happening every single day. No one talks about the children across this Nation that have leukemia and they have to have transfusions. No one talks about how much blood is needed for our patients that have hemophilic blood problems. No one talks about cancer, how it affects women and how they need their transfusion so they can go through their chemotherapy.

I am hoping that by us being here on the floor and talking about it, those in the Nation who are watching this will say to themselves, ''You know, I can make a difference.'' I think that is what we are trying to ask. This resolution certainly is for the summer but it is blood every single day that we need throughout the year.

The other thing that unfortunately is happening, we see especially in New York that only 2 percent of the people of New York give blood. This is happening across our larger cities. We do not talk about those in the minority communities that come down with sickle-cell anemia and how they need blood transfusions. We have to start educating people more and more on why they should give blood. You can give blood almost every 53 days. It is certainly a habit that I am into.

I want to remind all my colleagues that the end of this month we will be having another blood drive here in the Capitol. I am hoping that all my colleagues will donate this time so we can set an example certainly for all of our constituents back home. Also I would like to see all our colleagues go home and do a blood drive. One of our jobs is to teach our constituents on what we do. So I think it is extremely important.

Unfortunately, one of the other problems that we are seeing is because we are seeing less and less blood coming over from Europe, people do not realize how much blood we count on, especially in our major cities for the transfusions that we get from overseas. That is going to be cut off at the end of this month and unless we can certainly sustain that, our cities are going to be in more of a crisis than ever before.

So I certainly urge all of my colleagues to support this resolution but more than support it, do something about it. The easiest thing that we can do for the American people is to give blood. I happen to think that people in this country are tremendous during emergencies. Well, we are in an emergency. A pint of blood can save three lives or even more. I urge that this resolution be passed. I thank again the gentleman from New York (Mr. KING). I thank the committee for passing this so fast.

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

I would like to again thank the gentleman from Indiana (Mr. BURTON) and the gentleman from California (Mr. WAXMAN) for bringing this to the floor in an expeditious way and also the gentlewoman from New York (Mrs. MCCARTHY) and the gentleman from New York (Mr. KING) for their leadership and the gentleman from Illinois (Mr. DAVIS) for his statement. It reminds us again and we are going officially on record that we need to think beyond ourselves and think of others and pay tribute to the millions of Americans who already donate blood and encourage that at this time of need.

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

Mr. DAVIS of Illinois. Madam Speaker, I yield myself such time as I may consume.

I want to thank the gentleman from Indiana. It is always a pleasure to work with him and to interact with him. I will close by simply stating that when we give blood, we give the gift of life. I want to thank the gentlewoman from New York (Mrs. MCCARTHY) for stimulating me and for challenging all of us. I am going to take up her challenge and I am going to go back to my district and organize a blood donor drive before the end of this year.

Mr. TOWNS. Madam Speaker, I am very pleased to be able to join my colleagues in supporting H. Res. 202, a resolution expressing the sense of the House regarding the establishment of a Summer Emergency Blood Donor Season to encourage eligible donors in the United States to donate blood.

Currently, our blood supply sometimes struggles to meet the demand for blood, which is increasing due to an aging population, increase in cancer diagnoses and new medical and surgical advancements. The recent decision by the Food and Drug Administration to eliminate donations from Europe will exacerbate this situation in New York City. Our teaching hospitals offer the finest surgical care in the world but these procedures often require substantial amounts of blood to stabilize a patient. That is why I am co-hosting a blood drive with, the Brooklyn/Staten Island Blood Services, the newest operating region of the New York Blood Center this coming Saturday at the East New York Diagnostic and Treatment Center.

This drive is specifically designed to encourage minority participation in the City's blood drive. Less than 8% of the Blood Center's volunteer blood donors are African-American. This population represents only 7% of the community's blood supply. Yet, African-Americans make up nearly 30% of New York City's population. Blood is particularly needed from minorities because minority patients sometimes have rare and unique markers, known as antigens, in their blood inherited from their race and ethnicity and may require a life-saving transfusion from someone of the same background. This Saturday's event at the East NY Diagnostic and Treatment Center will help boost the already significant collection progress in Brooklyn where the donor base has been increased by one-third in the past year.

Having participated in Government Reform oversight hearings on the nation's blood supply, I understand first-hand how critical it is to encourage Americans to continually replenish the nation's blood centers with blood donations. I want to commend the authors of this legislation and the House leadership for scheduling this resolution at such a critical time. Hopefully, it will greatly increase the public's education and awareness about the need for blood donations. I urge my colleagues to support H. Res. 202.

Mr. HOLT. Madam Speaker, as Americans, one of the many things that we can be thankful for is the high quality of medical care. American technology, physicians, and pharmaceutical companies are often leaders in the development of new and improved healthcare equipment and techniques. But even the most cutting-edge technologies, the best doctors and nurses, and the finest facilities cannot save the life of a person in need of a blood transfusion. A child with cancer, a mother who was in a car accident, or a grandfather who needs an emergency operation—any of these individuals could be saved by a simple gift of blood. Without this vital gift, which I must add is in great demand, many of our patients would not survive.

Yet consider the following: Only five percent of people who are able to donate blood do so on a regular basis.

And, although donated blood can be stored for up to six weeks, it usually is used within ten days because the demand is so great.

Every one of us knows someone—a family member, a friend, a loved one—who has needed, and received a blood transfusion at some point. But there are so many more who are in danger of not receiving the help they need.

This is why it is so vital that we make people aware of the importance of donating blood. I take this responsibility very seriously and give blood on a regular basis. Yet, I am only one person. We need to find ways to encourage more. Today, we can pass a resolution, which expresses the sense of the House that we establish a summer emergency blood donor season to encourage eligible donors.

I strongly support this resolution. We must ensure that everyone who is able to give blood does so. It is perhaps the most important gift we can give.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. SOUDER) that the House suspend the rules and agree to the resolution, H. Res. 202, as amended.

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

The title of the resolution was amended so as to read: ''Resolution expressing the sense of the House of Representatives regarding the establishment of a Summer Emergency Blood Donor Season to encourage eligible donors in the United States to donate blood.''.

A motion to reconsider was laid on the table.

DEFENSE PRODUCTION ACT AMENDMENTS OF 2001

Mr. OXLEY. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2510) to extend the expiration date of the Defense Production Act of 1950, and for other purposes.

The Clerk read as follows:

H.R. 2510

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 ''Defense Production Act Amendments of 2001''.

SEC. 2. EXTENSION OF THE DEFENSE PRODUCTION ACT OF 1950.

Section 717(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2166(a)) is amended by striking ''September 30, 2001'' and inserting ''September 30, 2004''.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 711(b) of the Defense Production Act of 1950 (50 U.S.C. App. 2161(b)) is amended by striking ''1996 through 2001'' and inserting ''2002 through 2004''.

SEC. 4. TECHNICAL CORRECTIONS.

The Defense Production Act of 1950 is amended as follows:

(1) In section 301(a)(1) (50 U.S.C. App. 2091(a)(1)), by striking ''714(a)(1) of this Act'' and inserting ''702(16)''.

(2) In subparagraphs (A), (B), and (C) of section 301(e)(1) (50 U.S.C. App. 2091(e)(1)), by striking ''industrial resource shortfall'' each place such term appears and inserting ''industrial resource or critical technology item shortfall''.

(3) In sections 301(e)(1)(D)(ii) and 303(a)(7)(B) (50 U.S.C. App. 2091(e)(1)(D)(ii), 2093(a)(7)(B)), by inserting ''item'' after ''critical technology''.

(4) In section 304(b)(1), (50 U.S.C. App. 2094(b)(1)), by striking ''711(c)'' and inserting ''711(b)''.

(5) In sections 301(e)(2)(B) and 309(a)(1), (50 U.S.C. App. 2091(e)(2)(B), 2099(a)(1)), by striking ''Committee on Banking, Finance and Urban Affairs of the House of Representatives'' and inserting ''Committee on Financial Services of the House of Representatives''.

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

The Chair recognizes the gentleman from Ohio (Mr. OXLEY).

GENERAL LEAVE

Mr. OXLEY. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material on the bill.

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

There was no objection.

Mr. OXLEY. Madam Speaker, I yield myself 5 minutes.

Madam Speaker, I rise today in support of H.R. 2510, the Defense Production Act Amendments of 2001. As I am sure my colleagues know, the DPA is an essential element of our national security package. The DPA uses economic tools to provide uninterrupted supplies of industrial resources in times of both military crisis and civil emergency.

We are here today because the President's authority under the DPA expires at the end of the fiscal year. This bill introduced by the gentleman from New York (Mr. KING) who chairs the Subcommittee on Domestic Monetary Policy and his ranking member, the gentlewoman from New York (Mrs. MALONEY), is a straightforward, 3-year reauthorization with a handful of purely technical amendments.

Those amendments amount to little more than housekeeping. For example, one of those changes updates the statute to reflect the creation of the Committee on Financial Services at the beginning of this Congress. Others fix errors in section numbering or harmonize language within the statute.

Madam Speaker, I have with me the administration's statement in support of this bill along with a letter from Defense Principal Deputy Undersecretary Michael W. Wynne endorsing this legislation.

□ 1515

Madam Speaker, I will include these for the RECORD at this point.

PRINCIPAL DEPUTY
UNDER SECRETARY OF DEFENSE,
Washington, DC, September 4, 2001.

Hon. MICHAEL OXLEY,
Chairman, House Financial Services Committee, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: This letter is to express my strong support of the enactment of H.R. 2510, 107th Congress, an Act to extend and reauthorize the Defense Production Act of 1950. The legislation gives the Department the ability to use the authorities of the Act for items and industrial resources that are essential for national security needs. The District Production Act authorities remain important elements in our national defense program.

H.R. 2510 extends and reauthorizes the Defense Production Act by three years from September 30, 2001 to September 30, 2004.

This legislation provides a number of critical authorities needed to ensure a strong industrial base capable of meeting national defense requirements in peacetime as well as in times of national emergency. Title I of the DPA provides for priority performance on contracts and orders to meet approved national defense and emergency preparedness program requirements. Title I is indispensable in expediting production to meet the critical needs of US forces engaged in military operations. Title I authorities were used to ensure priority production and shipment of numerous items urgently needed by the coalition forces during Desert Shield/Storm and more recently Bosnia and Kosovo.

The Title III authorities enable us to establish assured and affordable production capacity for items essential for national defense. Title III is an extremely valuable tool that enables the Department to field technologically superior systems, upgrade the capabilities of older systems, and reduce operations and sustainment costs. A recent Title III project for Discontinuous Reinforced Aluminum (DRA) resulted in the insertion of components made of DRA in the F–16 fighter that are dramatically reducing life-cycle costs and improved flight safety.

This legislation does not call for additional spending by the Government or Department of Defense. A similar letter has been sent to the Ranking Member, Congressman John LaFalce.

Sincerely,

MICHAEL W. WYNNE.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, September 5, 2001.

STATEMENT OF ADMINISTRATION POLICY

(This statement has been coordinated by OMB with the concerned agencies.)

H.R. 2510—DEFENSE PRODUCTION ACT AMENDMENTS OF 2001 (REP. KING (R) NEW YORK AND REP. MALONEY (D) NEW YORK)

The Administration supports H.R. 2510, which would extend the expiration date and authorization of appropriations for the Defense Production Act through FY 2004.

The expiration of the Defense Production Act could have a severe impact on the Nation's ability to respond to national security threats, both at home and abroad. Thus, passage of H.R. 2510 would ensure the President's continued ability to provide for the Nation's security by providing authority to: (1) establish, expand, or maintain essential domestic industrial capacity; (2) direct priority performance of contracts and orders to meet approved national security requirements; and (3) suspend or prohibit a foreign acquisition of a U.S. firm when that acquisition would present a threat to the Nation's security.

Madam Speaker, over the past 3 years, the DPA has been reauthorized

on a year-to-year basis due to accidents in the legislative calendar. This authority is far too important to allow uncertainty over the future of the DPA to continue. We do not want to repeat the mistakes of 1990, when the DPA expired in the middle of the buildup of Operation Desert Storm.

While the DPA may need to be tweaked in the future, we should ensure that those important authorities continue uninterrupted and use the next 3 years to carefully examine proposed improvements to the act.

The gentleman from New York (Mr. KING) and the gentlewoman from New York (Mrs. MALONEY) deserve great credit for their bipartisan work on this bill. I urge all Members to join me in supporting this legislation.

Mrs. MALONEY of New York. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of the 3-year reauthorization of the Defense Production Act of 1950. This is bipartisan legislation that was reported by the Committee on Financial Services by voice vote.

First enacted during the Korean War, the DPA has proven a useful tool in ensuring the delivery of goods and services needed for the defense of the Nation during times of war and peace. The act was used in Operation Desert Storm to assist in the massive deployment of forces to the Gulf.

Most recently it was used by the Clinton and Bush administrations to maintain the supply of natural gas to California. Without this action, the administration contended that defense installations in northern and central California could have faced interrupted natural gas service.

The DPA has played an important role in dealing with recent natural disasters. Should the country face a major domestic terrorist attack, the DPA could be valuable in ensuring that emergency supplies are delivered to those who need them and in a timely manner.

As the representative of a city that has been the target of terrorist attacks and many terrorist threats, I can attest that, unfortunately, such a potential use of the DPA is not a mere theoretical possibility.

Given the DPA's relevance to natural disasters, the Federal Emergency Management Administration, FEMA, has taken the lead in reviewing the act and requesting its reauthorization, which is set to expire October 12 of this year.

The Subcommittee on Domestic Monetary Policy, Technology and Economic Growth held a hearing on June 13 of this year, a meeting at which Members were able to raise concerns and have them answered by FEMA and other agencies. It is after careful review of the act and following this hearing that I chose to cosponsor the reauthorization.

Finally, I thank the gentleman from Ohio (Chairman OXLEY), the gentleman from New York (Chairman KING), and the ranking member, the gentleman from New York (Mr. LAFALCE), for moving quickly on this legislation. In the past, Congress has often rushed to renew the DPA under the gun of its pending expiration. I appreciate the fact that we have followed committee process, culminating with today's vote.

Madam Speaker, I reserve the balance of my time.

Mr. OXLEY. Madam Speaker, I am pleased to yield such time as he may consume to the gentleman from New York (Mr. KING), the coauthor of this legislation.

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

Madam Speaker, I rise today to speak in support of H.R. 2510 and to associate myself with the remarks of the full committee chairman, the gentleman from Ohio (Chairman OXLEY). I also want to thank the chairman for allowing this important reauthorization bill to move quickly through the committee as we push up against its expiration date. I also want to thank my subcommittee ranking member, the gentlewoman from New York (Mrs. MALONEY), for her bipartisan cosponsorship of this bill. Madam Speaker, this bill has enjoyed broad support, allowing us to proceed in a genuinely bipartisan manner.

The gentlewoman from New York (Mrs. MALONEY) and I introduced this DPA reauthorization bill after receiving testimony on June 13 of this year from the Departments of Defense, Commerce, Energy and FEMA, the agency responsible for the act's coordinating efforts. By request of the administration, the gentlewoman from New York (Mrs. MALONEY) and I have worked together to put forth a clean 3-year reauthorization bill, recognizing the importance that this act holds for the ability of any administration to address defense and civil preparedness issues. As reflected in the committee testimony and debate, a multiyear extension makes the most sense.

As the chairman stated, and I want to emphasize this, the changes that are contemplated in DPA are extremely technical in nature. Also, in closing, let me say that I realize that if used inappropriately, DPA has the potential to adversely affect our domestic marketplace. Fortunately, throughout the almost 50 years that it has been in existence, there has been no such adverse impact.

Madam Speaker, I want to thank the chairman and the ranking members, the gentlewoman from New York (Mrs. MALONEY) and the gentleman from New York (Mr. LAFALCE); and I look forward to the swift non-controversial adoption of this measure.

Mr. KUCINICH. Mr. Speaker, although our effort in the House of Representatives today to extend the Defense Production Act is commendable, the House has missed a prime opportunity to make this Act more effective in ensuring our national security and helping American workers.

The Defense Production Act, first enacted in 1950, ensures that products, materials, and services essential to our national security are available to defense related agencies at all times—but especially in times of conflict. One material that is especially critical to our defense needs is steel. Our armed forces would not be able to respond to a national emergency without an adequate supply of domestically produced steel.

But at this very moment, the American steel industry is in dire straits. In recent months a number of steel companies have been driven into bankruptcy, and others are on the brink. Thousands of jobs are at risk, as another wave of low-cost steel imports has battered the domestic industry. In my home district, LTV Steel, which employs thousands of Cleveland residents, is undergoing bankruptcy proceedings and has had to idle one of its plants.

A bill I introduced, the Steel and National Security Act, would have amended the Defense Production Act to enable the President to step in and aid critical defense industries such as steel. In its findings, the Steel and National Security Act identifies domestic steel capacity as an essential part of what a key executive order has called the "foundation for national defense preparedness": our domestic industrial and technological base.

To revive and secure the health of the American steel industry and thereby ensure adequate domestic capacity, the Steel and National Security Act would reauthorize the Defense Production Act's Title III, with a specific allocation of $1 billion in each of the fiscal years 2002, 2003, and 2004 for Department of Defense loans, grants and purchase commitments. Fifty percent of each year's allocated funds would be reserved for purchase commitments, to ensure that ailing industries are given a sharp boost.

The bill would also establish a National Defense Preparedness Domestic Industrial Base Board. The Board would be responsible, through one time en masse purchases and other means, for ensuring uninterrupted availability of defense-related materials. Together, these provisions would ensure enough demand so that domestic industries critical to our national security—like steel—can survive tough times.

But that is not all my bill would accomplish. The Steel and National Security Act would also reauthorize Defense Production Act's Title VII, with a specific directive ordering the Department of Defense to request a 45-day period of further investigation for all mergers, acquisitions, and takeovers involving a foreign steel company. This would ensure that domestic capacity to produce materials and goods essential to our national security always exists.

Mr. Speaker, though the House has acted correctly in extending the Defense Production Act to 2004, it has not acted decisively to aid those industries most vital to our national security.

Mrs. MALONEY of New York. Madam Speaker, I have no further speakers, and I yield back the balance of my time.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Ohio (Mr. OXLEY) that the House suspend the rules and pass the bill, H.R. 2510.

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

A motion to reconsider was laid on the table.

PROVIDING WORK AUTHORIZATION FOR NONIMMIGRANT SPOUSES OF TREATY TRADERS AND TREATY INVESTORS

Mr. SENSENBRENNER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2277) to provide for work authorization for nonimmigrant spouses of treaty traders and treaty investors.

The Clerk read as follows:

H.R. 2277

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

SECTION 1. WORK AUTHORIZATION FOR SPOUSES OF TREATY TRADERS AND TREATY INVESTORS.

Section 214(e) of the Immigration and Nationality Act (8 U.S.C. 1184(e)) is amended by adding at the end the following:

''(6) In the case of an alien spouse admitted under section 101(a)(15)(E), who is accompanying or following to join a principal alien admitted under such section, the Attorney General shall authorize the alien spouse to engage in employment in the United States and provide the spouse with an 'employment authorized' endorsement or other appropriate work permit.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Florida (Mr. WEXLER) each will control 20 minutes.

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

GENERAL LEAVE

Mr. SENSENBRENNER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2277.

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

There was no objection.

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

Madam Speaker, today the House is likely to approve, for the fourth and fifth time this year, pro-family, pro-immigrant legislation that we have crafted in the Committee on the Judiciary. This body can be proud of the work it has done upholding the Nation's tradition of welcoming immigrants to our shores in a responsible manner.

This particular bill, H.R. 2277, would allow spouses of E visa recipients to work in the United States while accompanying the primary visa recipients.

E visas are available for treaty traders and investors. A visa is available to an alien who ''is entitled to enter the United States under and in pursuance of the provisions of a treaty of commerce and navigation between the United States and the foreign state of which he is a national . . . solely to carry on substantial trade, including trade in services or trade in technology, principally between the United States and the foreign state of which he is a national, or . . . solely to develop and direct the operations of an enterprise in which he has invested . . . a substantial amount of capital.''

Alien employees of a treaty trader or treaty investor may receive E visas if they are coming to the U.S. to engage in duties of an executive or supervisory character, or, if employed in the lesser capacity, if they have special qualifications that make the services to be rendered essential to the efficient operation of the enterprise. The alien employee would need to be of the same nationality as the treaty trader or investor.

For fiscal year 1998, 9,457 aliens, including dependents, were granted E visas as treaty traders; and 20,775 aliens, including dependents, were granted E vision as treaty investors.

While current law allows spouses and minor children to come to the U.S. with the E visa recipients, spouses are not allowed to work in the United States. Since working spouses are now becoming the rule rather than the exception in our society and in many foreign countries, multinational corporations are finding it increasingly difficult to persuade their employees abroad to relocate to the United States.

Spouses, often wives, hesitate to forego their own career ambitions or a second income to accommodate an overseas assignment. This factor places an impediment in the way of the use by employees from treaty countries of the E visa program and their contributing to trade with and invest in the United States.

There is no good reason why we should put an impediment in the way of the business's effort to attract talented people. There is no good reason why husbands and wives should have to ask their spouses to forego employment as a condition of joining them in America.

Thus H.R. 2277 would simply allow the spouses of E visa recipients to work in the United States while accompanying the primary visa recipient. Families will no longer have to chose between the advancement of either spouse's career in order to grasp an opportunity to come to America.

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

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise in support of H.R. 2277. While current law allows spouses to come to the United States with E visa holders, spouses are not allowed to work in the United States. H.R. 2277 would allow these spouses work authorization in the United States while accompanying the E visa holder.

It does not make any sense whatsoever to allow spouses to accompany their partners to the United States and then deny them the opportunity to be employed. Furthermore, this bill makes the time these families live in the United States financially easier since it allows for a second income.

Madam Speaker, I hope that this bill is the beginning of an understanding that we should allow spouses in other nonimmigrant classifications who accompany their husband or wife to the United States to be able to obtain work authorization.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 2277.

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

A motion to reconsider was laid on the table.

PROVIDING FOR WORK AUTHORIZATION FOR NONIMMIGRANT SPOUSES OF INTRACOMPANY TRANSFEREES

Mr. SENSENBRENNER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2278) to provide work authorization for nonimmigrant 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.

The Clerk read as follows:

H.R. 2278

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

SECTION 1. WORK AUTHORIZATION FOR SPOUSES OF INTRACOMPANY TRANSFEREES.

Section 214(c)(2) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(2)) is amended by adding at the end the following:

''(E) In the case of an alien spouse admitted under section 101(a)(15)(L), who is accompanying or following to join a principal alien admitted under such section, the Attorney General shall authorize the alien spouse to engage in employment in the United States and provide the spouse with an 'employment authorized' endorsement or other appropriate work permit.''.

SEC. 2. REDUCTION OF REQUIRED PERIOD OF PRIOR CONTINUOUS EMPLOYMENT FOR CERTAIN INTRACOMPANY TRANSFEREES.

(a) IN GENERAL.—Section 214(c)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(2)(A)) is amended by adding at the end the following:

''In the case of an alien seeking admission under section 101(a)(15)(L), the one-year period of continuous employment required

under such section is deemed to be reduced to a 6-month period if the importing employer has filed a blanket petition under this subparagraph and met the requirements for expedited processing of aliens covered under such petition.''.

(b) CONFORMING AMENDMENT.—Section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)) is amended by striking ''an alien who,'' and inserting ''subject to section 214(c)(2), an alien who,''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Florida (Mr. WEXLER) each will control 20 minutes.

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

GENERAL LEAVE

Mr. SENSENBRENNER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2278.

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

There was no objection.

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

Madam Speaker, this bill is a companion bill to H.R. 2277, just passed. Just as H.R. 2277 provides employment authorization to spouses of E visa recipients, this bill provides employment authorization to spouses of L visa recipients.

L visas are available for intracompany transferees. They allow employees working at a company's overseas branch to be shifted to the company's work site in the United States.

An L visa is available to an alien who ''within 3 years preceding the time of his application for admission into the United States has been employed continuously for one year by a firm or an affiliate or subsidiary and who seeks to enter the United States temporarily in order to continue to render his services to the same employer in a capacity that is managerial, executive or involves specialized knowledge.''

To make the L visa program more convenient for established and frequent users of the program, blanket L visas are available. If an employer meets certain qualifications, such as having received approval for at least 10 L visa professionals during the past year or having U.S. subsidiaries or affiliates with an annual combined sales of at least $25 million or having a workforce of at least 1,000 employees, the employer can receive preapproval for an unlimited number of L visas from the Immigration Service.

□ 1530

Individual aliens seeking visas to work for the companies simply have to show that the job they will be employed in qualifies for the L visa program and that they are qualified to do the job.

In fiscal year 1998, 38,307 aliens, along with 44,176 dependents, were granted L visas.

While the current law allows spouses and minor children to come to the U.S. with the L visa recipients, spouses are not allowed to work in this country. As I stated in regard to H.R. 2277, working spouses are now becoming the rule rather than the exception in the U.S. and in many foreign countries, and multinational companies are finding it increasingly difficult to persuade their employees abroad to relocate to the United States if it means their spouses will have to forgo employment. This factor places an impediment in the way of these employers' use of the L visa program and their competitiveness in the international economy.

There is no good reason why we should put an impediment in the way of business and academia's efforts to attract talented people. There is also no good reason why husbands and wives should have to ask their spouses to forgo employment as a condition of joining them in America. Thus, H.R. 2278 would allow the spouses of L visa recipients to work in the United States while accompanying the primary visa recipients.

Additionally, the current law requires that the beneficiary of an L visa have been employed for at least 1 year overseas by the petitioning employer. In many situations, this is an overly restrictive requirement. For example, consulting agencies often recruit and hire individuals overseas with specialized skills to meet the needs of particular clients. The 1-year-prior-employment requirement can result in long delays before they can bring such employees into the United States on an L visa. A shorter prior employment period would allow companies to more expeditiously meet the needs of their clients.

Madam Speaker, H.R. 2278 would allow aliens to qualify for L visas after having worked for 6 months overseas for employers if the employers have filed blanket L petitions and have met the blanket petition's requirements. There is a high level of fraud in the L visa program, especially involving ''front companies'' set up purely to procure visas; and lowering the across-the-board qualifications for the L visas might encourage more fraudulent petitions. With a company that has been prescreened and approved for the ''blanket'' L visa status, the risk of fraud is much lower.

Thus, I urge my colleagues to support this bill.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise in support of H.R. 2278. This is a positive bill because it allows work authorization for nonimmigrant spouses of intracompany transferees.

Not only will spouses be able to accompany their husband or wife who is in the United States in a nonimmigrant capacity, but these spouses will now be afforded the opportunity to be employed. It makes no sense to allow spouses to accompany their loved ones to the United States and then deny them the opportunity to be employed.

Global companies are finding it increasingly difficult to relocate foreign nationals to the United States. This bill makes relocation easier since spouses will not have to forgo their career, ambitions or a second income, which is increasingly necessary.

This bill is also positive since it contains a 6-month reduction in the period of time during which certain intracompany transferees have to be continuously employed before applying for admission to the United States. Without this bill, companies who recruit and hire individuals overseas with specialized skills to meet the needs of their clients will be able to bring these employees more expeditiously.

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

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 2278.

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

A motion to reconsider was laid on the table.

DETERMINATION OF SUBSTANTIAL NEW QUESTIONS OF PATENTABILITY IN REEXAMINATION PROCEEDINGS

Mr. SENSENBRENNER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1866) to amend title 35, United States Code, to clarify the basis for granting requests for reexamination of patents, as amended.

The Clerk read as follows:

H.R. 1866

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

SECTION 1. DETERMINATION OF SUBSTANTIAL NEW QUESTION OF PATENTABILITY IN REEXAMINATION PROCEEDINGS.

Sections 303(a) and 312(a) of title 35, United States Code, are each amended by adding at the end the following: ''The existence of a substantial new question of patentability is not precluded by the fact that a patent or printed publication was previously cited by or to the Office or considered by the Office.''.

SEC. 2. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to any determination of the Director of the United States Patent and Trademark Office that is made under section 303(a) or 312(a) of title 35, United States Code, on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and

the gentleman from California (Mr. BERMAN) each will control 20 minutes.

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

GENERAL LEAVE

Mr. SENSENBRENNER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 1866, as amended, the bill under consideration.

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

There was no objection.

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

Madam Speaker, Congress established the patent reexamination system in 1980. The 1980 reexamination statute was enacted with the intent reexamination of patents by the Patent and Trademark Office would achieve three principal benefits, first, to settle validity disputes more quickly and less expensively than litigation; second, to allow courts to refer patent validity questions to an agency with expertise in both the patent law and technology; and third, to reinforce investor confidence in the certainty of patent rights by affording an opportunity to review patents of doubtful validity.

More than 20 years after the original enactment of the reexamination statute, the Committee on the Judiciary still endorses these goals and encourages third parties to pursue reexamination as an efficient way of settling patent disputes.

Reexamination worked well until recently when it was severely limited by a Federal Court of Appeals decision. H.R. 1866 is intended to overturn the 1997 In re Portola Packaging case by the United States Court of Appeals for the Federal circuit. That decision severely impairs the patent reexamination process. Reexamination was intended to be an important quality check on defective patents. Unfortunately, this decision severely limits its use.

The Portola case is criticized for establishing an illogical and overly strict bar concerning the scope of reexamination requests. The bill permits a broader range of cases to be the subject of a request, as was the case for the first 16 years since the law was enacted. The bill that we consider today preserves the ''substantial new question standard'' that is an important safeguard to protect all inventors against frivolous action and against harassment, while allowing the process to continue as originally intended. It also preserves the discretion of the Patent and Trademark Office in evaluating these cases.

The bill has been amended since its introduction by the full committee. I wish to take a moment to explain this to my colleagues.

Since its introduction, we heard from the public members of the bar and critics of the Portola decision who have recommended that we make an additional change to ensure the result that we seek. The text is clarified to permit the use of relevant evidence that was ''considered'' by the PTO, but not necessarily ''cited.'' Some would say this is redundant, but I prefer to clarify precisely when reexamination is an available procedure. This will ensure that the system is flexible and efficient. While many believe the base text is satisfactory to meet that goal, I hope that the amendment removes any doubt.

I believe that adding this one sentence to the Patent Act will help prevent the misuse of defective patents in all fields, especially those concerning business methods. An efficient patent system is important for inventors, investors and consumers. I urge Members to support H.R. 1866.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise in support of H.R. 1866, and I urge my colleagues to vote for it.

The Committee on the Judiciary favorably reported this legislation by voice vote on June 20. Prior to that, the Subcommittee on Courts, the Internet and Intellectual Property passed the bill by a voice vote on May 22. It is a good step forward on the road of making reexamination a more attractive and effective option for challenging a patent's validity.

The bill overturns, as the gentleman from Wisconsin mentioned, the 1997 Federal circuit decision In Re Portola Packaging. In that case, the Federal circuit narrowly construed the term ''substantial new question of patentability'' to mean prior art that was not before the examiner during an earlier examination. Because the PTO director can only order a reexamination if a ''substantial new question of patentability'' exists, the Federal court's decision in Portola effectively bars the PTO from conducting a reexamination based on prior art that was cited in the patent application.

The Portola decision is troublesome because it prevents reexaminations from correcting mistakes made by examiners. Ideally, a reexamination could be requested based on prior art cited by an applicant that the examiner failed to adequately consider. However, after Portola, such prior art could not be the basis of the reexamination.

By overturning the Portola decision, H.R. 1866 will allow reexamination to correct some examiner errors. Thus, this bill will accomplish an important, if narrow, objective.

Madam Speaker, as far as I know, H.R. 1866 has not engendered any controversy, and I urge my colleagues to support it.

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

Mr. SENSENBRENNER. Madam Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. COBLE), the chairman of the Subcommittee on Courts, the Internet and Intellectual Property.

Mr. COBLE. Madam Speaker, I thank the gentleman for yielding me this time. I will be very brief, because the gentleman from Wisconsin has thoroughly stated the matter, as has the gentleman from California.

As the gentleman from Wisconsin has indicated, H.R. 1866, Madam Speaker, consists of adding a single sentence to the law in order to improve the patent reexamination system. It is based upon testimony that was offered before our subcommittee earlier this year. With this single sentence, we stab at the heart of defective business method and other inappropriately issued patents. At the same time, we protect small businesses and small inventors from harassing conduct in these proceedings.

I want to thank the distinguished gentleman from California (Mr. BERMAN), my friend and the ranking member of the subcommittee, for his work, as well, on this bill, and for that matter, all of the members of the subcommittee.

In closing, I want to thank the distinguished gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the full committee, for having expeditiously moved this legislation along, because it is important legislation. I urge my colleagues to support H.R. 1866.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 1866, as amended.

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

A motion to reconsider was laid on the table.

PROVIDING FOR APPEALS BY THIRD PARTIES IN CERTAIN PATENT REEXAMINATION PROCEEDINGS

Mr. SENSENBRENNER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1886) to amend title 35, United States Code, to provide for appeals by third parties in certain patent reexamination proceedings.

The Clerk read as follows:

H.R. 1886

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

SECTION 1. APPEALS IN INTER PARTES REEXAMINATION PROCEEDINGS.

(a) APPEALS BY THIRD-PARTY REQUESTER IN PROCEEDINGS.—Section 315(b) of title 35, United States Code, is amended to read as follows:

''(b) THIRD-PARTY REQUESTER.—A third-party requester—

''(1) may appeal under the provisions of section 134, and may appeal under the provisions of sections 141 through 144, with respect to any final decision favorable to the patentability of any original or proposed amended or new claim of the patent; and

''(2) may, subject to subsection (c), be a party to any appeal taken by the patent owner under the provisions of section 134 or sections 141 through 144.''.

(b) APPEAL TO BOARD OF PATENT APPEALS AND INTERFERENCES.—Section 134(c) of title 35, United States Code, is amended by striking the last sentence.

(c) APPEAL TO COURT OF APPEALS FOR THE FEDERAL CIRCUIT.—Section 141 of title 35, United States Code, is amended in the third sentence by inserting '', or a third-party requester in an inter partes reexamination proceeding, who is'' after ''patent owner''.

SEC. 2. EFFECTIVE DATE.

The amendments made by this Act apply with respect to any reexamination proceeding commenced on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

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

GENERAL LEAVE

Mr. SENSENBRENNER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1886, the bill presently under consideration.

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

There was no objection.

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

Madam Speaker, this bill also attempts to improve the patent reexamination system. It aims at closing an unfortunate administrative loophole and bridging a legal gap in the working of our patent system. The reform also comes out of two hearings that the Subcommittee on Courts, the Internet and Intellectual Property held earlier this year.

While I strongly endorse the professionalism of the Patent and Trademark Office, I believe it is necessary to place a check on the PTO's actions by affording all participants judicial review before a Federal appeals court.

□ 1545

This check by a higher independent authority is an important safeguard and adds transparency to the process. Rest assured this appellate review will not impose additional burdens on patent-holders arising from Federal trials.

This is an important and necessary amendment that is an overdue change to our intellectual property laws. I urge Members to support H.R. 1886.

Madam Speaker, I reserve the balance of my time.

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

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

Mr. BERMAN. Madam Speaker, I rise in support of H.R. 1886 and urge my colleagues to vote for it. It is largely noncontroversial. The Committee on the Judiciary's Subcommittee on Courts, the Internet, and Intellectual Property passed it by a voice vote on May 22, and the full committee reported it favorably by voice vote on June 20.

The bill represents a good, if small, step in improving the usefulness of the inter partes reexamination procedure for patents. Currently, the inter partes reexamination procedure places so many constraints on third-party requesters of such reexamination that, as some patent attorneys have stated, ''It would be legal malpractice to recommend a client initiate an inter partes reexamination.''

Among those constraints is the prohibition against a third party appealing an adverse reexamination decision to Federal court or participating in an appeal brought by the patentee.

H.R. 1886 would allow an authority requester to appeal a reexamination decision to Federal court and to participate in an appeal by an applicant. By doing so, H.R. 1886 may make inter partes reexamination a somewhat more attractive option for challenging a patent. A third party will, at the least, now feel comfortable that the courts can be accessed to rectify a mistaken reexamination decision.

While H.R. 1886 may not cure all the defects of inter partes reexamination, I believe it is a good start, and I urge my colleagues to vote for it.

Madam Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Madam Speaker, I yield 3 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Madam Speaker, I rise with a strong sense of concern, if not opposition, to what is being proposed here today.

Two years ago, there was a compromise that was made on this very important matter. I, in fact, supported legislation with this wording in it; but only because it was part of a compromise that I felt was necessary to get the rest of the bill through. I thought the bill that we had come up with, and the gentleman from North Carolina (Mr. COBLE) and I and Jim and others had worked so long and hard for, that it was worthy of that compromise.

However, this piece of legislation undoes a compromise that was made with the gentleman from Illinois (Mr. MANZULLO) to take this very language out of that bill, so we are, in effect, going back on a compromise made with the gentleman from Illinois (Mr. MANZULLO).

I might add that I was willing to support the legislation with this concept in it, even though I had reservations about it, if it was part of a bigger bill that was, I thought, a good bill that we had come up with.

But now that we are bringing it up standing alone as part of an effort to basically go back on the compromise of the gentleman from Illinois (Mr. MANZULLO), which he insisted on for his support of the legislation, I do not think that it stands alone and can stand on its own.

We passed a sensible reform law 2 years ago, as I say, the American Inventors Protection Act of 1999. It has provided some very solid reform, which included, again, language that was inconsistent with what they are trying to accomplish here today.

Many Members, including the gentleman from Illinois (Mr. MANZULLO) and myself, have been very concerned about the ability of corporations and of foreign nationals to use the legal process to drag small entrepreneurs and inventors into very costly legal battles.

What we are talking about today is, instead of letting the patent office make the decision, and we have granted judicial authority to patent examiners; that is why they have a very special place in this system, so we expect them to act responsibly.

But what we are doing here is permitting a third party, we are expanding the ability of third parties to use the court system as a way to interfere with rights that have been granted to inventors by patent examiners.

We want the patent system to work, and we want these patent examiners, who have proven themselves to be people of responsibility, that is why we give them this responsibility, to be honorable people and people of great talent, and we hope they will be paid more money in the future, in fact. But then to suggest that, after the Patent Office has made its decision with these experts in technology, that we are going to permit a third party to come in and use the court system to negate that, I think that is a reason we have to think about this.

I would suggest that we hold off on this amendment and give the Congress a little chance to figure out what the effect of this will actually be on inventions in America.

Mr. SENSENBRENNER. Madam Speaker, I yield 4 minutes to the gentleman from North Carolina (Mr. COBLE), the distinguished subcommittee chairman.

Mr. COBLE. Madam Speaker, I thank the chairman for yielding time to me.

Madam Speaker, I say to my good friend, the gentleman from California (Mr. ROHRABACHER), with whom I have had disagreements and agreements, the gentleman says that this undoes what was previously agreed to. I think that is clearly subject to interpretation. We are going to have to disagree agreeably on that, and we can do that at another time.

I say, Madam Speaker, that, and pardon my incorrect grammar, but I am a pretty easy dog to hunt with. I am surprised that no one has come forward prior to today. We had a hearing April 4, the second hearing on May 10, a subcommittee markup on May 22, a full committee markup on June 20, a report

filed on June 28. Now, one would think if concerns were being felt or if anxiety was the order of the day, that someone would have rattled my door. No knock.

The gentleman from Wisconsin has already indicated this, and I will be brief. But as he said, H.R. 1886 consists of noncontroversial, in my opinion noncontroversial, amendments to the patent reexamination system. It is not a new idea, but one whose time has finally come. Fairness demands that inventors deserve their day in court should a controversy arise, but we should spare them the expense and the burdens of Federal litigation when we can. This bill achieves that important and equitable balance.

Again, I want to thank the gentleman from California (Mr. BERMAN); and I want to thank my chairman, the gentleman from Wisconsin (Mr. SENSENBRENNER), and all members of the subcommittee who worked very arduously in addressing this matter.

Finally, and I say to my friend, the gentleman from California (Mr. ROHRABACHER), and to my friend, the gentleman from Illinois (Mr. MANZULLO), I have had several small independent inventors come to me thanking me for the work that the subcommittee has done. These small, independent inventors say, ''Now some folks claim they are on Capitol Hill representing the small inventors. We do not need anybody representing us. We are happy with what is being done at the subcommittee and full committee level.''

So, Madam Speaker, I believe that the concerns that have been expressed thus far, I say to my friend from Wisconsin (Mr. SENSENBRENNER), I believe they can be assuaged and resolved.

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

Madam Speaker, I would like to take a moment to try and address the arguments made by my friend, the gentleman from California (Mr. ROHRABACHER), because I think that the thrust of his argument is actually served and met by our bill, not opposed.

He is concerned, legitimately, about the likelihood that poorly financed independent inventors will have their patents challenged in expensive re-examinations requested by big corporations with deep pockets. The problem is, the way the law is now, those corporations do not go to reexamination. They ignore reexamination, because if they go to reexamination, their ability then to challenge in court on the issues they brought up in reexamination is eliminated.

So they, instead of challenging the small, independent inventor in a relatively cheap, relatively quick, somewhat informal or more informal reexamination process, that is ignored and, instead, they wait until the patent is granted. Then they go into Federal court on lengthy, incredibly expensive litigation which can take years and years at enormous expense, which these corporations can afford if it is justified in the context of their own business plans, and grind that patent holder down in court.

What we are trying to do, and it is really a small change, is to take away the roadblock that causes people who want to challenge the validity of a patent to ignore the reexamination procedure and go to court instead. That is to say that if they win in reexamination and the patent holder appeals to court to reestablish the validity of the patent and to throw out the reexamination decision to reverse the granting of the patent, that the person who filed for a reexamination or the third party who brought the reexamination request can participate in that appeal. If they cannot, they are not going to go to reexamination, they are just going to challenge the patent in court.

H.R. 1886 in no way affects or enhances a challenger's ability to initiate a reexamination. It does not broaden the basis for doing this. The gentleman from Virginia (Mr. BOUCHER) and I have some legislation that would do that and provide actually a more fulsome kind of a hearing. But we have not been able to persuade a majority of the subcommittee at this point that that is a good idea.

All this bill does is leave the substantive law exactly the same, and maintain the requirement that the PTO director still find that a substantial new question of patentability has been raised before ordering a reexamination. It in no way lowers the barrier for requesting an inter partes reexamination; it just makes it a marginally more attractive option because they are no longer prejudiced from raising an issue in court, and are perhaps persuaded by the reexamination decision.

Everyone in the patent world recognizes that a patent which has survived reexamination is a much stronger patent, much more likely to be upheld in court. I would contend that the small, independent inventor has an interest in a vital reexamination process, not one that just exists on the books and is never utilized because the person who wants to challenge that patent is afraid they are going to be estopped from ever going to court; if they lose or if they win, that they will not be able to participate in an appeal of the decision, of the PTO Office.

So I understand where the gentleman is coming from, but I think if we look through this bill, it is really very, very modest. This was not at the heart of the negotiation that enabled the original patent reform bill to go through several years ago, and I think it is a bill worthy of support.

Madam Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Madam Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. MANZULLO), the chairman of the Committee on Small Business.

Mr. MANZULLO. Madam Speaker, I rise to address my concerns with this bill, H.R. 1886, which would alter the current process for third parties in a patent reexamination request.

As the chairman of the Committee on Small Business, I have concerns that small inventors may be hurt under the proposed process allowed under this bill.

I am grateful to the gentleman from Wisconsin (Mr. SENSENBRENNER) of the Committee on the Judiciary and to the gentleman from North Carolina (Mr. COBLE). The gentleman from Wisconsin met with me today, albeit at the 11th hour, to discuss my concerns. He very graciously agreed to hold a hearing this year on how the bill may affect the interests of the small inventor.

The chairman and the chairman of the subcommittee are extremely fair people. They are very reasonable. They are the first ones that want to make sure that this bill would do no harm to the small inventor. I appreciate their concern on it.

But I would like to put into the RECORD as I see it how the small inventor may be hurt. Patents are intellectual property rights. Patents allow inventors to keep others from using for monetary gain inventions they have created.

The reexamination process brings a patent back through the process, essentially opening up the procedures that bring about a patent.

Third-party reexamination allows any party, an individual, a company, or even a foreign Nation, the ability to officially request a reexam of a patent in the U.S. Patent and Trademark Office. If a third party requester does not succeed in convincing the experts of the PTO, they do not have the right to go into the Court of Appeals. That is important for the small inventor.

I am of the opinion that this bill may open a whole host of problems, particularly for the small inventor. Let me explain. Under current law, a patent can be challenged as to its validity in a Federal district court only upon a party being charged with infringement or being sued for infringement by a patent owner.

In the first case, the alleged infringer may file a declaratory judgment action to settle a dispute, thereby allowing them to go to court. In the latter case, the sued party, the alleged infringer, can challenge patent validity in an affirmative defense claim before the Federal appeals court.

H.R. 1886 would allow any third party to question the validity of a patent without first being charged for infringement. This is critical because a bad actor, again, anyone from an individual company, corporation, or foreign Nation, could essentially bottle up a truly valid patent with frivolous claims, hurting the true inventor's ability to develop his ideas.

There are concerns that this bill could cause a domino effect in the marketplace for these small inventors seeking financing to get a finished product, idea, concept, to the market.

A legitimate inventor of a significant concept would be dramatically hindered from seeking venture capital for something that is tied up in the courts by a third party reexamination, as is allowed and envisioned under H.R. 1886.

□ 1600

It enables a third-party requester to challenge as many patents in the courts as it deems necessary at a much-reduced cost to them so as to gain or maintain a stronghold in any particular industry. Therefore, I am heartened that the chairman of the Committee on the Judiciary through his graciousness saw me today, expressed a willingness to work with the small inventor to make sure that the small inventor was protected and the fact that he is open to holding a hearing on this issue.

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

Madam Speaker, I want to thank the gentleman from Illinois (Mr. MANZULLO), the chairman of the Committee on Small Business. I want him to know how much I appreciate knowing of his concerns regarding the important role of our country's patent system, and I am prepared to work with him on this subject. In fact, I share his appreciation of the entrepreneurial spirit of America, whereby inventors apply their creativity and ingenuity to technology every day in this country.

I want to reassure the gentleman from Illinois (Mr. MANZULLO) that since this issue is squarely in the jurisdiction of the Committee on the Judiciary, it will fully get the proper attention it deserves.

The bill we consider today, H.R. 1886, will not prejudice inventors, small businesses or anyone else connected with inventive activity. In fact, it will help level the playing field in this area regarding the patent code procedures. This will help us achieve our goals beyond patent reexamination, which include giving investors confidence in a patented invention so that doubts can be cast aside and that capital may be raised to help in the financing of entrepreneurial concern.

Second, this bill does not create new tools for litigation to harass or abuse inventors. In the past I have opposed such legislation and will continue to do so in the future.

Finally, I appreciate the concerns that the gentleman has raised. The Subcommittee on Courts, the Internet and Intellectual Property held two hearings on this subject earlier this year. In an effort to continue exploring this vital subject, I am directing my staff to schedule a third hearing on this subject and other issues of importance to inventors.

I thank the gentleman and look forward to working with him on his issue.

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

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 1886.

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

A motion to reconsider was laid on the table.

REQUIRING A REPORT ON THE OPERATIONS OF THE STATE JUSTICE INSTITUTE

Mr. SENSENBRENNER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2048) to require a report on the operations of the State Justice Institute.

The Clerk read as follows:

H.R. 2048

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

SECTION 1. REPORT BY ATTORNEY GENERAL ON STATE JUSTICE INSTITUTE.

Section 213 of the State Justice Institute Act of 1984 (42 U.S.C. 10712) is amended by striking ''On October 1, 1987'' and inserting ''Not later than October 1, 2002''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

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

GENERAL LEAVE

Mr. SENSENBRENNER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 2048, the bill under consideration.

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

There was no objection.

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

H.R. 2408 will require the Attorney General to submit a report to the House and Senate Committees on the Judiciary regarding the effectiveness of the State Justice Institute. This report would be due by October 1, 2002.

Congress established SJI as a private, nonprofit corporation in 1984. Its stated purpose is to further the development and adoption of improved judicial administration in State courts. SJI is to accomplish this goal by providing funds to State courts and other national organizations or nonprofit organizations which support the State courts. SJI also fosters coordination and cooperation with the Federal judiciary in areas of mutual concern.

Since becoming operational in 1987, the institute has awarded more than $125 million in grants to support over 1,000 projects; another $40 million in matching requirements has been generated from other public and private funding sources. As noted, H.R. 2048 would require the Attorney General to study the operations of the institute and release a report on its effectiveness. After 14 years and $165 million in grants, it is now more appropriate to take a closer look at the efficiency and effectiveness of this institute and the project it supports.

Madam Speaker, this concludes my description of the bill.

Madam Speaker, I reserve the balance of my time

Mr. BERMAN. Madam Speaker, I yield myself such time I may consume.

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

Mr. BERMAN. Madam Speaker, I rise in support of H.R. 2048. This bill was marked up and favorably reported by voice vote by the Committee on the Judiciary on July 24. It is wholly noncontroversial.

It requires the Attorney General in consultation with the State Justice Institute to submit a report to the House and Senate Committees on the Judiciary regarding the effectiveness of the institute. The report will be due no later than October 1, 2002.

The SJI is a useful project. Congress created it in 1984 to provide funds to improve the quality of justice in State courts. Congress also directed the SJI to facilitate enhanced coordination between State and Federal courts and develop solutions to common problems faced by all courts. It was last reauthorized in 1992. That expired in fiscal year 1996.

While the Committee on Appropriations has continued to appropriate approximately $7 million annually for the State Justice Institute, it has not been formally reauthorized since 1996 by the authorizing committee of the Committee on the Judiciary.

The ultimate purpose of the SJI report mandated by this legislation is to aid Congress in reauthorizing the SJI. With the information from this report, Congress can ensure that SJI reauthorization is accomplished with all due diligence.

The Attorney General did issue a study of its effectiveness in 1987, but this report provides little information, as the SJI did not become operational until 1987. So we need a new report to help inform future legislation to reauthorize it.

H.R. 2048 is a good bill, and I ask my colleagues to support it.

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

Mr. SENSENBRENNER. Madam Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. COBLE).

Mr. COBLE. Madam Speaker, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from California (Mr. BERMAN) pretty well laid this out.

I would just indicate that by noting that the 1984 legislation which created

the institute required the Attorney General to submit a report governing the effectiveness of the State Justice Institute's operations by October 1, 1987, to the House and Senate Committees on the Judiciary. Since SJI did not become operational until fiscal year 1987, the report submitted by former Attorney General Meese is of limited value in assessing the operations of the institute.

H.R. 2048 simply changes the due date for a report that will be identical in scope to the 1987 study. Unlike the previous effort, however, the study that will emanate from H.R. 2048 will be based on at least 14 years' worth of operations at the institute. As a result, Congress should have the first real comprehensive evaluation of the effectiveness of SJI by October 1, 2002.

Madam Speaker, this is a noncontroversial bill, as has been indicated. It promotes good government. While I am impressed with SJI operations to date, all Federal entities should be accountable to the taxpayers. I therefore urge my colleagues to support this legislation.

I thank the gentleman for yielding me time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 2048.

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

A motion to reconsider was laid on the table.

RECOGNIZING THE IMPORTANT RELATIONSHIP BETWEEN THE UNITED STATES AND MEXICO

Mr. HYDE. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 233) recognizing the important relationship between the United States and Mexico.

The Clerk read as follows:

H. RES. 233

Whereas the United States and Mexico share a special bilateral friendship which is matched by few other countries in the world;

Whereas the United States and Mexico are partners joined by geography as well as by a multitude of government-to-government and private relationships which are of critical importance to both countries;

Whereas the United States and Mexico share concerns on a wide range of issues, including trade, immigration, the environment, economic development, and regional security and stability;

Whereas Vicente Fox Quesada of the Alliance for Change (consisting of the National Action Party and the Mexican Green Party) was sworn in as President of the United Mexican States on December 1, 2000, the first opposition candidate to be elected president in Mexico in seven decades;

Whereas the United States, as Mexico's neighbor, ally, and partner in the hemisphere, has a strong interest in President Fox's success in promoting prosperity and democracy in his country and the region during his term of office; and

Whereas President Vicente Fox is making a state visit to Washington, D.C. on September 5–7, 2001: Now, therefore, be it

Resolved, That the House of Representatives—

(1) welcomes the state visit by the President of the United Mexican States, Vicente Fox Quesada; and

(2) declares that, in keeping with the just interests of the United States, the special nature of the relationship between the United States and Mexico should be further cultivated to the mutual benefit of both countries.

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

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

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, just over 1 year ago, on July 2, 2000, an extraordinary event took place. In a single day the people of Mexico peacefully ended 7 decades of one-party rule with their votes. Tomorrow, the man they elected as their president, Vicente Fox, will address a joint meeting of Congress as part of the first State visit hosted by George W. Bush.

The inauguration of Vicente Fox as Mexico's president has ushered in a new chapter in our Nation's relationship with our neighbor to the south. President Bush and President Fox have seized the opportunity to forge a new partnership. Both leaders have acted to leave the past and build a road to the future based on real shared interests.

The cornerstone of our relationship with Mexico is the North America Free Trade Agreement, initiated under the President's father's administration.

Commerce between the United States and Mexico increased from $83 billion in 1994 to nearly $200 billion in 1999. Total trade among the three NAFTA members, including Canada, reached $557 billion in 1999. Mexico has surpassed Japan as the United States's second largest trading partner. Even so, there is a belief abroad in our land that NAFTA is the culprit for the present economic downturn. This is simply not true.

The implementation of NAFTA, in fact, coincided with the longest peacetime economic expansion in the history of our Nation.

The trafficking of elicit narcotics through Mexico has left a swath of corruption and misery in its path. Securing Mexico's full cooperation in addressing the drug threat has long bedeviled our relations. President Fox has, however, demonstrated great courage in facing this violent and corrosive threat to the security of both of our nations. Under his leadership, Mexico has finally begun to extradite Mexican drug kingpins to face justice in the United States for their crimes.

Under President Fox's leadership, real law enforcement cooperation has begun at the working level where it counts, policeman to policeman.

Migration is at the top of our bilateral agenda with Mexico. The U.S. Census of 2000 revealed that almost 12 percent of the U.S. population is of Hispanic origin. Mexicans and Mexican-Americans constitute about 65 percent of that total. President Bush believes it is very important that America be a Nation that welcomes immigrants. He recognizes the huge contributions to our economy that immigrant workers, including Mexicans, have made and the vital role America has in welcoming people who will fulfill that role in our economy.

□ 1615

Accordingly, President Bush and President Fox have been working to establish a series of principles regarding migration issues that will be announced during President Fox's state visit.

Madam Speaker, the resolution before the House today recognizes the extraordinarily important bilateral relationship between the United States and Mexico, and welcomes the state visit by Mexico's democratically elected leader, President Vicente Fox.

Madam Speaker, the gentleman from Texas (Mr. PAUL), introduced a similar resolution earlier this year, and I am pleased he is among the Members from both parties, including the ranking member of our Committee on International Relations, the gentleman from California (Mr. LANTOS), who have cosponsored this resolution.

Madam Speaker, I reserve the balance of my time.

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

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

Mr. FALEOMAVAEGA. Madam Speaker, I certainly commend the gentleman from Illinois (Mr. HYDE), the chairman of the Committee on International Relations, for his leadership and for his sponsorship of this resolution, House Resolution 233, and I endorse the resolution, and also recognize the support of the gentleman from California (Mr. LANTOS), the ranking Democratic member of the Committee on International Relations.

I also acknowledge the support of the chairman of the Subcommittee on the Western Hemisphere, the gentleman from North Carolina (Mr. BALLENGER),

and the gentleman from New Jersey (Mr. MENENDEZ), the ranking member of our Subcommittee on the Western Hemisphere.

Madam Speaker, the resolution celebrates the unique bilateral relationship that the United States shares with its other neighbor, Mexico. It also acknowledges the pivotal role that Mexico plays in addressing issues that are of concern to both the United States and Mexico. And finally, the resolution welcomes President Fox to the United States.

Since assuming office in December of last year, President Fox has done much to build a new Mexico, a Mexico which tolerates diverse political views, which is accountable to its citizenry; and it is certainly a remarkable effort on the part of his leadership, and the fact that after 70 years, for the first time, a new political leader has come before the voters of Mexico and been elected, someone other than the party that has been presiding over Mexico's politics for the last 70 years.

Largely as a result of the efforts of President Fox's administration, Mexico's government now embraces divergent viewpoints, its press corps has become increasingly vigilant and vocal, and Mexican political society has become more vibrant and quite robust.

Oftentimes in collaboration with the United States Government, President Fox's administration has also recorded unprecedented victories in the fight against drug cartels and smugglers of illegal immigrants from other countries.

President Fox's administration continues to face significant challenges, including tensions in Chiapas, a softening economy, and entrenched corruption in some segments of the government, and accounting for Mexico's past human rights violations.

Madam Speaker, I commend President Fox for his outstanding leadership and real sense of commitment to address the social and economic problems currently confronting some 29 million indigenous Indians now living in Mexico. The indigenous Indians of Mexico have suffered tremendous hardships economically and socially, mainly due to negligence and indifference by previous administrations. President Fox is the first among Mexico's top leaders to seriously address the needs of indigenous Indians, especially the crisis that occurred in Chiapas in the Yucatan Peninsula whereby the needs of indigenous Indians of that region of Mexico have not been properly addressed by Mexican authorities.

How ironic that during the 1860s when Mexico fought a revolution against French rule, the gentleman who led the revolution against French rule and who later became Mexico's first president after the revolution was an indigenous Indian by the name of Benito Juarez. Over 100 years later, the issues affecting the lives of the indigenous Indians of Mexico have finally been brought to the attention of President Fox. I sincerely commend President Fox for his sensitivity and true sense of compassion in establishing national policy that will allow indigenous Indians to seek opportunities not only for higher education, but better health and better living conditions.

Madam Speaker, although these challenges are daunting, I firmly believe President Fox and his administration have the determination, the skill and the knowledge to address these issues successfully. I urge my colleagues to join me in pledging their support to President Fox, his administration, and Mexico's national parliament in their continuing efforts to address these and other issues of mutual concern.

Madam Speaker, as indicated earlier by the gentleman from Illinois (Mr. HYDE), President Fox will address a joint session of Congress tomorrow. To President Fox and his delegation I say, ''Bienvenidos a los Estados Unidos,'' welcome to the United States. I strongly urge my colleagues to support this measure.

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

Mr. GILMAN. Madam Speaker, I am pleased to rise in support of H. Con. Res. 233, which recognizes the important relationship between the U.S. and Mexico.

Madam Speaker, like many Americans, I have been impressed by Mexico President Fox's policies on a wide range of fronts. We congratulate him, and the Mexican people, on their commitment to democracy, which has been demonstrated in the revolutionary changes undertaken in the run-up to the most recent election, in the conduct of that election, and in its aftermath.

President Fox has broken new ground regarding counter-narcotics cooperation, economic reform, the fight against corruption and illegal immigration into Mexico en route to the United States. It is in the American national interest that he succeeds in all these fields.

For Mexico's economic reforms to take root, however, it must end its long-standing prohibition against foreign investment in its energy sector. The current prohibition has proved to be an enormous impediment to progress in Mexico. Currently, Mexico produces 3.8 million barrels of oil a day, the fifth-largest producer in the world. But, if it developed all the oil resources that it has, it could produce 6 million barrels a day, the second largest producer, according to the well-known firm, Cambridge Energy Research Associates.

The growth potential for its gas sector is even more dramatic. Mexico is currently producing 4.5 billion cubic feet per day. But according to Cambridge Energy Associates, Mexico could more than double this to 10 billion cubic feet per day. Canada, in fact, produces four times as much gas as Mexico even though both countries have the same amount of gas reserves. Currently Mexico actually imports natural gas from the United States, when the situation if anything, should be the reverse.

Yet, opening up the Mexican energy sector to foreign investment is just the first step towards the economic take-off that both Mexico and the United States seek. Once they increase their energy capacity, Mexico should resist the temptation to play politics with the Organization of Petroleum Exporters. Mexico, it should be recalled, and before President Fox took power, was a key player in pushing oil prices up from $10 a barrel in 1999 to today's $25 a barrel, when it colluded with Venezuela and Saudi Arabia to limit production. Its Minister has publicly boasted of this effort.

The oil price rise that they helped to engineer staggered our US economy. Richard Berner, chief economist at Morgan Stanley Dean Whitter, estimates that every $5 increase in the price of a barrel of oil knocks 0.3 percentage points off of our GDP. The price rise since 1999 represents one full percentage of our GDP, or hundreds of thousands of jobs. And the irony of course, is that the energy price rise that Mexico helped to create ended up hurting its own economy because of the repercussions it had on the United States economy.

What does all this mean for the United States and for Mexico? Clearly, the US welcomes our new relationship with Mexico. But if we are going to take this relationship up the next level-including improved treatment for the millions of Mexicos who are in this country illegally—we must have a new deal regarding Mexican energy production. Foreign investment and an end to Mexican cooperation with OPEC will serve the interests of both of our countries by opening the flood-gates of Mexican energy production and undermining the OPEC cartel. Cheaper energy will benefit the entire world economy—not least of all the United States and President Fox of Mexico.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Illinois (Mr. HYDE) that the House suspend the rules and agree to the resolution, H. Res. 233.

The question was taken.

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

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

The yeas and nays were ordered.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6 p.m. today.

Accordingly (at 4 o'clock and 22 minutes p.m.), the House stood in recess until approximately 6 p.m.

□ 1801

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WALDEN of Oregon) at 6 o'clock and 1 minute p.m.

COMMUNICATION FROM STAFF MEMBER OF THE HONORABLE CHRIS CANNON, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Jeff Hartley, Director of Communications for the Honorable CHRIS CANNON, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 2, 2001.

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

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a deposition subpoena issued by the Third District Court, Salt Lake Department, State of Utah, in a civil case pending there.

After consultation with the Office of General Counsel, I have determined that it is consistent with the precedents and privileges of the House to comply with the subpoena.

Sincerely,

JEFF HARTLEY,
Director of Communications.

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON GOVERNMENT REFORM

The SPEAKER pro tempore laid before the House the following communication from the Chairman of the Committee on Government Reform:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC, August 30, 2001.

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

DEAR MR. SPEAKER. This is to formally notify you pursuant to Rule VIII of the Rules of the House that the Custodian of Records, Committee on Government Reform has received a subpoena for documents issued by the United States District Court for the District of Columbia.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

DAN BURTON,
Chairman.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on motions to suspend the rules on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

H.R. 2291, by the yeas and nays;

House Resolution 233, by the yeas and nays.

The Chair will reduce to 5 minutes the time for the second vote in this series.

DRUG-FREE COMMUNITIES SUPPORT PROGRAM REAUTHORIZATION ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2291, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. SOUDER) that the House suspend the rules and pass the bill, H.R. 2291, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 402, nays 1, not voting 28, as follows:

[Roll No. 333]

YEAS—402

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fletcher
Forbes
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—1

Flake

NOT VOTING—28

Barton
Carson (IN)
Crane
DeFazio
DeGette
DeLay
Etheridge
Foley
Frank
Green (TX)
Hastings (FL)
Hayes
Hinchey
Horn
Jackson-Lee (TX)
Lampson
Lipinski
McNulty
Mica
Mollohan
Nadler
Pascrell
Paul
Rangel
Reyes
Sherman
Traficant
Young (AK)

□ 1825

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MICA. Mr. Speaker, on rollcall No. 333, H.R. 2291 I was unavoidably detained due to a delayed air flight. Had I been present, I would have voted "yea."

Ms. JACKSON-LEE of Texas. Mr. Speaker, on rollcall No. 333, regarding H.R. 2291 I was unavoidably delayed because of delays in my airplane travel from Houston due to rain storm delays. Had I been present, I would have voted "yea."

Mr. GREEN of Texas. Mr. Speaker, this afternoon, I was unavoidably detained and missed rollcall vote No. 333. Had I been present, I would have voted "yea."

RECOGNIZING THE IMPORTANT RELATIONSHIP BETWEEN THE UNITED STATES AND MEXICO

The SPEAKER pro tempore (Mr. WALDEN of Oregon). The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 233.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. HYDE) that the House suspend the rules and agree to the resolution, H. Res. 233, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 407, nays 0, not voting 24, as follows:

[Roll No. 334]

YEAS—407

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Forbes
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—24

Barton
Carson (IN)
Crane
DeFazio
DeLay
Etheridge
Foley
Frank
Hastings (FL)
Hayes
Horn
Lampson
Lipinski
McNulty
Mollohan
Murtha
Nadler
Pascrell
Rangel
Reyes
Riley
Sherman
Traficant
Young (AK)

□ 1842

Ms. HOOLEY of Oregon changed her vote from "yea" to "nay."

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2107

Mr. KUCINICH. Mr. Speaker, I ask unanimous consent to remove my name from H.R. 2107.

The SPEAKER pro tempore (Mr. WALDEN of Oregon). Is there objection to the request of the gentleman from Ohio?

There was no objection.

ANNOUNCEMENT REGARDING AMENDMENT PROCESS FOR H.R. 2586, NATIONAL DEFENSE AUTHORIZATION ACT, FISCAL YEAR 2002

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

Mrs. MYRICK. Mr. Speaker, this morning a Dear Colleague letter was sent to all Members informing them that the Committee on Rules is planning to meet early in the week of September 10 to grant a rule which may limit the amendment process on H.R. 2586, the National Defense Authorization Act for fiscal year 2002.

The bill was ordered reported by the Committee on Armed Services on August 1 and the committee report was filed yesterday. Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy of a brief explanation of the amendment to the Committee on Rules in room H 312 in the Capitol no later than 2 p.m. on Friday, September 7.

Amendments should be drafted to the text of H.R. 2586, as ordered reported by the Committee on Armed Services. That text is available at the Committee on Armed Services or on its Web site. Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain that their amendments comply with the rules of the House.

MAKING IN ORDER ON THURSDAY, SEPTEMBER 5, 2001, OR ANY DAY THEREAFTER CONSIDERATION OF H.J. RES. 51, APPROVING EXTENSION OF NONDISCRIMINATORY TREATMENT WITH RESPECT TO PRODUCTS OF THE SOCIALIST REPUBLIC OF VIETNAM

Mrs. MYRICK. Mr. Speaker, I ask unanimous consent that it be in order at any time on September 5, 2001, or any day thereafter, to consider in the House the joint resolution (House Joint Resolution 51) approving the extension of nondiscriminatory treatment with respect to the products of the Socialist Republic of Vietnam; that the joint resolution be considered as read for amendment; that all points of order against the joint resolution and against its consideration be waived; that the joint resolution be debatable for 2 hours equally divided and controlled by the chairman of the Committee on Ways and Means and a Member opposed to the joint resolution; and that consistent with section 151 of the Trade Act of 1974 the previous question be considered as ordered on the joint resolution to final passage without intervening motion.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

MAKING IN ORDER ON THURSDAY, SEPTEMBER 6, 2001 CONSIDERATION OF H.R. 2833, VIETNAM HUMAN RIGHTS ACT

Mrs. MYRICK. Mr. Speaker, I ask unanimous consent that it be in order at any time on the legislative day of Thursday, September 6, 2001, without intervention of any point of order, to consider in the House H.R. 2833, the Vietnam Human Rights Act; that the bill be considered as read for amendment; that the bill be debatable for 1 hour, equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations; and that the previous question be considered as ordered on the bill to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

EXPRESSING SORROW OF THE HOUSE REGARDING DEATH OF THE HONORABLE FLOYD SPENCE FROM THE STATE OF SOUTH CAROLINA

Mr. SPRATT. Mr. Speaker, I offer a privileged resolution (H. Res. 234) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 234

Resolved, That the House has heard with profound sorrow of the death of the Honorable FLOYD SPENCE, a Representative from the State of South Carolina.

Resolved, That the Clerk communicate these solutions to the Senate and transmit a copy thereof to the family of the deceases.

Resolved, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the deceased.

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. SPRATT) for 1 hour.

Mr. SPRATT. Mr. Speaker, I ask unanimous consent to yield 30 minutes to my colleague, the gentleman from South Carolina (Mr. GRAHAM).

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

There was no objection.

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

Mr. Speaker, while we were on recess, FLOYD SPENCE, a native South Carolinian, a friend of us all, and a Member of excellent standing passed away.

FLOYD was a star athlete, a student leader, a naval officer in Korea, a State legislator, and a pioneer Republican in a State that, at the time, was thoroughly Democratic.

For 30 long, dedicated years he served here proudly, with total loyalty to this grand old institution of the Republic and to the Armed Forces of the United States, whom he effectively represented on the Committee on Armed Services for all of that time, 6 of them as a very able chairman of the committee.

Many Members overcome obstructions or hurdles or suffer hardships to serve here. Few of us endure what FLOYD SPENCE endured, a double lung transplant. At the time, he was one of the few in America ever to survive such a procedure. I can recall his recounting how after the operation every movement of his body was excruciatingly painful. Yet, even though he had reason, I never heard him complain. I never heard him express anxiety about his condition. I never heard him boast.

I often heard him stand before groups, particularly from South Carolina, and tell them, ''I am glad to be here.'' He would pause a minute and say, ''Heck, I am glad to be anywhere.'' It was that kind of understated humor, that kind of affability, that kind of civility, that made him the gentleman from South Carolina on this floor, in the committee, not just in name but in the truest sense of the word. He left us all a worthy example to emulate, personally and professionally.

To his family, to his four proud sons, to Debbie, his wife, we extend our heartfelt sorrow. We will miss FLOYD too, but rest assured, we will always, always, remember him, and never forget his courage, his spirit, and the sterling example he left us of what it means to serve in this great institution.

Mr. Speaker, I yield 30 seconds to the gentleman from Texas (Mr. ORTIZ).

Mr. ORTIZ. Mr. Speaker, I had the privilege of knowing FLOYD SPENCE for about 20 years. He was my good friend.

Just like my good friend, the gentleman from South Carolina (Mr. SPRATT), says, he had a great sense of humor. I can remember when one day he said, You know, I have more spare parts than a used car dealer.

He was a great gentleman. I loved him. My family loved him, and Debbie, who nourished him when he had the double lung transplant. When we would see FLOYD, as the gentleman said, we would ask, ''You have a new suit?'' And he would say, ''No, it is secondhand used.'' This was the kind of guy he was. We loved him.

To Debbie and his sons: We are going to miss this great American.

Mr. Speaker, like my colleagues, I rise with a heavy heart today as we pay tribute to a friend, a colleague, and a stalwart for our nation's armed services and the country. FLOYD SPENCE and I were friends for as long as I have been in Congress.

In addition to his zeal and dedication on behalf of his constituents in his beloved South Carolina, I admired his outlook on life.

FLOYD was determined to squeeze every drop of life he could from his time on this earth—and he succeeded.

From the double lung transplant to the kidney transplant, FLOYD said he had more spare parts than a used car dealer. What was amazing was that he survived all this for so long. He had an amazing ability to recover from deadly afflictions.

He was supremely dedicated to his duty to South Carolina, to our armed services, and to the United States of America. I know this because I traveled with FLOYD to places on every part of this planet to inspect our military bases. Wherever we went, he insisted we talk to enlisted men, not just the generals.

Our nation has lost a great hero. I have lost my friend, mi amigo.

I offer Debbie and his children—David, Zack, Benjamin and Caldwell—my deepest condolences for their loss.

FLOYD loved his family so very much. It was Debbie, when FLOYD had the double lung transplant and was at his lowest, who gave him the support and encouragement he needed, and nursed him back to health.

FLOYD had a stubborn resolution to live, to enjoy life. He knew his time was one day at a time—he told me that each day was extra icing on the cake of his life. The antirejection medicine he took greatly diminished his ability to ward off simple infections.

I will miss that giant of a man with a laugh he was quick to share. The camaraderie often noted as now missing in the House of Representatives had led our critics, and ourselves, leads people to say that we lack either bi-partisanship or simple human trust.

But because of my friendships with so many of my Republican colleagues, most notably my friend FLOYD SPENCE, I know the trust we engender here is real and it works on behalf of the American people.

We may disagree on the issues of the day, but we are united in our belief that close bipartisan relationships serve all of us and the American people we represent.

I will miss you, FLOYD. I thank the gentleman from South Carolina for speeding our consideration of this resolution today.

Mr. SPRATT. Mr. Speaker, I yield 3 minutes to the gentleman from Arizona (Mr. STUMP), chairman of the Committee on Armed Services.

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

Mr. Speaker, I rise in support of this resolution recognizing the tragic and untimely death of our friend, colleague, and former chairman of the Committee on Armed Services, FLOYD SPENCE. He was a patriot, most of all a gentleman, and one of Congress' most ardent supporters and tireless advocates for our Nation's military.

During his long and distinguished career in the military and then public service, FLOYD devoted his life to the belief that there are certain principles worth defending: freedom, democracy, and the promise of global stability achieved through a policy of peace through strength.

As chairman of the Committee on Armed Services, FLOYD led our committee and this country through many tough times. It was largely due to his efforts that we were able to reverse the trend of the decline in spending for our military.

FLOYD leaves behind a proud legacy of accomplishment and service to our Nation and to the Armed Forces to which every public servant should aspire. It was a privilege to serve with him. I will miss him as a leader, a colleague, and most of all, a friend.

It is only fitting that we send FLOYD off with a traditional Navy farewell wish: fair winds and following seas.

Mr. GRAHAM. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. SKELTON), a ranking member of the Committee on Armed Services.

Mr. SKELTON. Mr. Speaker, I thank the gentleman from South Carolina for yielding time to me.

Mr. Speaker, FLOYD SPENCE was a true southern gentleman, a good friend, a dedicated Congressman, and a champion of a strong national defense. I had the privilege and pleasure of serving with him on the Committee on Armed Services during his chairmanship, and I found that he always worked for the betterment of our men and women in uniform and for our national security. I will miss him. I will miss him very much.

Almost a year ago, an overflow crowd gathered in the Committee on Armed Services hearing room for the unveiling of FLOYD's portrait as chairman of the committee. Often we do not have the chance to let friends know how we feel about them before they are gone, so I am very grateful that we had that evening together to enjoy FLOYD's company, and to let him know personally how much he meant to us.

FLOYD SPENCE began serving this country as an active duty member of the United States Navy Reserve during the Korean conflict. That service continued until the end of his life.

Our former chairman understood that our Nation needs a strong national defense, and he worked tirelessly with Members on both sides of the aisle to strengthen our Armed Forces and to take care of the men and women in uniform and their families. No one spoke out more forcefully on the need to maintain readiness.

On rare occasions we disagreed, but never disagreeably. Our relationship was one of mutual respect based upon values which we both learned in small towns named Lexington, one in South Carolina and one in Missouri.

During the years FLOYD SPENCE served on the Committee on Armed Services, he blessed us with his leadership, honored us with his friendship, and inspired us with his courage. FLOYD SPENCE was courteous, he was thoughtful, he was respectful of others. It was a pleasure for me to serve in Congress with this decent, fair, and honorable man. We are all the richer for his years of dedicated service to the Committee on Armed Services, the Congress of the United States, the people of South Carolina, and our Nation.

I extend my deepest sympathy to his wife, Debbie, to his four sons, and to his entire family.

Mr. GRAHAM. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. SAM JOHNSON), a true American hero and a former POW.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I thank the gentleman for yielding time to me.

Tonight I rise to pay tribute to a great American. Everybody has said it, he was, and he was also a true patriot, my friend, FLOYD SPENCE.

FLOYD and I first became friends when I came to the Congress in 1991. As a career Air Force fighter pilot for 29 years, I felt inclined to keep abreast of issues of importance to our national security and Armed Forces. Knowing my passion for the military, FLOYD went out of his way to update me early and often, even though I had not served on his committee.

In fact, because I was a POW in Vietnam and also a veteran of the Korean War, FLOYD turned to me in confidence regarding issues before his committees, the Committee on Veterans Affairs and the Committee on Armed Services, and he found it important to hear an outside perspective.

He was a true conservative. He did support our American military and our American way of life in all that he did. FLOYD was a true friend and a faithful leader for our men and women in the Armed Forces, and he always put our services' interest first and foremost.

Mr. Speaker, just this year FLOYD traveled with us to the Paris air show, where he looked there at foreign airplanes and ours in demonstration, and how proud he was of our own Armed Forces when they were out there performing before the world. It was a reflection that just made me admire him all the more.

□ 1900

In reflection, I am sad that I can no longer turn to my friend FLOYD on the floor. His family and friends are in my thoughts and prayers. I know he is in a better place. FLOYD SPENCE was and is a great American.

Mr. SPRATT. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank the ranking member of the Committee on the Budget and the gentleman from South Carolina (Mr. SPRATT) for yielding me time as we join tonight in true bipartisan fashion to remember and pay tribute to our great and good friend, FLOYD SPENCE.

The gentleman from South Carolina (Mr. SPRATT) outlined the resume of accomplishments of our friend FLOYD, the fact that he was a star athlete at the University of South Carolina. Now that football season has started, I think of his beloved Gamecocks that have had great success last year and promise in this season. He was captain of the track team, one who served this country with distinction as an officer in the Navy. The gentleman from South Carolina is right: he set the pace for a Republican birth really in the 20th century in South Carolina in 1962.

He came to this institution 3 decades ago. Mr. Speaker, I think of the lives he has touched, the difference he made for this Nation, not with grand and glorious orations, but with simple acts of kindness and repeated instances of a healthy dose of common sense.

He understood that our Constitution clearly calls for this Nation and this Government to provide for the common defense. He made no bones about his feelings and his priority for national security. And through it all in his days here he showed us the gift of being able to disagree without being disagreeable. Mr. Speaker, no Member of this House is as beloved as our friend FLOYD.

We thank him for his service. We thank his family and the State of South Carolina for giving us in this House a remarkable public servant.

Mr. SPRATT. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. HANSEN).

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

Mr. HANSEN. Mr. Speaker, I walked in this place in 1980, and I was asked to sit on the Committee on Ethics. Nobody wants to serve on the Committee on Ethics, but the ranking member of the Committee on Ethics happened to be FLOYD SPENCE. FLOYD served there for years and years and years.

We had a horrible case right off the bat. It was called the sex scandal with pages made up by CBS and one of their reporters. FLOYD handled that with more dignity than I have ever seen anyone handle anything. He was the ranking member, and he served longer on that committee than anybody in this House.

I hate to admit it, but I matched it at 14 years when I was on the Committee on Ethics. He did that with great distinction. I remember when we used to watch FLOYD come across in a wheelchair with his girl Carolyn pulling him across there with the oxygen. He heard of a doctor down in Mississippi who could do a double lung

transplant, a doctor from India. He did this with a young boy who was killed on a motorcycle. He became very close to the family. He called the mother Mom. She used to come up here. They were very close. That is what we would expected from a man like FLOYD SPENCE, a man who was a Navy captain himself, who had more compassion for people than most I have ever seen in my life. I stand amazed at the compassion he had and point out what a gentleman he was. It is too bad there are not more southern gentleman left in America today, a person who always opened the door for somebody, a person who took somebody for what they were and not what they could give them. This is the kind of person that FLOYD SPENCE was.

I have to say that the people who wear the uniform today, if you are watching this today and you are a private or a general, you owe an awful lot to FLOYD SPENCE. I do not know a man among this bunch of 435 of us who looked out more for the military. He used to say, I make no bones about it. I will take care of our military boys, our enlisted kids, our officers; and we will have the best we can.

He left a legacy for all of us. I appreciate FLOYD SPENCE. To his wife, Debbie, and his family, we wish them the very best.

Mr. GRAHAM. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. BEREUTER).

Mr. BEREUTER. Mr. Speaker, FLOYD SPENCE was a good, a valued, and valuable Member of this House. He will be missed greatly. I want his family to know and all of his friends and constituents what a tremendous contribution he has made to the country. The gentleman from Utah (Mr. HANSEN) just outlined in brief form the contributions he made to our armed services.

FLOYD SPENCE was a living, breathing, walking miracle and he knew it. It affected his life, and it affected all of us who knew FLOYD.

I had a friendship with him my entire 23 years here. He began service earlier than that. We shared a passion for planting trees on our respective acreage in South Carolina and Nebraska. We are members of the same religious denomination. We talked about religion and its importance to us many times. Mostly, I knew FLOYD SPENCE because of his involvement with the NATO Parliamentary Assembly, formerly known as the North Atlantic Assembly. I chair that delegation and have since 1995. FLOYD, much senior to me, was a very valuable member of that delegation. All of us on that delegation, Republicans, Democrats and our spouses and staff, miss the tremendous contributions that he has made. We miss them already.

He was a member of the Defense and Security Committee of the NATO Parliamentary Assembly and, of course, as a chairman and then former chairman of our House Committee on Armed Services, his word was greatly respected and sought after in that assembly. FLOYD did not speak often; but when he did, people listened. At our last meeting he was an important contributor on a discussion about national missile defense. Regardless of how one feels about that subject, he made us proud that he was a Member of the House of Representatives.

So to Debbie and their four sons, whom he talked about all the time, and their families, we offer our most sincere condolences. FLOYD made a major contribution to this country. We thank him, we thank you, his family, for sharing his talent and his courageous character with this House.

Mr. GRAHAM. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. HUNTER), one of FLOYD's closest friends.

Mr. HUNTER. Mr. Speaker, I recall when a number of us went down a few days ago to the memorial service in South Carolina, I thought one of the great parts of the eulogy when FLOYD's doctor who did the double lung transplant read the nurses' notes that were transcribed the day that FLOYD got married, shortly after the operation. He read the nurses' notes saying, ''It appears now people are filing into the hospital room for a marriage.'' She seemed to be somewhat surprised by that, and later on it said in fact the marriage ceremony had taken place; and she concluded, ''The patient has tolerated the marriage well so far.''

I thought that was a great remark and reflection on FLOYD SPENCE's life because FLOYD SPENCE tolerated a lot of things well. He tolerated discord and disharmony and tough times and times when it seemed like all of political opinion was going against you very well. But he was a man of steel. It has been mentioned he was a man of great civility. He also had literally an absolute iron backbone. I can remember watching FLOYD SPENCE tell a Speaker of the House in no uncertain terms no, something that is pretty difficult to do.

I recall his days talking to STROM THURMOND back in the early 1960s, and he said, I think I am going to change parties and become a Republican. STROM THURMOND said, I do not think the district is ready for that. The district was not ready for it. I think he lost his first election but later on was sent to a seat in the House of Representatives. He talked about that day, and whether you are a Democrat or a Republican you have to admire the absolute iron will of this guy who walked down the streets of his hometown having changed parties in a State that still remembered the War between the States, and where lots of folks had lots of ancestors who lost parts of their bodies in the Civil War and lost lots of other things and was still a place where there was feelings about that war and about Mr. Lincoln's armies.

FLOYD SPENCE walked down the streets of his hometown and had people, friends and neighbors, who had known him for years turn their backs on him. I recall he said he walked into the post office and an old friend who had been with him for years walked up to him, turned his back up to him deliberately and said, I used to have a great friend but now he is dead, and walked away.

I thought, what a remarkable resolution and resolve and strength this guy had to have to do that at a time when it was very, very difficult politically. Yet, with this great strength and determination and resolve that resided in FLOYD SPENCE's heart, we never heard him brag. The only people he talked about, if he was talking about his family, were his grandkids and his kids and all of his wonderful daughters-in-law.

FLOYD SPENCE left us with a legacy of civility. If we follow that legacy of civility, along with the resolve to follow our principles as strongly as he did, we will continue to be a great Nation.

Mr. SPRATT. Mr. Speaker, I yield myself 30 seconds to add to what the gentleman just told. The best part of the doctor's story was he said he was beeped. He thought surely something happened to FLOYD. He was well away from the hospital so he rushed to the telephone. He called the number. They put FLOYD on the phone; and he said to the surgeon, Doctor, I am getting married. He said, Fine. That is wonderful. When? FLOYD said, Right now.

Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. BROWN).

Mr. BROWN of South Carolina. Mr. Speaker, we honor a great American and a great South Carolinian who will be sorely missed not only here in the halls of Congress but in the entire Nation.

His leadership in the area of national security is without equal. FLOYD SPENCE had been hailed by Democrats and Republicans for devotion to God and country. He spent his career fighting for our men and women in uniform. He was a strong advocate of improving the life of military personnel including pay raises and better living conditions. He understood that a well-trained and equipped military is the first priority by the Federal Government and the best way to preserve the peace.

FLOYD leaves behind a legacy of accomplishment that includes service in the United States Navy, 6 years in the South Carolina House, 4 years in the Senate and 3 decades in the United States House of Representatives.

In 1971 he was the first House Member to sponsor a constitutional amendment calling for a balanced budget.

He served for 13 years as the ranking Republican on the Committee on Ethics, and he also chaired with distinction the House Committee on Armed Services from 1995 to 2000.

FLOYD SPENCE was one of our most distinguished patriotic public servants as well as a southern gentleman in the best of the tradition. He was a great colleague and a wonderful friend. His

guidance, optimism, statesmanship, and strong leadership will be missed by all that knew him. He was a mentor to me and a great friend. God bless FLOYD SPENCE and his family.

Mr. SPRATT. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Speaker, I am pleased to rise on this occasion to join our colleagues in paying tribute to our good friend FLOYD SPENCE, to the people of South Carolina, of expressing our heartfelt condolences to the family of our distinguished friend FLOYD.

FLOYD was a true southern gentleman, a good friend to many of us, a committed husband and father, and a dedicated public servant to the men and women of our armed forces and to the people of South Carolina and to his beloved Nation.

I have had the pleasure and honor of serving in the Congress with FLOYD for more than 3 decades.

□ 1915

As a Navy veteran, he was a staunch, unwavering advocate for our men and women in uniform. As chairman of the Committee on Armed Services, he fought tirelessly to improve the quality of life for our military personnel.

FLOYD was a man of great perseverance. From his early football injury through his more recent lung transplant, FLOYD continued to give all he had to others, and he committed his life to fully serving his people in South Carolina.

FLOYD SPENCE was elected to serve the Second District of South Carolina in the House of Representatives in 1970 and served some 15 terms. In 1971, he was the first House Member to sponsor a constitutional amendment calling for a balanced budget. He served for 13 years as the ranking Republican on the Committee on Ethical Conduct, and in 1995 was named chairman of the Committee on Armed Services where he served with distinction, always keeping in mind the national security of our great Nation.

Georgia and I join the many friends and Members of this body in sending our prayers and condolences to his wife, Deborah, his four sons, David, Zack, Benjamin and Caldwell, and to all of the members of the Spence family. FLOYD's public service was a testimony to his life, a model for all of us. He will be sorely missed, not only by his colleagues, but by the entire Nation.

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

Mr. Speaker, being from South Carolina and in politics, having people around for awhile is not an unusual circumstance. Senator THURMOND, most people recognize his name, was elected in 1954; I was born in 1955. We tend to keep people around.

Mr. Speaker, the gentleman from South Carolina (Mr. SPRATT) led this debate, and I know that the family is very appreciative of all of the kind words. In South Carolina we pride ourselves on being a delegation that comes together for the good of the State, and remembers our upbringing pretty well. Every now and then we fuss and fight, but I doubt if my colleagues will find any Democrat or Republican in this body that ever had a disagreement with FLOYD, that they walked away from that disagreement believing anything less of the man. That is something we are losing in the country.

I have been in politics since 1994. It has been a contentious time, but we have done a lot. In a delegation this small, Members get to know each other pretty well, and FLOYD SPENCE was the nicest person I have ever met in political life. That is saying a lot coming from my State, because most of us try to be nice to each other. And the fact that so many Members came to speak of his kindness and his commitment to the men and women in the military proves that Members can be quiet and make loud statements.

FLOYD will not be known by the volume that he carried, but by what was in his heart. FLOYD did change parties. At the time that was tough, but I do not know of any Democrats back home that thought that FLOYD SPENCE was anything other than a gentleman. Any disagreements with FLOYD were political, never personal.

He had a devoted wife, Debbie, and many Members know about that situation. The marriage that the gentleman from South Carolina (Mr. SPRATT) was referring to was to his second wife, Debbie Spence, who was a devoted wife and friend to FLOYD, and they were married in the hospital right after his historic double-lung transplant. I have never met anyone more devoted to their spouse than Debbie. FLOYD often said he was blessed to have two special women in his life. FLOYD was also very proud of his four sons. He said he had four boys that all married female women. To know FLOYD, that made sense. He was very proud of his family and his grandchildren.

In the 10 years-plus after he received a double-lung transplant and eventually a kidney transplant, he said, this is my second life.

Mr. Speaker, FLOYD appreciated every day the good Lord gave him. He has a group of grandchildren, varied ages, some of them very, very young. They have something exciting to behold in their life. They will not be able to know their grandfather like we knew him. They will hear about him through family and friends. They will hear about FLOYD through a thousand different ways.

They will hear about their grandfather from statements in the post office, ''Was your grandfather FLOYD SPENCE?'' And they will say, ''Yes.'' People will say, ''Let me tell a story, how he helped me.''

I do not think there is any better legacy than what FLOYD left behind: kindness to everybody, a smile on his face. This body has lost a real gentleman and a true friend to the men and women who serve in the military.

Mr. Speaker, if we could all be more like FLOYD SPENCE, we would be a better Nation.

Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Speaker, I was with FLOYD on his last trip. We flew into Paris to go to the Lafayette Escadrille Memorial, a memorial to recognize 60 Americans in World War I who fought with the French against the Germans. These 60 individuals were killed in France, and they were memorialized at the Lafayette Escadrille, a large memorial. Congressman SPENCE led the delegation, and I gave a speech on their behalf, and he was a strong participant.

I will cherish that trip because that was the last time I spent any time with FLOYD. I think, as pointed out by other speakers, he was a gentleman in the real sense of the word, but he also had a spirit, a spirit of survival, a spiritual makeup that one felt he was in tune with the Lord, and that he continually reminded all of us to appreciate each and every day.

I will miss him when he used to come up on the House floor and say hello. He would always have that kind of expression, and when asked how he was doing, he would respond, I am here and I am very thankful.

When we talk about a person's life, if Members can talk about him with a certain sense of joy, I think that is a positive thing, and I think we are here tonight to say in many ways he brought joy to our lives with his spirit. I am speaking tonight about his accomplishments, but also about his spirit.

Mr. Speaker, I served 10 years on the Committee on Veterans Affairs with him, and in addition to the active military personnel, he was very interested in the retired military, particularly veterans. He was very religious in his attending of subcommittee assignments. I was impressed that he, as chairman of the Committee on Armed Services, would still have time to come to our Committee on Veterans Affairs, and his participation was very active and commendable considering how much he had on his plate.

Mr. Speaker, I think it should be pointed out that many of us did not see him in his prime athletic years when he was a great athlete. We saw him here with the various replacements he had with his lungs, his kidney, but we did not have the opportunity to see him when he was a strong athlete. He was a leader, a naval officer, and when Members look at the spectrum of his career, it was magnificent and impressive; and when one tops that with his love for the country, it was a perfect package, and I close on that note.

Mr. SPRATT. Mr. Speaker, I yield 2 minutes to the gentleman from Guam (Mr. UNDERWOOD).

Mr. UNDERWOOD. Mr. Speaker, FLOYD SPENCE was a remarkable individual. He was remarkable for his accomplishments: The fact that he was a steady voice for the national security of this country; the fact that he led the Committee on Armed Services with such great distinction. He was a statesman in the truest sense of the word.

In a way it is not so much all of the things that he did, but his demeanor, the way that he carried himself throughout his efforts that really I think inspires many Members to come to the floor this evening to make commentary on FLOYD.

He came to the chairmanship of the Committee on Armed Services at a time when the majority took over the House, and in a way, the majority was very fortunate to have a leader like him because he was steadfast in his principles, yet he was not personally very polarizing; and as a consequence, he was able to sustain his positions very well and successfully.

Frequently we hear the phrase, kind of a trite phrase, ''Courtesy is contagious,'' but with regard to FLOYD SPENCE, it really was. He was a very kind man. In my personal interactions with him, he always found the time to talk and ask me about how the military was doing in Guam, and what he could do to help us. In that sense, courtesy was contagious. He was the quintessential Southern gentleman. There are still many examples of that around, and we are happy to see that, and I hope it continues to infect the rest of us here who are not from the South.

Mr. Speaker, I pay tribute to FLOYD who was my chairman for 6 years. He was a joy to work with, and certainly an inspirational figure in his own way, and it demonstrates that in politics it is not the power of words, but the power of spirit that carries the day. He provided ample evidence of that in his own work.

Mr. GRAHAM. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. RYUN).

Mr. RYUN of Kansas. Mr. Speaker, I have very fond memories of FLOYD SPENCE. As a freshman on the Committee on Armed Services looking for direction, he was always there as a friend, and he was willing to give counsel.

I particularly remember when I asked him to come to Fort Riley in my district to visit the soldiers and see the installation and meet the people. As I visit with people back in the district, they still remember him as being very warm, very committed, very sincere, and a great leader.

Mr. Speaker, most people have a birthday every year in their life just to celebrate life, but the one thing that always interested me with Mr. SPENCE was, the Committee on Armed Services had a birthday to celebrate his lungs because he had been given a special gift as a result of complications he had in his life.

My family and I loved him very much. He was always very kind to them. He was willing to give time whenever he could provide it. He was a man who had knew he had been given a great gift from God. He fought for what was right for this country, even if it meant going against Members of his own party because he had that kind of commitment. Debbie was a great contribution to his life.

Mr. Speaker, I want to finish by saying, Mr. SPENCE, will be missed, and we thank him very much for his great contributions to this great Nation.

Mr. GRAHAM. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. DEMINT).

Mr. DEMINT. Mr. Speaker, I rise today to honor a true champion of freedom from the great State of South Carolina, Congressman FLOYD SPENCE. It was an honor and a personal privilege to serve with FLOYD in Congress. He served his district, his State and his country by fighting for the values that we all cherish. He was a true patriot and a remarkable man.

Congressman SPENCE was recognized around the world as an authority on defense issues. Vice President DICK CHENEY recently said Mr. SPENCE was one of the watchmen over America's security. He had a deep respect for the military, and that respect was returned. He was a patriot who served his country well. FLOYD was chairman emeritus of the Committee on Armed Services, and a senior member of the Committee on Veterans Affairs. He was the only Member of Congress to have served as chairman of the Committee on National Security.

A decorated veteran himself, he received many military honors. Most recently, Congressman SPENCE received the 2001 Distinguished Service Award from the Military Order of the World Wars.

FLOYD became a personal friend of mine, and I remember so many occasions on the back of this floor just talking with him. It was his encouragement and sense of humor that gave me a good perspective of our work here: to keep the focus on our country and security and what is best for those who live here. He was an inspiration to me, and I want to honor him tonight.

Mr. Speaker, I rise today to honor a champion of freedom from the great state of South Carolina, Congressman FLOYD SPENCE. It was an honor and a personal pleasure to serve with FLOYD in Congress and get to know him over the past few years. He served his district and his country fighting for the values we cherish. He was a true patriot, a remarkable man.

As you know, FLOYD was a walking medical miracle. In 1988, at age 60, he underwent a then rare double-lung transplant. In 1990 when asked to reflect about this operation, FLOYD said ''I thank my maker for allowing me to have a second life.'' This past year he also had a kidney transplant. His doctor characterized FLOYD as a man of extraordinary courage who respected and embraced life. He often said that he was ''grateful for any additional day God granted him.'' Through those experiences, FLOYD continued to serve and became an active supporter of organ donor awareness programs.

Congressman SPENCE was recognized around the world as an authority on defense issues. Vice President DICK CHENEY recently said SPENCE was one of the ''watchmen over America's security.'' He had a ''deep respect for the military, and that respect was returned. He was a patriot who served his country well.'' FLOYD was the Chairman Emeritus of the Committee on Armed Services and a senior member of the Committee on Veterans' Affairs. He is the only member of Congress to have served as the chairman of the Committee on National Security. A decorated veteran himself, he received many military honors. Most recently, Congressman SPENCE received the 2001 Distinguished Service Award from the Military Order of the World Wars.

Before coming to Congress in 1970, Congressman SPENCE was a member of the South Carolina House of Representatives from 1956–1962 and the South Carolina Senate from 1966–1970. He was a man of faith, a solid conservative, a wise mentor and a shining example of service to myself and the rest of the delegation.

My heart goes out to his wife Debbie and the entire Spence family. Our prayers are with you as you grieve—thank you for sharing such a man of integrity with us.

□ 1930

Mr. GRAHAM. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Speaker, I wanted to come to the floor tonight and also join in the eulogy of a friend of the House and a friend of the country. FLOYD SPENCE, I think, was an individual whom many of us here in this body could call a friend, because FLOYD in his aw-shucks kind of Southern gentleman demeanor would come up and ask you how is your health, how are you doing, how is your family, and he always put the needs of others ahead of himself. Even though FLOYD may have been failing in his health, he always wanted to know how you were doing and how you were feeling. That was a lot about who FLOYD was and the impact he had on a lot of us and the impact he left upon a country, because he dedicated his life to public service.

It was truly honorable in the manner in which he conducted not only his everyday life but also his profession. He had so many positive attributes that he could not help but have an impact upon each of us and a nation. I think as an individual that dedicated his efforts to national security and making sure that the men and women who wear the uniform, when they take that uniform off, in his dedicated service to the Committee on Veterans' Affairs, he made sure that that solemn oath that that veteran took, that the government in fact fulfilled their commitments to the veterans of this Nation. He taught each of us every day that freedom is not free and that we must be vigilant as a Nation, leaning forward so that we could respond.

FLOYD may not be with us in body but the lives of whom FLOYD SPENCE

touched will be forever with us in spirit. There is a song and the lyrics of that song may have been heard but not listened to by many and it is that life is about more than who we are, it is about what we do with the span of time in which we have. FLOYD embodied that. He made sure that the imprint that he left upon each of us and the Nation was one that was very positive.

FLOYD, to your family, you spoke often of your sons and of your grandchildren, we wish you and your family well. One day we will join you, my friend.

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

Mr. WATTS of Oklahoma. Mr. Speaker, it is with a heavy heart that I join my colleagues in bidding a fond farewell to our colleague and ''My Chairman,'' FLOYD SPENCE, who died last month. Our condolences to his wife Deborah and his four children. FLOYD SPENCE was a hero, a patriot, a family man, a man of God, and, above all, a gentleman. In his more than 30 years in this body, he demonstrated civility, respect and kindness toward his colleagues. He was in the finest tradition of Southern gentlemen.

Mr. Speaker, FLOYD SPENCE served his country honorably in the U.S. Navy, on active duty in the Korean War era, and then as a Reservist, even while a Member of Congress for decades thereafter. His commitment to our troops in uniform was unsurpassed and obvious to those of us who served with him.

In his role as Chairman of the House Armed Services Committee for the six years ending in January, FLOYD really came into his own, in highlighting the deteriorating conditioning of our armed forces and strengthening congressional resolve to address this issue.

I was honored to be in attendance at his funeral, along with Vice President CHENEY, Secretary Rumsfeld and so many others. His voice will be missed in this body, but never forgotten.

Mr. EVERETT. Mr. Speaker, It is with a heavy hear that I stand here today to honor the memory of a dear friend and respected colleague, FLOYD SPENCE. FLOYD was a patriot and a statesman who devoted his 30 years in Congress to securing America's defense and supporting our nation's veterans. As such, he was a well-know voice of experience and leadership on both the House Armed Services and Veterans' Affairs Committees, on which he proudly served for much of his career.

FLOYD assumed the powerful chairmanship of the Armed Services Committee when Republicans gained control of the Congress in 1995. He quickly proved himself a skilled chairman, pushing for and securing billions more in desperately needed defense funding when the Clinton Administration was seeking to gut the military to pay for the massive growth of government social programs. FLOYD helped to save and protect our national defense and laid the groundwork for the current drive to rebuild and redefine our defense capability to better respond to the challenges of the new century battlefield.

Winning tough battles was not uncommon for FLOYD. During his tenure, the gentleman from South Carolina was successful in instituting instrumental legislative initiatives while gaining the admiration and friendship of members from both sides of the aisle.

His quiet strength also got him through some very rough health challenges. Despite these problems, I never heard FLOYD complain. In fact, I can't recall him ever walking into a room without a smile and kind word.

FLOYD was a great American and a personal friend. I greatly value my days serving with him, especially on the Armed Services and VA Committees. He was a source of wisdom and counsel on difficult issues, and his presence in these hallowed halls will be sorely missed.

Mr. GRAHAM. Mr. Speaker, also on the note earlier echoed by the gentleman from Indiana, Mr. BUYER, we will Miss FLOYD but he has made us all richer.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF MEMBERS TO ATTEND FUNERAL OF THE LATE HONORABLE FLOYD SPENCE

The SPEAKER pro tempore (Mr. KIRK). Pursuant to the order of the House of Thursday, August 2, 2001, the Speaker on Tuesday, August 21, 2001, appointed the following Members to attend the funeral of the late Honorable FLOYD SPENCE:

Mr. SPRATT of South Carolina;
Mr. HASTERT of Illinois;
Mr. WATTS of Oklahoma;
Mr. CLYBURN of South Carolina;
Mr. GRAHAM of South Carolina;
Mr. DEMINT of South Carolina;
Mr. BROWN of South Carolina;
Mr. YOUNG of Florida;
Mr. HUNTER of California;
Mr. SAXTON of New Jersey;
Mr. HEFLEY of Colorado;
Mr. MCNULTY of New York;
Mr. BARTLETT of Maryland;
Mr. MCHUGH of New York;
Mr. CHAMBLISS of Georgia.

SPECIAL ORDERS

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

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

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

CURRENT IMMIGRATION ISSUES

The SPEAKER pro tempore (Mr. KIRK). 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, first let me offer my deep appreciation and sympathy, appreciation for FLOYD SPENCE's life and sympathy to his family.

Mr. Speaker, there is no question that we have been expecting new immigration agreements to be announced when the Mexican President, Vicente Fox, visits Washington this week. Instead, we have the White House issuing a statement that they expect a comprehensive U.S.-Mexico immigration reform package in the next 4 to 6 years.

Since their elections last year, both President Fox and President Bush have pressed immigration to the top of their agendas. President Bush has stated that he is willing to embrace a more inclusive vision of America, one that would welcome the talents and contributions of immigrant communities all over this Nation, hardworking, taxpaying immigrants coming from places as far away as Poland, England, Brazil, Guatemala, Singapore and other places that people would be interested in coming to the United States.

It is disappointing that both Presidents believe that reform will take so long to broker. Immigration is extremely complex; however, we cannot delay dealing with the issues involved. The time has come to bring these people out of the shadows and allow them to bask in the sunlight of mainstream American life. The time has come to educate the American people, to make them stakeholders in improving the lives of all Americans and those who access the American dream. Given the momentum the two Presidents have generated up until now and given the expectations, if they do not take advantage at this moment, they will have missed an historic opportunity.

By pushing back a reform in immigration policy, President Bush is losing sight of the millions of hardworking, tax-paying immigrants who have lived in this country for a number of years and have contributed to the economic prosperity of our Nation. What the White House is doing with our immigrant community is nothing more than gesturing, lip service designed to attract badly needed Hispanic support to the Republican fold. We cannot wait 4 to 6 years for real immigration reform. The time has come for a change in U.S. immigration policy.

The Democratic Principles on Immigration provides this necessary immigration reform by rectifying current problems in immigration policy. The principles of the statement are family reunification, earned access to legalization, border safety and protection, enhanced temporary worker program, and ending unfair discrimination against legal immigrants.

A policy based on these five principles will bring stability to the lives of millions of people. In addition to strengthening the national economy, such a policy would honor family values, reward hard work, provide worker protections and enhance civil rights. It would also benefit people who have come to the United States from every corner of the globe. Any new program

to expand the number of guest workers in the U.S. should be considered only after hardworking, tax-paying immigrants already in this country are legalized and it must provide guest workers with full labor and civil rights and a clear path to legalization.

Furthermore, the Statement of Immigration Principles reflects the Democratic Caucus philosophy and core values of family reunification, bringing mothers and fathers together, families with children, fundamental fairness and economic opportunity. Furthermore, the immigration principles stand by the people who fuel the economic engine that drives the American economy and the people who play a vital role in our communities and culture. America's immigrants need redemption for what our Nation's policies have forced them to go through and Americans who are already here need to be recognized that they too need job training and enhanced economic opportunity. We do not separate the immigrant community from our hardworking Americans as well.

We need to empower our immigrant communities so that they can earn a living wage that will help provide for their families. By doing so, we are giving hardworking immigrants the chance to become permanent members of our society rather than continuing to treat them like second-class citizens. If President Bush is serious about immigration policy, I wish to join him as the ranking member on the immigration committee. He needs to remember that immigrants helped build this Nation and that they too are a part of our Nation's prosperity. We must stop the antiimmigration forces in the Republican Party and elsewhere and begin to work together and build America together. Four to six years is absolutely too long.

And if we are to improve our immigration policy, we must restructure the INS, an agency with conflicting priorities and mission overload. Thousands of individuals can attest to the unclear lines of accountability and poor intra-agency communication and coordination and the enormous backlogs. Talk to any Member of Congress and find out how many years and hours and days that they wait in order to access immigration services for their constituents, people who actually want to access legalization and do the right thing. Customers are frustrated. There is no doubt that the INS needs to be restructured because it lacks good customer service.

I have introduced the Immigration Restructuring and Accountability Act of 2001, H.R. 1562, which includes the objectives of improving accountability and performance. It creates a proper balance between enforcement and services. To achieve the goal of restructuring and reorganizing the immigration function fairly, effectively and efficiently, H.R. 1562 replaces the current INS with two new and clear subordinate entities, one for immigration services and one for law enforcement, within one agency. H.R. 1562 separates the enforcement and service functions of the INS into the Bureau of Immigration Services and the Bureau of Immigration Enforcement. Services and enforcement would have separate and clear lines of authority at all levels, from field to headquarters, so current INS regional and district offices would be eliminated and replaced with separate networks of immigration services and enforcement area local offices.

Finally, Mr. Speaker, as I close, let me simply say, we have got to address this question head-on, help our hardworking immigrants, and restructure the INS. That is a real policy. I ask for President Fox and President Bush to ensure that we work together.

There is no question that we have been expecting new immigration agreements to be announced when the Mexican President, Vicente Fox, visits Washington this week. Instead, we have the White House issuing a statement that they expect a comprehensive U.S.-Mexico immigration reform package in the next four to six years.

Since their elections last year, Fox and Bush have pressed immigration to the top of their agendas. President Bush has stated that he is willing to embrace a more inclusive vision of America, one that would welcome the talents and contributions of immigrant communities.

It is disappointing that both Presidents believe that reform will take so long to broker. Immigration is extremely complex; however we cannot delay dealing with the issues involved. The time has come to bring these people out of the shadows and allow them to bask in the sunlight of mainstream American life. Given the momentum the two presidents have generated up until now, and given the expectations, if they don't take advantage at this moment, they will have missed an historic opportunity.

By pushing back a reform in immigration policy, President Bush is losing sight of the millions of hardworking, tax paying immigrants who have lived in this country for a number of years and have contributed to the economic prosperity of our nation.

What the White House is doing with our immigrant community is nothing more than gesturing—lip service designed to attract badly-needed Hispanic support to the Republican fold.

We cannot wait four to six years for real immigration reform. The time has come for a change in U.S. immigration policy.

The Democratic Principles on Immigration provides this necessary immigration reform by rectifying current problems in immigration policy. The main principles of the Statement are family reunification, earned access to legalization, border safety and protection, enhanced temporary worker program, and ending unfair discrimination against legal immigrants.

A policy based on these five principles would bring stability to the lives of millions of people. In addition to strengthening the national economy, such a policy would honor family values; reward hard work; provide worker protections; and enhance civil rights. It would also benefit people who have come to the U.S. from every corner of the globe.

Any new program to expand the number of guest workers in the U.S. should be considered only after hard working, tax-paying immigrants already in this country are legalized—and it must provide guest workers with full labor and civil rights and a clear path to legalization.

Furthermore, the Statement of Immigration Principles reflects the Democratic Caucus philosophy and core values of family reunification, fundamental fairness and economic opportunity. Furthermore, the immigration principles stand by the people who fuel the economic engine that drives the American economy and the people that play a vital role in our communities and culture. America's immigrants need redemption for what our nation's policies has forced them to go through.

We need to empower our immigrant communities so they can earn a living wage that will help provide for their families. By doing so, we are giving hard-working immigrants the chance to become permanent members of our society rather than continuing to treat them like second class citizens.

If President Bush is serious about immigration policy, he needs to remember that immigrants helped build this nation and that they too are a part of our nation's prosperity. The anti-immigration forces in the Republican Party should not dictate the future of millions of hard-working men and women seeking better opportunities.

We cannot wait four to six years to lead to a positive, fair and meaningful difference in the lives of these millions of hard-working families is too long. Current immigration policies must be recrafted as soon as possible to reflect our core values of family unity, fundamental fairness, and economic opportunity. Consequently, the Democrats will fortunate the Statement of Immigration Principles into legislation.

In addition to reforming our immigration policy, Congress must address the much needed restructuring of the Immigration and Naturalization Service. Despite the fact that INS has experienced a significant expansion in its budget and staff, the Agency continues to be the most mismanaged agency in the US government.

INS is an agency with conflicting priorities and mission overload. Thousands of individuals can attest to the exacerbation of unclear lines of accountability and poor intra-agency communications and coordination. One result has been for the Agency to allow lengthy backlogs to develop for processing matters such as citizenship applications, visas, and a host of other immigration benefits.

There are accounts of delayed cases that cause two and three fingerprint clearances, lost files, mistaken information on the computer that causes INS to believe that a person is naturalized when they are not. Others account extreme delays in inputting fingerprint clearances in the computer so that applicants can be interviewed and delays in Service Centers sending files to District Offices. Unbelievable to many is the fact that INS sends receipts to inform applicants of the time frame which their application should be adjudicated; however, these time frames are frequently, if not almost always, wrong.

Furthermore, the Agency lacks good customer service. Many INS offices around the country are understaffed and the staff is inefficient and mismanaged. In addition, there is an obvious lack of training that most employees receive.

There is no end to the frustration felt by customers.

There is no doubt that INS needs to be restructured. The INS must dedicate itself to changing the manner in which it addresses the needs of people who require, deserve and pay for—in the form of fees and taxes—the services that it is charged with fulfilling.

What remains in question is when will we restructure INS and how will we restructure the agency? The first question has a simple response. Restructuring is long overdue. We need to commence restructuring immediately.

As ranking member of the Subcommittee on Immigration and Claims, I have introduced legislation of how INS should be restructured. This legislation, the Immigration Restructuring and Accountability Act of 2001 (H.R. 1562), includes the objectives of improving accountability and performance. Furthermore, it creates a proper balance between enforcement and services. It also provides an effective way to direct, coordinate, and integrate enforcement and service functions.

To achieve the goal of restructuring and reorganizing the immigration function fairly, effectively, and efficiently, H.R. 1562 replaces the current INS with two new and clear subordinate entities—one for immigration services and one for law enforcement—within one agency. H.R. 1562 separates the enforcement and service functions of INS into the Bureau of Immigration Services and the Bureau of Immigration Enforcement. Services and enforcement would have separate and clear lines of authority at all levels, from the field to headquarters. So current INS regional and district offices would be eliminated and replaced with separate networks of immigration services and enforcement area local offices. Not only will restructuring in this manner enhance enforcement of the Nation's immigration laws and improve the delivery of services, but it will greatly improve the ability of the INS to perform its duties effectively and efficiently and will increase accountability.

In addition, a strong, centralized leadership for immigration policy-making and implementation would be created. This position would be within the Department of Justice and called the Associate Attorney General for Immigration Affairs. This single voice is needed at the top to coordinate policy matters and interpret complex laws in both enforcement and adjudications, so as to ensure accountability and effective implementation.

The single executive would report to the Attorney General and be responsible for (1) integrating immigration policy and management operations within the Department of Justice, (including coordinating policy-making and planning between offices so as to ensure efficiencies and effectiveness that result from shared infrastructure and unified implementation of the law); (2) maintaining the crucial balance between enforcement and services; and (3) ensuring a coherent national immigration policy. It is crucial that a single, high-level Department official speak for the Executive branch on matters involving immigration policy and that this official have the authority to direct and manage our immigration system to ensure that immigration policy and management is fully integrated and coordinated.

H.R. 1562 also mandates that immigration enforcement and services functions must be supported by a set of shared services, including records, technology, training, and other management functions.

Finally, it is important that the service/adjudication as well as the enforcement function is fully funded. All offices need to have stable and predictable sources of funding. Appropriated funds must supplement user fees so as to improve customer service, offset the costs of those adjudications for which no fees are charged, and fund all costs not directly related to the adjudication of fee based applications.

I urge my United States House of Representative colleagues adopt this legislation. The INS desperately needs restructuring. We must continue to fight to solicit not only promises of better services from the INS, but actual, better service. We must compel the agency to redouble its efforts to assist immigrants rather than simply increase the fees that it imposes on its customers.

NATIONAL DEFENSE

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

Mr. HUNTER. Mr. Speaker, I wanted to talk for just a couple of minutes following the eulogy and the little memorial discussion that we had with respect to our old friend FLOYD SPENCE who really represented the idea that you needed to have a strong national defense to maintain all of our other freedoms and who dedicated his career as a member of the Committee on Armed Services and ultimately the chairman of the committee to national defense.

I thought that the best service we could render to FLOYD right now would be to remind our colleagues that we still have a lot of work to do with respect to national defense. We are still short on ammunition, measurably short. We are $3 billion short in terms of the Army's requirements and several hundred million dollars short with respect to the Marine Corps. We are still vastly short on ammunition. Spare parts, we have now cannibalization taking place across the array of front line aircraft, the front line fighter. I am talking about F–15s, F–15Es and F–16s. Their mission-capable rates are dropping off the cliff, meaning that they now are not as ready as they used to be to be able to go out and do their mission and come back.

We still have personnel problems. We are still some 800-plus pilots short in the United States Air Force and across the services. We have lots of personnel shortages.

□ 1945

So we have a need, Mr. Speaker, to spend about an additional $50 billion per year on top of what we are spending right now. I would remind my colleagues we are spending roughly $125 billion a year less than the Reagan administration did in the mid-1980s in real dollars.

So I think that the best service we can do to FLOYD's memory is to carry the flag that he carried, which is to remind our colleagues that we need to preserve a strong national defense.

I would yield to the gentleman from Indiana (Mr. BUYER), a good friend, a former member of the Committee on Armed Services, a veteran, and a veteran of the Gulf War, and a person who believes in defense.

Mr. BUYER. Mr. Speaker, I thank the gentleman for yielding.

When the gentleman comes up with his $50 billion number, what he did not mention, and I ask him to elaborate a little built, is on the question of deferred maintenance. When one looks at this past decade of the 1990s, in the post-Reagan buildup, we began to use a lot of the equipment, use those maintenance facilities, and now the bill is coming due, is it not?

Mr. HUNTER. That is absolutely right. I think the gentleman from Pennsylvania (Mr. WELDON) is going to speak later on on this trip that he took across the bases in this country and reviewing all of the deferred maintenance, the potholes on the runways, the repair on aircraft, but also the infrastructure maintenance, just keeping our buildings in good shape, keeping military housing in good shape.

When we would have to go to a mission, let us say to a Bosnia or another place, another operations area, instead of the administration, then the Clinton administration, asking for more money from Congress, they would simply reach into the cash register and take out money that was going to be used for maintenance.

So having used that money and not replaced it, when the services looked for money to be able to repair their old buildings, repair their runways, furnish spare parts, it was not there.

Mr. BUYER. When I look back now at the 1990s, I say as Congress sought to react to some of the personnel problems, we repealed the reduction, we reformed the retirement system, we made reforms in the pay tables, we increased military pay, we addressed the health care, we addressed the food stamp issue, so we focused a lot on personnel and people.

Now we need to focus on all that deferred maintenance that is going to come crashing down upon us. And shame on us if we do not focus on it, because the gentleman is absolutely right, it is the water lines, it is the pipes, it is the roofs, it is the equipment, it is the automobiles, and the list goes on and on. I am most hopeful that it is something that the administration will be leaning forward on.

Mr. HUNTER. I hope the administration works with the gentleman from New Jersey (Mr. SAXTON), who is chairman of the Subcommittee on Military Construction in the Committee on Armed Services to come up with some new ways to buy military housing for military families, because, as the gentleman knows, a lot of that housing is 20, 30, 40, 50 years old; and in a lot of places around the country our young families do not have housing available on the bases. There is not housing. They have to go out on the economy,

and in places like San Diego you are looking at $1,000, $1,200 a month for the smallest amounts. So we have some major problems to fix, and that means money.

Mr. BUYER. The gentleman is bringing a defense bill to the floor next week. What are the major themes of that defense bill?

Mr. HUNTER. We are going to try to do a lot of things with what we have, with the $18 billion in extra spending that we anticipate this year above and beyond what we call the ''Clinton baseline.'' But that $18 billion, once again, does not come close to solving the equipment problem, which is about a $30-billion-per-year problem, solving the ammunition problems, the people problems, the other problems we have across the board. We are going to do as much as we can.

CRITICAL ISSUES AFFECTING WOMEN

The SPEAKER pro tempore (Mr. KIRK). Under a previous order of the House, the gentlewoman from California (Ms. MILLENDER-MCDONALD) is recognized for 5 minutes.

Ms. MILLENDER-McDONALD. Mr. Speaker, I have come tonight to reflect upon some of the issues that I was confronted with over this August recess with many women whom I spoke with, and they simply wanted to know what we were doing in this House and this administration in trying to address some of the critical issues that are affecting women today. As we know, the women of today and tomorrow will be the majority of the workforce and thereby need to have the necessary tools with which they can provide for their families and themselves.

As I talked with these women, they were really concerned about reproductive rights. They want to make sure that this House does not whittle away the rights that they should have to look into whether they will provide for their children, whether they will have the right to their own lives, to their own bodies; and they simply want to make sure that this House does not do anything that would be destructive to the rights of women in terms of their reproductive rights.

Domestic violence is another one that they have talked with me about, because they simply look at the number of women and children who are now on the streets, the streets across this Nation, the most powerful Nation on Earth, not giving the women, again, tools to provide for their families and themselves, giving them the job training that they need so that they can sustain themselves and their families, giving their children the type of education that is needed to provide them the type of future that is required for the workforce.

Mr. Speaker, we must simply look at the agenda that this Congress is bringing forth for women and their families, as well as this administration. We can really leave no family behind, as we talk about leaving no child behind.

So as I come tonight, I just want the American people to know that I will be here every week now trying to synthesize and look through the myriad of issues that we have here on this floor, to see whether or not we really are serious about leaving no child behind and ensuring that the women of today will be sufficiently prepared for the workforce tomorrow and for today.

So beginning this month-long effort, we want to look at the wellness of women and their families. We want to look into the public policy to find out whether or not this administration is serious about leaving no child behind. As we look at that, we simply look at the education proposal that has been put forth.

We do not have the money to talk about the class sizes that the urban areas and the rural areas look at in terms of their children's quality of health and quality of education. This budget does not speak to reducing class sizes. It does not speak to qualified teachers that will be teachers who are making the salary conducive to teaching our children. It does not speak to the construction of schools that will provide the proper type of environment for our children.

This education proposal that the President has put through will leave children behind if he does not put the type of financial support behind these words and this slogan. It will be an empty slogan if the money does not follow the message.

So if we are talking about leaving no child behind, especially in my district of Watts and Compton and Wilmington, where you have the most impoverished kids, you have to make sure title I has the type of funding that is necessary to bring these children forward, the type of classrooms that will teach them high technology, the type of qualified teachers that will be there to teach them and to have a type of constructive engagement that will help them through their period of schooling. Healthy Start and Head Start need to have financial support.

I will be looking very carefully at this education proposal, looking at the President when he speaks about leaving no child behind, to make sure that we have sufficient funding for math and science for girls, because as I have gone around this Nation over this last month, I have found that there is a considerably decreasing number of girls in math and science classes. We are not encouraging our girls to go into math and science, and yet these are the future engineers and scientists who will be speaking to and doing research on the quality of life for families. So that is one element that we need to look at. The other thing is that of health.

Mr. Speaker, I will simply say, I will be here every week to speak on health, education and the quality of life for women and their families.

FOREIGN POLICY AND OUR NATIONAL SECURITY OBJECTIVES

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

Mr. BUYER. Mr. Speaker, earlier the gentleman from California (Mr. HUNTER) and I spoke on the issues of national security. I want to touch on an issue we do not really talk about much on the House floor, and it is the issue of foreign policy and how it relates to our national security objectives, i.e., our military strategy to fight and win our Nation's wars, as the gentleman from California (Mr. HUNTER) likes to refer to, with overwhelming force.

We went through the 8 years of the Clinton administration and we had a foreign policy of engagement. The President has the responsibility of outlining what are the vital interests of a Nation. Then he turns to the Pentagon and says what is your military strategy now to protect the interests of a Nation that I have outlined?

President Clinton, what he had done in his foreign policy of engagement, took 275,000 of America's finest and spread them over 135 nations all around the world. What that did was create an expectancy by our allies and our friends that the United States will always be there. So when you looked at Germany, or the United Kingdom, other allies began to decrease their defense budgets relative to their GNP.

Time out. You are going the wrong way. So now we have had a change in administrations and a change in direction, so I give some counsel now unto the administration: when the United States has provided for the peace and the stability of two major regions of the world, the Pacific Rim and Europe, I believe the United States as a superpower, we can act. Whether it is unilaterally or in concert with another nation, if there is instability upon a region of the world, then we can act.

Take, for example, the continent of Europe. If there is an intercontinental conflict that poses no threat to destabilize the region, then our allies need to step up to the plate. We can provide assistance through our architecture of intelligence or through our airlift and our sealift, but we need to ask of our allies that they begin to accept greater burdens of peace and responsibility.

Now to the issue of our military force structure and how that relates to that foreign policy. There is a debate in the town about do we move away from the military strategy of being able to fight and win two nearly simultaneous major regional conflicts. I have never endorsed that two-major-regional-conflict scenario, but I think what is important and what I have heard the gentleman from California (Mr. HUNTER) say is it is in our interests, this Nation of ours, to not only protect our interests and that of our allies; when they need our assistance, we need to be

highly mobile and volatile. I mean, it has to be lethal. It has to be a force that can respond rapidly.

So we can have debates, and the gentleman from California (Mr. HUNTER), I want to yield to him, to speak about the discussions he is presently having on the Committee on Armed Services about what should be the proper force structure as we move to the 21st century.

Mr. HUNTER. I am glad the gentleman is speaking today, because he is one of our Desert Storm veterans and was over in the Gulf and watched what then was an overwhelming use of force against Saddam Hussein. I believe you have to be prepared. I think ''be prepared'' is the key position that the U.S. should take, because if you look at the forces that we used against Saddam Hussein, many of those forces came out of Europe.

Those were forces that were lined up initially in Germany and other parts of Europe to offset what we thought then would be a conflict perhaps with the Warsaw Pact, that is, with Russians and Russian allies, the Soviet Union.

But that did not happen. In the end, we moved those forces into that theater in the Middle East, and we used them with devastating effect against Saddam Hussein's own military, which was much touted as the fourth largest army in the world.

So I think the lesson there is that unusual things happen. If we had gone back over the last century and the 619,000 Americans who died in the 20th century in conflicts, most of those conflicts arose in ways that we in no way anticipated, whether it was December 7, 1941, or this last event with Saddam Hussein invading Kuwait.

The gentleman and I sat there on the Committee on Armed Services and asked our intelligence people, Which of you anticipated this invasion of Kuwait? One of the gentleman actually said, Before or after the armor started moving? We said, No, before. And none of them had anticipated it.

So the key here is to be prepared. If you have force, you can move it, just as we did the forces out of Europe. If you have the air power, you can move it around the world. That is what that gentleman illustrated when he fought in Desert Storm.

□ 2000

THE EFFECTS OF HEART DISEASE AND CANCER ON AMERICAN WOMEN

The SPEAKER pro tempore (Mr. CANTOR). Under a previous order of the House, the gentlewoman from California (Mrs. CAPPS) is recognized for 5 minutes.

Mrs. CAPPS. Mr. Speaker, I rise this evening to bring attention to the threat that heart disease and cancer pose to the health of American women. I want to thank the gentlewoman from California (Ms. MILLENDER-MCDONALD) for organizing the Special Orders on women's health issues this evening and all during this month. As a nurse, I have made access to quality health care one of my highest priorities in Congress. I am particularly interested in making sure that there is equity in the access to health care between men and women.

Certain diseases and conditions are more prevalent in women than in men, and certain diseases and conditions affect women differently. Often health care professionals and women themselves do not give these conditions and diseases the attention they need. Heart disease and stroke are perfect examples of this fact. Over half of all deaths from heart disease and stroke occur in women. That is over half.

More women die from heart disease each year than from breast, ovarian and uterine cancer combined, making heart disease the number one cause of mortality in women. But heart disease is usually believed to predominantly affect men.

As cochair of the Congressional Heart and Stroke Coalition, I have worked closely with the American Heart Association and the American Red Cross to raise awareness about cardiovascular disease and stroke. While women and minorities bear a major portion of the cardiovascular disease burden, they are often unaware of its life-threatening symptoms and are diagnosed at later stages of the disease, and they may not receive appropriate medical care or follow-up services. Addressing risk factors such as elevated cholesterol, high blood pressure, obesity, physical inactivity and smoking will greatly reduce women's risk of disability and death from cardiovascular disease.

Congress needs to do its part to make sure that doctors, patients and all Americans are educated about the symptoms and dangers that women face and all Americans face from heart disease and stroke. Very soon, I will introduce the Stroke Treatment and Ongoing Prevention Act, or STOP Stroke Act, in the House, so that we can raise public awareness of the disease and its symptoms.

Mr. Speaker, I also want to highlight now a few of the initiatives that address cancer treatment and research. Along with heart disease and stroke, cancer is a serious threat to women's health. As a member of the House Cancer Caucus, I joined with 44 of my colleagues to write to HHS Secretary Tommy Thompson to express our support for expanded Medicare coverage of positron emission topography, or PET scan, for women's health. PET is a powerful clinical tool that can assist health care providers in making life-saving diagnoses and determining the most effective treatment for women with breast, ovarian, uterine and cervical cancers. I am hopeful that Secretary Thompson will support this effort.

In addition, I am a proud cosponsor of the bill authored by the gentlewoman from Connecticut (Ms. DELAURO), which would require minimum hospital stays for women after mastectomies. In addition, I cosponsored two other initiatives this year relating to breast cancer funding and research.

The Breast Cancer Research Stamp Act extends the Breast Cancer Research semipostal stamp through the year 2008, and the Breast Cancer and Environmental Research Act studies the links between environmental factors and breast cancer. It is so important to keep in mind that increased research on these and other women's health concerns can and surely will improve the quality and length of our lives. For all of these reasons, we must continue to work together in a bipartisan fashion to ensure that women's health remains a high priority on the congressional agenda.

Mr. Speaker, I look forward to hearing from my colleagues in the Women's Caucus as the days go by on these and other issues that pertain to women's health.

HIV/AIDS IN AMERICAN WOMEN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

Ms. NORTON. Mr. Speaker, I too come to the floor this evening to discuss a serious women's issue at a time when the women in the House are focused, as we approach the end of the session, on health issues. I want to remind the House that it is time to get serious about HIV and AIDS in women in the United States.

I have come to the floor with shocking statistics about AIDS worldwide where 50 percent of those with AIDS are women and, in Africa and Asia, whole continents are being engulfed with the disease. But we have not done our work here, and so with this emphasis this evening on health, I want to focus on preventing a preventable disease in women. What began as a so-called homosexual disease, we have quickly found out was a universal disease. But we have not targeted information and education about AIDS in women as a women's disease, and that is what this is.

There are two groups of women we need to focus on especially, very young women and women of color, because that is where the epidemic is. Among very young women between 13 and 24, half of the reported cases are women, 49 percent. And women of color, black and Hispanic women, are only a quarter of the population, but they are three-quarters of the AIDS cases. This is a wake-up call, I say to my colleagues.

What to do? First, we have not reached many women once. We have had better luck reaching men, because

we have targeted them. After we reach them once, we had better reach them every 3 or 4 years, because as a whole new group of young women and young men, they never got reached in the first place, because they were too young. That is the way this sexually transmitted disease works. If they only knew. It is what they do not know that will hurt them.

Forty percent of women are infected through a partner. They do not know that what the partner does with bring home the disease. Twenty-seven percent are infected through needles. If they only knew. If they only knew that if they press their communities to have programs that are explicit about this disease in shelters for runaways, in youth detention centers, in schools, we could begin to reach girls. This is where the young women are. This is where the women of color are.

What can we do in this House? Let us hasten the science on the female condom. It is time women took control of preventing this disease, and the female condom, with NIH working much more aggressively on it, would be one way. Microbicides that a woman can use quickly to destroy the virus before it takes hold, and combination antiretroviral therapies that can reduce the risk to newborns. Only 5 percent of newborns get the disease by transmission from the mother if women have access to these therapies.

Mr. Speaker, it costs $10,000 to $12,000 a year to take those pills after one gets the disease. We are talking about a disease that women do not have to get in the first place. We have not targeted them. First, we targeted homosexuals. That was wrong. We should have targeted the whole population, but we had some success targeting homosexuals, although that group is beginning to get the disease again.

Then we targeted men generally. We have targeted people of color without being very specific about who they are.

The fact is that nobody has targeted women of color, nobody is targeting very young women where the disease is spreading like wildfire and where the very young are quickly becoming half, half of all of those with the AIDS/HIV virus.

We come to the floor talking about diseases that we want more science about. We want more science about this. But most of the diseases we talk about, we cannot prevent. What makes this so heartbreaking is that we can prevent it. What makes it especially heartbreaking as to women is that they pass the disease on to their children.

We have not begun to work to prevent AIDS in women as we have in men. We have not begun to tell them the whole story. We who talk about sex all the time do not talk about the kind of sex that can kill people. It is time that we took a hold of this disease, as we can, especially as it now begins to spread and become a disease among the young where half of those getting it are women.

TRIBUTE TO SANDI HANSEN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Oregon (Ms. HOOLEY) is recognized for 5 minutes.

Ms. HOOLEY of Oregon. Mr. Speaker, I rise today to pay tribute to the life of Sandi Hansen who passed away on Sunday, August 26 at the age of 26. Sandi Hansen was a dear friend of Oregon who contributed passion and energy to the livability of the greater Portland metropolitan region. Throughout her career, Sandi kept her eye toward the future and worked to make our collective community one to be treasured by generations to come.

Sandi spent much of her career teaching school at Humboldt Grade School and Ockley Green Middle School in North Portland. She was active in the Overlook Neighborhood Association and a strong supporter of the Peninsula Trail, a key component of the citywide network of biking and hiking trails.

From 1990 to 1994, Sandi served as a Metro counselor at a time when Metro developed a 50-year growth guideline for the 24 cities and portions of three counties encompassed by the urban growth boundary. After the council approved the guidelines in December 1994, she said, ''It is a little bit like looking back on Rome.'' Those guidelines now serve to shape the growth of our communities for the next 45 years in a responsible and reflective manner and have been lauded nationwide.

Sandi Hansen, a true community leader, made a difference for all of us. Sandi Hansen: friend, teacher, mother, and wife. Because of her commitment to our community and our State, we are all better off because of her. My condolences go to her family. Sandi Hansen will be sorely missed by all that knew her.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Mrs. CLAYTON) is recognized for 5 minutes.

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

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

(Ms. WATERS addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

HONORING THE MEMORY OF F. DANIEL MOLONEY, SR., A GREAT PUBLIC HERO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. GRUCCI) is recognized for 5 minutes.

Mr. GRUCCI. Mr. Speaker, I rise with a heavy heart to honor the memory of a great public hero and a great public official, private businessman and community leader, and a dear friend from my hometown of Brookhaven, Long Island. F. Daniel Moloney passed away Sunday, August 26, 2001, at the age of 63 after a long battle with cancer.

Dan Moloney was known for his dedication and service to the community where he served with dignity and integrity as the Town of Brookhaven's receiver of taxes for the past 22 years, as a commissioner for 20 years of the Ronkonkoma Fire Department, and as the founder of Moloney Funeral Homes, the largest independent funeral homes on Long Island.

Francis Daniel Moloney was born in Bay Shore on December 22, 1937, to James J. Moloney of Limerick, Ireland, and Mary Lowe Moloney of Central Islip. After graduating from Villanova University, he did graduate work at C.W. Post College and attended the American Academy-McAllister Institute. He earned his nursing home administrator's license and was a New York State licensed funeral director.

With only $24 in the bank and working as a substitute teacher in the Brentwood and Centereach school districts and a midnight shift at the Central Islip state hospital in order to support his family, in 1962, Dan Moloney founded the Moloney Funeral Homes in Lake Ronkonkoma. That business grew into the largest independent funeral home on Long Island with five different branches across the island.

Through all of his business growth and successful battles in fighting off larger corporations that bought out so many local funeral homes, Dan was always proud that he remained a small family business. Today, the fourth generation of his family continues to work in the business he founded.

Dan always had the passion to serve his community. In addition to volunteering for his local fire department, Dan was a member of the Knights of Columbus, the Loyal Order of the Moose, the Smithtown Elks, the Ronkonkoma Chamber of Commerce, the Ronkonkoma Historical Society, and the Order of Sons of Italy Guy Lombardo Lodge.

□ 2015

He also served on the Board of Directors of the St. Charles Hospital in Port Jefferson, and was a past President of the National Association of Approved Morticians.

Dan's activism and commitment to his community led him into public service. He was elected as the receiver of taxes for the town of Brookhaven in 1979, where he provided strong leadership in local government for 22 years.

Dan Moloney also had a love for adventure and the great outdoors. In addition to being an avid skier, boater, and golfer, he was proud that at the age of 50 he rode a bicycle the 480 miles from San Francisco to Los Angeles. Dan also hiked the 14,000-foot mountain ranges of Colorado, including Pike's Peak and Mount Quandry. He also loved participating in cattle drives.

Dan Moloney was one of those rare individuals that took seriously his role as a member of the community, instead of viewing himself as an individual. He took pleasure and pride in helping and serving others, and he enjoyed life to the fullest. Not just the citizens and taxpayers of the town of Brookhaven, but all of us who call Long Island our home, will sorely miss F. Daniel Moloney.

Mr. Speaker, I offer my condolences and that of the First Congressional District to his mother, Mary; long-time companion and friend, Cheryl Tully; his children: F. Daniel, Junior; Virginia Wagenknecht, Michael S., Kathleen Anderson, Peter G., Thomas E., Christine Lentz, and Melissa Moloney; his brothers, Jack and the late James; his daughters-in-law: Denice, Jacqueline, Abbie, and Christine; his sons-in-law: James Lentz and John Anderson; and his 17 grandchildren.

Goodnight, my friend. Sleep well. The world will be a sore place without you.

REGARDING VISIT OF PRESIDENT BUSH AND PRESIDENT OF MEXICO VICENTE FOX TO TOLEDO, OHIO

The SPEAKER pro tempore (Mr. CANTOR). Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, I rise this evening to include for the RECORD a letter that was sent today by myself to both President Bush and President Fox of Mexico.

Tomorrow will be an historic day here in this Chamber as we welcome the President of Mexico, Vicente Fox, to hear his remarks as the new President of Mexico. Following that address, both Presidents will then travel to our home district, the Ninth District of Ohio, the greater Toledo area.

With respect to their visit, we certainly want to extend an official welcome to both Presidents on their historic journey, and we look forward to their visit and to their remarks.

We also hope that both Presidents will listen and learn as our citizenry attempts to draw them into a dialogue about the conditions of workers and education in our region, and other concerns on the minds of our citizens.

We hope that, building on this trip, more important than any single day would be a request that we are sending to both Presidents to establish a working relationship between their administrations in the form of an intercontinental organization on working life and cooperation in the Americas, to actually set up a means by which we could deal with some of the unintended economic and social consequences of NAFTA in both nations.

The serious dislocation of millions of industrial and agricultural workers, as well as small- and medium-sized firms, demands serious and compassionate action by those sworn to serve their fellow citizens.

In our own region of Ohio, Michigan, Indiana, since NAFTA well over 115,000 more good-paying jobs have been lost to the maquiladora zone, where workers in that region toil for hunger wages and have no job security.

Ohio is among the top five States losing jobs to NAFTA, and nationally, since NAFTA, over 776,000 middle-class jobs have been relocated to the maquiladora zone.

Most recently, Phillips Electronics in Ottawa, Ohio, where we hope both Presidents will ultimately visit, is the latest plant that has announced its shutdown of large portions of production, terminating hundreds and hundreds of middle-class workers, those jobs going to Mexico.

Spangler's Candy in Bryan, Ohio, announced it will shift its candy cane line production to Mexico.

Last week in Chicago, Brach's Candy, employing 1,500 people, with a major segment of Latino-American workers, announced it is shutting down its centuries-old factory there and moving production south to Mexico, or possibly Argentina.

The displacement of high-paying middle-class manufacturing jobs across our country is fueled by NAFTA, and will only worsen if the proposed Free Trade Agreement of the Americas ignores the plight of workers. This is why we are pleading with both Presidents to set up a formal mechanism that intercontinentally deals with these serious distortions in our labor markets.

There are 3,200 firms in the maquilladora zone, and most of those employ largely women workers, have no freely-lected labor representation, no job security, and people work in high-productivity poverty.

The U.S.-Mexico border, meanwhile, is plagued more and more by alarming rates of tuberculosis on both sides, sewage effluent flowing into drinking water, moot environmental laws, and crumbling infrastructure that cannot bear the load being placed on it.

The root causes of the illegal immigration crisis in our country lie in deep and continuing disparity between the compensation and living standards of workers on either side of the border. Our continent needs a common minimum wage and common labor standards and common environmental laws that are enforced.

The chart that I have here this evening gives some sense of what has happened to the United States since NAFTA's passage. Prior to NAFTA's passage, we had a favorable trade balance with Mexico, which means that we were exporting more there than importing.

Since that time, what has happened is we have been racking up historic deficits with Mexico, and in fact, Mexico has become the export platform that we predicted. What the trade deficit translates into are thousands and thousands of lost jobs from our country, and the exports that go down there actually U-turn. They come back to us in the form of finished goods.

But the wages of the people in Mexico have actually gone down since NAFTA, and our wages have been stuck in this country for well over a decade.

In the countryside in Mexico, over 30 million farm families have been removed from their land simply because the trade agreement provides no soft landing for people who have eked out a living on their small ajita lands.

These people are moving across our continent. Hundreds and hundreds are literally dying, some at our border, some inside our country. We simply must have a task force on this international, intercontinental organization that I am proposing to deal with this agricultural issue.

Mr. Speaker, we will invite both Presidents to travel with us to the sites that I am talking about in both the United States and Mexico.

I include for the RECORD the formal letter we have sent to both of them, along with an article from today's Los Angeles Times entitled ''Toledo's Plea to Presidents Bush and Fox: Don't let trade cost jobs.''

The material referred to is as follows:

TOLEDO'S PLEA TO BUSH, FOX: DON'T LET TRADE COST JOBS

(By Megan Garvey)

TOLEDO, OHIO.—Even as President Bush and Mexican President Vicente Fox prepare to visit this industrial city known for strong unions, ethnic neighborhoods and fierce opposition to free trade, unemployment checks will be going out to workers laid off at the Jeep plant.

Bush plans to come here Thursday to tout his commitment to helping Mexican immigrants pursue the American dream and, the White House says, ''again commemorate the very important role that Mexicans and Hispanic Americans play in our American culture.

With a Mexican American community that dates to the 1930s, not many in Toledo have a problem with that.

They just think that it's beside the point.

The point—what concerns Toledo's white majority, its sizable Mexican American population and even many of the undocumented workers who harvest northwestern Ohio's tomato and cucumber crops each year—is not immigration or culture.

It's jobs.

To many in this gritty Great Lakes port on the southwest tip of Lake Erie, free trade means the flight of jobs to low-wage places like Mexico. And although the U.S. industrial heartland has prospered in the years since the U.S.-Mexico border was opened through the North American Free Trade Agreement in 1994, Bush and Fox have chosen a dicey time to come to Toledo: The manufacturing recession that began about a year ago is taking its toll here.

And Ohio is losing jobs as companies move to Mexico for its cheap, nonunion labor—from a Mr. Coffee plant that lost about 320 jobs, to Amana's kitchen range plant where almost 645 more positions disappeared. Then there is DaimlerChrysler's Jeep plant, where union workers who thought they had guaranteed jobs are being laid off, even as the company spends $300 million to expand its Toluca, Mexico, plant to meet demand for the popular PT Cruiser.

''It's not about race or ethnicity,'' said Toledo native Marcy Kaptur, a Democrat who has represented the area in Congress for more than two decades. ''We're beyond all that. It's about economics.''

Toledo officials, who bill their town as ''A Renaissance City,'' have fought hard to keep jobs, cutting deals to entice new auto industry investment and pushing for a riverfront development zone, which is up for a vote.

Still, economic projections for the state and region show job growth mainly in low-paying service industry jobs. Manufacturing employment, long Toledo's backbone, has declined. And like other Rust Belt cities, the decline in high-paying manufacturing jobs translates into declining population: The city of Toledo has lost more than 20,000 residents since 1990, according to the most recent census figures.

While many here blame NAFTA, free-trade proponents point to figures that show Ohio's exports to Mexico have risen from $709 million annually to nearly $2 billion in the years since the pact was concluded.

EVEN MIGRANTS ARE LOSING WORK TO MEXICO

At Tony Packo's Cafe, a Hungarian place on Toledo's east side that makes it own hot dogs, the regulars say much the same thing.

''There is no doubt in anyone's mind here that free trade has cost good jobs. No doubt,'' says Ken Oehlers, 59, a retired teacher who grew up in the Old North End.

More surprising, perhaps, is that some of the migrant Mexican farm workers who gather tomatoes in the wide, flat field south of town for Heinz tomato paste, or cucumbers for the Vlasic pickle plant, echo that view.

Wages are so low south of the border, pickers say, that tomato-growing operations long based in the United States are shifting to Mexico. So migrant workers who come to the U.S. are losing out to Mexican workers back home.

In Toledo, local pride is important. Tony Packo's hot dogs, a visitor quickly learns, were the favorites of the cross-dressing Cpl. Klinger of ''MASH'' fame.

There is similar pride in the city's historical role in building cars—pride now mingled with a sense of betrayal. Workers think the new economy has not played fair with them, that it has not abided by its own rules.

DiamlerChrysler's decision to eliminate 1,500 jobs when it stopped manufacturing the Jeep Cherokee caught many local politicians and United Auto Workers leaders by surprise.

A few years before, the city went to great expense to persuade the auto maker to build a plant here to make the Cherokee's replacement, the Jeep Liberty. The deal came with massive tax breaks and other inducements, and, the people of Toledo believed, the promise to keep 5,000 union jobs in town.

But shortly after the Liberty plant opened, the Cherokee workers were laid off, rather than moved to other lines or given their own line converted for another vehicle.

What particularly galls locals is the fact that those jobs were cut even as the company has had trouble keeping up with demand for its retro-style PT Cruiser. The Cruiser's transmissions are made in Toledo, but the car is assembled in Mexico.

''We had a line shut down here that put more than 1,000 people out of work,'' said Larry Jamra, 58, a business owner who counts himself as one of the relatively few Toledo voters who supported the Republican ticket in the last presidential election. ''But that's NAFTA—it put every business in a position of knowing they could do things for half the price in Mexico, and that's just good business.''

Jamra grew up with Oehlers, the retired teacher, who says most people in Toledo aren't mad at Mexicans about what's happened. They're furious with the corporations.

''We don't see the standard of living being raised in Mexico,'' Oehlers said, ''And wasn't that part of the point of free trade?''

Juan Perez Quiroz, a 48-year-old Mexican working on Toledo's rural outskirts, reflects what Oehlers and others see as the problem: Wages remain so low in Mexico, despite free trade, that coming north still pays, even for a low-wage field hand.

What's worse, even itinerant farm workers like Quiroz apparently are being undercut by desperate workers back home.

Midday in the August heat, Quiroz stands idle in a tomato packing shed.

When the pickers reported for duty at first light, the current crop was judged too small, and most were sent back to the camps for a forced day off; no pay.

Quiroz shrugs it off, having learned in the five years he has been making the trip north from his home in Mexico that this sometimes happens. College-educated, a retired agricultural engineer with a modest government pension, Quiroz still makes more in 12 to 16 grueling hours of packing fresh tomatoes than he could back home.

A QUESTION OF ''DISBALANCE''

In Mexico his children are professionals: a lawyer, a soccer player, a college professor and a plant manager.

Still, when he considered his own economic future, Quiroz and his wife elected to make their way to U.S. farm fields where he can get $10,000 for eight months' work, more than three times what he could earn in the local tortilla factory in Mexico—the best job he could find there.

Quiroz, who plans to go with other migrant workers to see Fox and Bush speak, said he would tell his president that he can't live a good life in Mexico for the wages he can get.

''The main problem in Mexico is the disbalance,'' Quiroz said. ''The price of products is more than the wages paid.''

UAW local President Bruce Baumhower says he is up against that too. ''Every one of the companies we've gone in to bargain with said, 'We could move down there and make it [their product] for nothing.'' Stories like his distress Rep. Kaptur, whose constituents still recall the time she took President Clinton to task for his position on trade, embarrassing him onstage in 1996 as he stumped for president in her hometown.

Kaptur—who has yet to hear from the White House about the trip to her district—won't get an opportunity to speak her mind when Bush and Fox visit a community center that serves a largely Latino clientele, and then the University of Toledo, where the presidents plan to speak about education.

Her feelings haven't changed, though.

''America's biggest internal conflict was the Civil War, which was fought over the expansion of the slave system into the West. All we've done with the trade issue is move the border,'' she said.

Many of her concerns are shared by Mexican American leader Baldemar Velasquez, whose Farm Labor Organizing Committee represents about 7,000 migrant workers. Velasquez said his members also believe the post-NAFTA economy has meant fewer decent-paying jobs.

''People try to paint those who are anti-NAFTA as anti-Mexican, and it's the exact opposite,'' Velasquez said. ''A lot of these people can't see the forest through the trees. Without organized labor you lose that necessary tension between people driven to accumulate wealth and the workers who help them do that.

''In Mexico there is no tension—and if we allow that to become the standard then we are just going back in history.''

Many credit Velasquez's presence with keeping Toledo's unions focused on economic disparities, not racial differences. Toledo, in fact, has been used as a model for other Midwestern cities grappling with rapidly expanding Latino populations.

Out in one of the cucumber fields, where the late-harvest cucumbers have grown too large to be considered premium—meaning small enough to be pickled whole—Velasquez talked about economic realities.

Under a hard-fought bargaining agreement won by his organization, workers get $28 per 100 pounds of premium cucumbers picked, plus $6.20 an hour minimum wage. In Mexico, the same yield would earn slightly more than $1 per day.

Velasquez agreed to participate in the presidential visit despite having turned down invitations to the Clinton White House out of fear, in his words, of being a prop, a ''wooden Indian.''

His reason: the chance to talk about general amnesty for undocumented immigrants.

''They can't come to town without hearing it from labor,'' he said.

''And I don't think they can talk about education without talking about amnesty and workers' rights. When parents don't have jobs or are underpaid or are hiding from immigration, those are all fundamental issues when you are talking about educating a child.''

HOUSE OF REPRESENTATIVES,
Washington, DC, September 5, 2001.

President GEORGE W. BUSH,
The White House,
Washington, DC.

President VICENTE FOX,
Embassy of Mexico,
Washington, DC.

DEAR PRESIDENT BUSH AND PRESIDENT FOX: During this Labor Day week, and on behalf of our entire community, I extend an official welcome to you both on your historic journey here among us. We look forward to your visit and to your remarks. We also hope you will listen and learn as our citizenry ''speak truth to power.'' Building on this trip, we look forward to establishing a working relationship with your respective Administrations to address continental issues of mutual concern. Please let me propose the establishment of an ''Intercontinental Organization on Working Life and Cooperation in the Americas.''

First and foremost, we seek your leadership and engagement on the economic and social consequences of NAFTA in both nations. The serious dislocation of millions of industrial and agricultural workers, as well as small and medium sized firms, demands serious and compassionate action by those sworn to serve their fellow citizens. In our region (Ohio, Michigan and Indiana) post-NAFTA, over 115,621 good paying jobs have been lost to the maquiladora zone, where workers toil for hunger wages and have no job security. Ohio is among the top five states in our union losing jobs due to NAFTA (37,694). Nationally, since NAFTA, over 776,030 middle class jobs have been relocated to the maquila zone. Philips Electronics in Ottawa, Ohio, the latest plant to announce a shut down in production, will terminate hundreds of middle class workers. Spangler's Candy, in Bryan, Ohio, has announced it will shift some of its candy cane production to Mexico. Last week in Chicago, Brach's Candy, employing 1,500 with a major segment of Latino-American workers, announced it is shutting down its century old factory there, and moving production either to Mexico or Argentina. The displacement of high paying, middle class manufacturing jobs across the U.S. is fueled by NAFTA, and will only worsen if the proposed Free Trade

Area of the Americas agreement ignores the plight of workers. With NAFTA and FTAA, only investment is given free rein in our hemisphere. Our goal is ''Fair Trade, Free People.''

Meanwhile, 3,200 multinational firms located in the maquiladora zone have shaped the modern scourge of the dreaded sweatshop. Nearly one million Mexicans, largely women, work in high productivity poverty, with no freely elected labor representation, no job security. The U.S.-Mexico border is plagued by alarming rates of tuberculosis, sewage effluent flowing into drinking water, moot environmental laws, and crumbling infrastructure that cannot bear the load being placed on it. Grinding poverty drives the immigration that is a primary subject of your visit.

The root causes of the immigration crisis lie in the deep and continuing disparity between compensation and living standards of workers on either side of our border. Our continent needs a common minimum wage and common labor standards. Trade agreements MUST recognize and include labor rights in the central bodies of their accords. No nation of conscience should ignore the plight of the dispossessed, the worker without representation, the small holders and campeisinos and indigenous people who have no voice. As the powerful force of capital moves across borders so must labor have equal status in any economic accord. Further, NAFTA remains seriously deficient in providing structural adjustment assistance to cushion intercontinental economic integration.

Trade relationships should yield mutually beneficial economic and social benefits, not a legacy of growing political instability. Our U.S. trade relationship with Mexico is becoming increasingly distorted. Before NAFTA, the U.S. held a $3 billion surplus with Mexico. Post NAFTA, the U.S. surplus has turned into a growing cumulative deficit of over $140 billion, with last year's record high of $30 billion. In Mexico, we have witnessed the devaluation of the peso, wage cutbacks, and now job terminations in the maquias due to a U.S. economic slowdown. Indeed, northern Mexico has become the low wage export platform to the U.S. that opponents of NAFTA predicted. Nearly 90% of maquila production is exported back to the U.S. (and nearly the same from our Canadian counterparts) as Mexico becomes a vast importer of goods from Asia. Long term, this is an economic relationship that is damaging to our continent. The current economic arrangement means the workers of Mexico cannot afford to buy what they make, and their U.S. counterparts lose their living wage jobs as the downward pressure on remaining jobs continues unabated. High productivity poverty with hunger wages in Mexico and displaced U.S. workers do not good neighbors make. As the slogan reads, justice must come to the maquiladoras.

In the countryside, the story is even worse. Over 30 million Mexican farmers are being cruelly uprooted from their historic lands. This is a continental sacrilege of enormous proportions. Some, understandably, escape across our border. Some die in the Arizona desert. Others seek shelter in Mexico City's sprawling metropolis as overextended local services strain under the crush of rapid population growth. Last year, over 360 Mexicans seeking refuge or work died at our border. What kind of cruel economic system is it that tramples on their humanity and pits then against farmers and workers in our countryside who have labored for a century to gain sustenance and a decent way of life, collective bargaining rights, and dignity in the work place? An Intercontinental Agricultural Working Committee must be included as a key component of the Intercontinental Organization I propose.

President Bush, I understand that during your visit to our community you seek to discuss ''common problems on our border, problems with drug interdiction, problems with environmental issues, problems with water and immigration.'' I can assure you that every single one of these problems arises from a flawed NAFTA agreement that leaves working people and the social compact out of the investment equation. It took our nation nearly a century, and a Civil War, to reject a form of indentured servitude in which workers were chattel. Our society still bears the scars of that war. In Mexico, I have witnessed the fear of workers bound to an economic system in which they hold no independent voice, where independent collective bargaining for the value of their work is impossible, and where their hard work and high productivity yield only more poverty. Here at home, I have witnessed our middle class workers who have struggled to build a way of life have the rug pulled out from under them by forces beyond their control. This surely cannot be your blueprint for our continent in this new millennium.

Something is seriously wrong when workers do not earn enough to buy what they make. It troubles me greatly that in Toluca, Mexico workers who assemble the popular PT Cruisers for DaimlerChrysler do not earn a living wage; every single one of the cars they build are shipped to the U.S. Reciprocally, it bothers me greatly that Toledo's DaimlerChrysler workers who attempted to bid on some portion of backlogged PT Cruiser production were summarily turned down. Since all the production from the Toluca plant is sent through the backdoor into the U.S., why shouldn't the workers in both plants be covered by the same collective bargaining agreement, along with their supplier firms? Otherwise, all that production yields from a continental standpoint is a race to the bottom for the workers.

Equally, in the countryside, it troubles me that northwest Ohio's fresh tomato and pickle businesses are increasingly threatened by Sinaloa plants and packing sheds. Yet field workers in both nations have no hope of a better life as their production is pitted against one another and they compete for survival wage jobs. Again, our continent needs an open forum in which to address and grapple with these serious questions.

Finally, I extend to you both an invitation to travel with bipartisan delegations from both countries. Let us tour U.S. and Mexican production sites, industrial and agricultural. Let us freely hear from the workers. Let us for the sake of the common good explore openly the dimensions of NAFTA that must be repaired. Let us do what is just. We should strive for an intercontinental accord that elevates our people, not exploits them, that uses the power of economic development and the marketplace to spur the necessary social and physical infrastructure to build great nations and treat our people with respect.

Pope John Paul II captured the essence of the challenge before us when he wrote:

''The market imposes its way of thinking and acting and stamps its scale of values upon behavior.''

''What is happening is that changes in technology and work relationships are moving too quickly for cultures to respond. Social, legal and cultural safeguards are vital.''

''Globalization often risks destroying these carefully built up structures, by exacting the adoption of new styles of working, living and organizing communities.''

''Globalization must not be a new version of colonization.''

The Pope stressed that on its course towards globalization, humanity cannot do without an ethical code which must be ''wholly independent from financial, ideological or political partisan views. . . . Humanity can no longer do without a common code of ethics.''

To this end, I would dedicate my full energies, as would the people of our community.

Most sincerely,

MARCY KAPTUR,
Member of Congress.

THE STATE OF AMERICA'S BUDGET, THE FATE OF THE BUDGET SURPLUS, AND DILEMMAS TO COME

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

Mr. ALLEN. Mr. Speaker, I rise tonight to discuss the topic that is foremost on the minds of many Americans, which is the state of our budget, the question of what happened to the surplus that existed in this country in the Federal budget only a few short months ago, and the consequences of the change and the dilemmas that we face over the next few years.

What has happened recently, of course, by now is well known. Both the Office of Management and Budget and the Congressional Budget Office have come up with revised projections of the surplus for this year and for the next 10 years. Those surplus projections are, of course, dramatically different from what the President was saying and what my friends on the Republican side of the aisle were saying just a few short months ago.

As an example of the kind of statement that the President was making when he was traveling across the country pitching his tax cut, I thought I would give this example of what he said in Portland, Maine, in my district on March 23 of this year.

This was his basic argument. He said, ''Now I know these numbers sound like a lot, but this is reality I'm talking about. We have increased discretionary spending by 4 percent, we pay down $2 trillion worth of debt, we set aside $1 trillion in the budget over a 10-year period for contingencies, and guess what, there's still money left over, and that's the debate. The fundamental question is, what to do with it.''

Today we know there is no money left over. Apart from some small surplus over the next 5 or 6 years in the Medicare and Social Security accounts, a very small surplus, there is no surplus over the next 5 years. In fact, almost all of what remains of the surplus is in fact a Social Security surplus that is primarily in the second 5 years of the next decade and not in the next 5 years.

What I want to do tonight is to begin by focusing on some of these statements. The first one worth calling attention to is the statement of the President that ''We have increased discretionary spending by 4 percent.''

Let us look at the reality. At the time, March 23, when he made this statement, the President had not submitted a budget for defense. As we all know now, he asked for a major increase in defense spending, over $30 billion.

Let us take a look for a moment at a chart which shows or which compares this Administration's budget request to the last year of the Clinton administration's budget request. The Clinton administration asked for $38 billion in fiscal year 2001, the year in which we are in, above budget outlays in fiscal year 2000; $38 billion more last year. Of course, our current President has roundly criticized President Clinton and the previous administration for being big spenders, for spending out of control.

Members will note that that budget request is about a 6.7 percent increase in budget authority over the previous year. That is what President Clinton was asking for in his last year. Who is the big spender here? President Bush's request is $44 billion, $6 billion more than President Clinton requested in his last year in office.

This $44 billion represents the extent to which that is the increase in budget outlays requested by this administration for fiscal year 2002 above the fiscal 2001 budget: a $44 billion increase. That works out to almost around a 7.2 percent increase in budget authority.

When he was back in Portland in May, and in fact in speeches all around the country, the President said over and over again, ''We are only asking for a 4 percent increase in discretionary spending, only 4 percent, and that is a reasonable. That is far less than the Clinton administration was asking.''

But when the defense request rolls in and is considered, the President, this President, is actually asking for a bigger increase in spending than the previous administration did in its last year in office. That is part, but only part, of the problem.

Let us go back to another part of the statement that President Bush made in Portland, Maine, on March 23. He said, ''We set aside $1 trillion in the budget over a 10-year period for contingencies, and guess what? There is money left over.''

I have been reading the newspapers, as any other American in the last month and a half, and I have not heard one word, not one word, either in the press or from this administration, about the $1 trillion in contingencies. Whatever happened to the $1 trillion contingency fund? Surely a slight decline in economic productivity, a decline in economic growth in this year, which should have been able to be handled by $1 trillion in contingencies.

□ 2030

Well, as the ad says, not exactly. There was not exactly a $1 trillion fund for contingencies; and in fact, it was not there at all. Those contingencies were, in fact, obligations, and not all of them that we will have to meet in this Congress and with the administration over the next 10 years. There was no trillion dollar fund, a true contingency fund. It did not exist in March, and it clearly does not exist today.

Let us talk about what the situation is today. The truth is that this year, the fiscal year that ends on September 30, is very different from what it was projected earlier in this year. This year, the Government will tap $29 billion from Medicare surplus taxes and $9 billion from Social Security revenues simply to fund government operations for fiscal year 2002, for the coming fiscal year.

Over the next 5 years the President's tax cut and the decline in economic growth together will force a $30 billion diversion from the Social Security Trust Fund and a $170 billion diversion from the Medicare Trust Fund. These are uses of Medicare revenues and of Social Security revenues that virtually every Member of this House pledged not to do. Virtually every Member of this House stood up and said we are going to protect Social Security revenues, excess revenues, Social Security surplus, and we are going to protect the Medicare surplus; but today, it is very different.

These are, of course, CBO projections, the recent CBO projections; and, in fact, they are too conservative themselves to actually be realistic. Why? Because the way CBO does its projections, it assumes that there will be no change in existing law, and we know there will be changes in existing law.

Let me give a few examples. These baseline estimates do not assume any of the additional spending included either in the budget that President Bush has presented or the congressional budget resolution for defense, for education, or for a prescription drug benefit under Medicare. Those increases are simply not included in the CBO projections.

In fact, some of that funding will occur; and so the problem we have is one that was created by the fact that, as many of us said back in March and April, the President's tax cut was too big to be responsible budgeting. We also argued it was too weighted to the wealthiest Americans, which it was and which it is.

Fundamentally, we argued at the time, we said over and over again, this will use up all of the available on-budget, non-Social Security, non-Medicare surplus; and as we said repeatedly, we have agreed not to use surplus funds for Medicare and Social Security.

Today, we know that the President's tax cut has threatened that possibility. I am not talking about the $300 or the $600 tax rebates that about 60 percent of American taxpayers have received or will receive. That is a relatively small factor in the problem that we face.

What I am talking about is what happens over the next few years. Over the next few years, compared to the last eight, during the greatest period of economic expansion in our Nation's history, what is happening over the next few years is we will divert billions and billions and billions of dollars to people in this country, the wealthiest 1 percent who earn over $300,000 every single year.

Though we have enormous problems in this country, problems with finding qualified teachers to teach our young people, problems with ensuring that people who graduate from high school and want to go to college can actually get there and get the education they need to be productive citizens in this world, problems with those seniors in my district and all around the country who look at people who are employed who have health care, who get prescription drug coverage through their health care plan, they say to me, why do we not have prescription drug coverage through our health care plan, which is Medicare.

Those people need some help. They deserve some help. It is outrageous that the wealthiest country in the world at the time, until just recently, of its greatest prosperity, cannot somehow find the resources to provide our seniors with a prescription drug benefit that is comparable to the benefit that those Americans who are employed, who are working, have for a prescription drug benefit through their own insurance.

What is fair for our working people ought to be fair for our seniors. But back for a moment to the CBO projections.

As I said, the CBO estimates do not assume any additional spending included in the Bush budget or the congressional budget resolution for defense, for education or for Medicare prescription drugs. The figures also omit the cost of extending expiring tax credits, funding anticipated emergencies for natural disasters, or paying for the $73.5 billion farm reauthorization bill for which the budget resolution provided.

Let us look at what this means over the next few years. The President's budget alone plus his tax policies and spending requests invades the Social Security surplus for the next 6 years for a total of $128 billion. It invades the Medicare surplus for the next 8 years for a total of $304 billion. This year, fiscal year 2001 ending on September 30, the Government must tap $29 billion from Medicare and $9 billion from Social Security to fund routine government operations.

Now, one of the reasons that that is true in fiscal year 2001 is this administration, knowing that it faced a shortfall in next year, fiscal year 2002, they delayed the date on which certain corporate income taxes would have to be paid from September 30 to October 15. That is a gimmick. We can only do this once. The effect of that was to move $33 billion in current revenues to the next fiscal year in revenues. When we

move that $33 billion, we are very close to creating the deficit that we have created in the current fiscal year. That kind of gimmick which now it appears this administration has adopted in a number of areas is irresponsible budgeting.

Let us go for a moment to a different chart. Let us go to a chart which talks about the impact of the surplus over the next several years. As this chart shows, the Bush budget wipes out the surplus. There is going to be a lot of debate in these Chambers about what happened to the surplus, not just what happened to that supposed $1 trillion contingency fund, but what happened to the surplus.

It was not so long ago that people were saying we can see surpluses as far as the eye can see. Now they are gone. They are all gone. Here is basically what happened: the CBO in May 2001 baseline showed a surplus of $2.745 trillion. Now, what has happened to that? Well, $1.66 trillion of that is the total cost of the Bush tax cut. Then we have had an economic slowdown. That is also a factor. The economic slowdown and certain technical factors have caused us to lose another $639 billion or .639 trillion dollars.

Now you have additional funding requests from the President of .767 trillion or $767 billion, and it is the combination of these three factors that drive us into deficit over a 10-year period. Let me say a little bit about that surplus. This deficit and the surpluses are not distributed evenly over the next 10 years. In fact, if you look at a chart that shows year by year what happens to the surplus, in fact, there is either a deficit or a minuscule surplus for the next 5 years, and then you have a projected surplus over the second 5 years of the decade with the largest surplus of all, over $200 billion in the final year.

Well, why is the largest piece of surplus the tenth year out? Well, another gimmick because basically what happened when the tax cut was passed, the House passed a $1.6 trillion tax cut. The other body passed a $1.35 trillion tax cut, both of them calculated over 10 years. But when the conferees got together, they liked tax cuts so much, not just the $300 and $600 rebate this year, but tax cuts for the wealthy extending out over the 10-year period that really drained enormous amounts of revenue from the Federal budget, making it extraordinarily difficult to meet the educational, the health care, the environmental, and the job-training needs of our population.

When you look at that last year, you will find that the tax cut sunsets on December 31, 2010. So that the last year of this coming decade is one where the estate tax is back just as it is today, where the tax rates are back just as they are today. All of the tax code changes that are passed in the President's tax cut bill are eliminated and the tax code reverts to what it is today.

Why was that done? Well, it was done to keep all the tax breaks and yet to stay within a $1.35 trillion number. That gimmick makes all of these budget numbers look actually better than they are in the real world.

In the real world this country faces some enormous challenges. This is going to be a difficult fall. I think Members on both sides of the aisle agree because we have gone from surpluses from the non-Social Security, non-Medicare accounts to deficits; and we have done it within just a few months of this administration's election to office. We have done it primarily, not exclusively, but primarily because the size of the Bush tax cut was so large as to be completely irresponsible.

That is why back in March, back in April, back in May so many of us on the Democratic side of the aisle were saying we ought to have a tax cut, we ought to have a large tax cut. It ought to be about $800 billion. If we had set aside a tax cut, if we had done a tax cut of $800 billion, we would not be running into deficit projections now. We, in fact, would have those funds to make sure that Social Security and Medicare would be shored up over the next few years and not at the risk of being weakened simply because of our irresponsible budgeting. We would be looking at fully funding special education.

I do not know anyone, Republican or Democrat, who is not hearing from people in his district about the need to live up to our commitment to fully fund special education at the 40 percent that, frankly, was the goal when the special education IDEA Act was enacted in 1974. But if the money is not there, if the surplus is gone, it will not happen. That is what we were saying.

We were saying that you cannot project over 10 years with any degree of confidence. Boy, were we right about that one. We did not have to wait 2 years or 4 years or 5 years or 8 years to test the accuracy of these projections. In just 3 months, in just 3 months the numbers change dramatically. As you can see right here, minus $639 billion dollars over 10 years, a change in the projection in just 3 months. But it is that kind of change that many of us were saying, you cannot predict the future with any degree of confidence; and, therefore, what we need to do is to be cautious, not have a tax cut so large that it eats up all of the budget surplus and causes us to dipping into revenues from Social Security and Medicare. We argued then it was irresponsible, and it is more clear than ever today that that course of action was, in fact, irresponsible.

I see that I am joined by a couple of my colleagues here tonight, and I want to recognize them in a few moments. I think I would like to close these brief remarks by saying this.

□ 2045

When Members look at what is happening with the tax cut, so large that it is jeopardizing our fiscal health, so large that it is making Alan Greenspan's actions at the Fed not as effective as they might be because people understand if we are moving straight to deficit as projections of surplus, long-term interest rates are going to stay up; and for businesses, for homeowners, for all of those people who borrow over some extended period of time, if long-term interest rates are going to stay up, we are not going to do as well. The Federal Government is going to be paying higher interest. The businesses will be paying higher long-term interest rates. Homeowners will be paying higher long-term interest rates.

Remember, this economy took off in 1993. This Congress and the administration said, we are going to cut spending and make sure that the very wealthiest Americans pay their fair share of taxes. What happened? Interest rates went down and the deficits turned into surpluses, and the economy took off. It is the reversal of those fundamental policies which is jeopardizing the economic health of this country which is so serious.

We are going to be debating in the—next last few weeks and perhaps months about the budget. It is really fundamentally a debate about the future. Fundamentally it is a debate about whether we are going to reduce the amount that we spend together on those things that we can only do together.

What am I talking about is, Abraham Lincoln said in 1854, the role of governments is to do those things that a community of individuals cannot do or cannot do so well alone. We cannot create a public education system one by one, and yet every business in this country depends on having a well-educated, well-trained work force.

We cannot take care of our seniors one by one, individually. That is why Medicare and Social Security were created.

We cannot do an interstate highway system, we cannot provide for the common defense, we cannot lift up this country so that individuals in this country can reach their full potentials unless we use our government, as well as other voluntary associations, to do things together that we cannot do as individuals.

The fundamental theory underlying the President's tax cut was that we take every dollar out of Washington, and that is good. Even if that dollar would educate a kid who cannot get Head Start now because there is not enough money to serve every kid who qualifies for Head Start, even if that dollar would help seniors pay for prescription drugs when they are not taking their medicine now because they have to buy food instead, even if that dollar represents a loan to someone who could then go on and get the college education that they feel they need. That is what this country ultimately is all about. We are here somehow to help each other lift each other

up, to hang together on things that are of fundamental public importance.

But this tax cut was about me and not about we. The health of this country depends on getting back and moving from me to we, from doing well, investing in ourselves, investing in this country, making sure that the people of this country have a fighting chance to get ahead. They cannot do that. They will not do that. They have no chance to do that. If the Federal Government slides back into deficits, if we cannot fund education, if we cannot fund health care and shore up the infrastructure of this country and provide opportunity for all of the people who live here and to our children.

The last thing we wanted to do was to shift expenses, shift costs from this generation to our children, but the President's tax cut was so large that is exactly what it is doing. Unless we make changes and unless we figure out how to get out of this problem, we are right back in deficits and we are jeopardizing the future of this country.

Mr. Speaker, I yield to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Speaker, first of all, I congratulate my colleague for bringing to the Nation this Special Order with regard to the budget and the dilemma that we find ourselves in this evening.

The gentleman from Maine (Mr. ALLEN) has been in the forefront of working on these issues and making the public aware, and I am happy to join him.

Mr. Speaker, our Nation is facing a serious shortfall in the budget. This is because the Congress and the President have chosen short-term reward over the long-term benefit of paying down the debt and protecting Social Security and Medicare. There are colleagues of mine in the Congress who have not joined in this and have fought against the tax cut and against the proposed budget. But the majority of Congress unfortunately went along with the President on that tax cut, and we are all paying for that today.

Since February 7, 2001, I have been on record stressing the importance of protecting retirement security and enacting a prescription drug benefit. I want all Americans to see every penny they earn working for them.

Social Security is our system to protect retirement benefits for older people. Medicare provides seniors with health benefits. What could be a better use of our surplus than long-term security? If Americans could be guaranteed to pay $300 or even $600 and not have to worry about their retirement savings or health benefits from now to one's last years, Americans would do it. Many poorer Americans are told they need that $300 check, but that money is nothing if Members think about the benefits that could be accrued if we collectively joined our money into a pool that would, in fact, fund a prescription drug benefit for seniors.

Thanks to the administration, we are all getting our refund checks now, and maybe some of us are able to put more money to our credit card debt, buy a little something for our homes or a luxury like a new pair of shoes. Then what? Can Americans take a prescription out of a bag of shoes? Can Americans take a prescription out of a luxury car? I think not.

Thanks to the President's refund and the state of our economy, the government is facing financial shortfalls. Instead of operating in a surplus and each party claiming credit, we are blaming one another for a deficit. The other party's leaders choose to ignore the advice of economists forecasting a shrinking surplus, and all indications are that the economy has begun to slow.

The surplus was once expected to be about $125 billion. The Congressional Budget Office is estimating the present surplus is nearly zero. Things have changed over the last 3 months. The White House is spinning blame to the Congress, but it is unwilling to accept the fact that the President's tax cut has eaten up the surplus. Just like an 800-pound gorilla would go at a banana, it is all gone.

I join the gentleman from Missouri (Mr. GEPHARDT) and Senate Democrats in urging the President to resubmit a budget. America needs a budget reflecting the current downturn in the economy and the lack of a surplus.

Yesterday I held a prescription drug forum in my district with my colleague, the gentleman from Ohio (Mr. BROWN) who serves on the Committee on Energy and Commerce. Together we discussed the issues of prescription drugs from their availability to the over-prescribing by many physicians and ways to make them more affordable, as well as potential legislation to correct the problem of exorbitantly high drug prices.

The event was highly informative, and I encourage my colleagues throughout the country to hold a similar event. I had more than 250 seniors gathered at the Jewish Community Center to talk about the issue of prescription drugs. I will continue to hold events to allow seniors in my district to air their grievances and help formulate answers on this issue.

The money that the President's tax cut will take out of the budget surplus affects these seniors. They are seeking a prescription drug benefit, seeking help to make ends meet and still be able to afford their medication. The Bush budget not only does not allot money for Social Security, but takes their Social Security and Medicare money away. They do not need $300 to spend. This will not buy more than one prescription in many instances, because drugs for senior citizens are very expensive, and they are not able to afford them once they are placed on that prescription.

The tax cut is like a classic Trojan horse. The President is trying to convince us that he has delivered a lovely gift to the American people. But once inside the gate, this gift will prove to merely camouflage far more sinister designs: windfalls for the wealthy and a return to the bad days of deficits and inadequate funding.

How many employers of a business would award job bonuses to employees for the next 10 years in a row in advance, based on projected business income? We all know that is not good business sense. We tried this before, this whole thing about trickle-down economics. Remember the promise: If we give money back, the money will trickle-down to the most in need. Remember what happened: We found out that the poor got poorer and the rich got richer.

I just say to the American public that are listening this evening, we are pushing this President to reconsider the budget which has been submitted. The people who are most in need of help from a governmental budget are our seniors who have paid their taxes, who have worked very long and are being forced to spend their personal dollars down to nothing in order to get a governmental benefit.

I call upon my colleagues and the rest of this Congress and the Senate to do what is best and what is important, and I call upon this President who kept talking about throughout his campaign that he was going to help those most in need, to do what is right, resubmit this budget, put in a prescription drug benefit and make our seniors know that we love them, want to support them and encourage them.

Mr. Speaker, I thank my colleague, the gentleman from Maine (Mr. ALLEN) for the opportunity to be heard.

Mr. ALLEN. Mr. Speaker, I appreciate the gentlewoman's comments. They help shed light on what the gentlewoman's constituents and many others are facing.

Mr. Speaker, the President's tax cut is the primary reason for the elimination of the surplus within just a few months of his administration. Now that we are in this predicament, it is up to him to come forward and say, how do we deal with this.

During the campaign, the President said I will not touch $1 of the Social Security revenue. A few weeks ago, on August 24, 2001, he conceded that he might have to invade the Social Security surplus in time of war or recession. We are certainly not in a recession now.

Yesterday he said that he would not do anything that would invade the Social Security surpluses, but the Congressional Budget Office numbers say we are and we are doing it now. We are doing it this year, and there needs to be some leadership from the White House to explain how we possibly get out of this predicament.

The gentleman from Wisconsin (Mr. KIND) is here today, and I yield to the gentleman.

Mr. KIND. Mr. Speaker, I thank the gentleman from Maine (Mr. ALLEN) for organizing this Special Order and commend the gentlewoman from Ohio (Mrs.

JONES) for the leadership that she has shown on important issues affecting Americans across the country, the Social Security and Medicare programs which are vitally important, the passion that she has for instituting a real prescription drug plan, which was on everyone's agenda in last year's campaign.

Vice President Gore, virtually every Member of Congress, when we were running for Congress last year, were talking about the need to deal with the rising cost of prescription drugs, but no one has highlighted this issue more than the gentleman from Maine (Mr. ALLEN), who organized this Special Order.

He saw this problem quite awhile ago, and saw the impact that this was having on seniors on fixed incomes. He has been providing leadership in this Congress in trying to institute a bipartisan prescription drug plan, as well as talking about the importance of maintaining the solvency of Social Security and Medicare. That is really what this discussion is about tonight. That is why I commend the gentleman from Maine for talking about it.

Mr. Speaker, it is all about how do we, given the current situation, the economic slowdown and the budget numbers that we are facing, maintain fiscal discipline in this Congress so we can maintain the solvency and protect the sanctity of the Social Security and Medicare programs.

□ 2100

The way I see it, the greatest fiscal challenge our country is facing today is the fact that we have an aging population, a population that is getting older, and a baby boom generation who will all start to retire at basically the same time, 2015, 2020, thereabouts, and they will all be bigger, these programs, Social Security and Medicare, at about the same time. So what can we do today in order to deal with that advent we know is going to come and is going to hit our country but especially affect our children and our grandchildren that is going to make sense?

One of the areas is maintaining fiscal discipline. That is why it took so long in order to turn the corner and be able to start walling off both the Social Security and Medicare trust funds. It is a pledge that virtually every Member on this floor has made over the last few years. It is a pledge that the current administration and the President in the White House now made in last year's campaign, and it is a pledge that is in serious jeopardy today in light of the new Congressional Budget Office numbers. These numbers are important, because the issue is one that is very simple, and that is being able to protect these trust funds and keep its dedicated purpose for reducing the publicly held national debt.

Why is this so important? The question before us is will it be easier for us to deal with the advent of the baby boom generation going into retirement if we also have to deal simultaneously with paying off all the Federal IOUs that are in our Federal debt today? I submit that that is an impossible proposition to meet, dealing with the aging population, with the huge inflow of the population in Social Security and Medicare, paying off those IOUs that are currently in the trust fund while at the same time we are being asked to pay off the Federal debt and the publicly held Federal debt.

That is why it makes such good sense, fiscal sense, to take this opportunity now of preserving this trust fund money, reducing the national debt, so we are on much sounder fiscal footing to deal with the aging population. That is really what this debate is about.

Yes, the President is correct in saying that dipping into the trust fund today is not going to affect the current payments going out to current recipients. That is true. Because IOUs are still going to be added to those trust fund accounts. But if the money behind the IOUs is meaningless and spent for other purposes, then why do we not just reduce FICA taxes today, still continue to throw the paper IOUs in these trust funds and deal with it when they come due which is what I am hearing the current administration basically proposing.

Mitch Daniels, the Director of the Office of Management and Budget in the administration, is basically saying that there is nothing inherently wrong with using the trust fund for a plus-up in defense spending, for instance, because the country is still going to meet those IOUs that are added to the trust fund.

But if we are not taking this opportunity to reduce the national debt today, it is going to make it very difficult to meet those obligations in the future. I think that is such a fundamental point in this entire debate. The difference in these numbers must be important whether we are looking at Congressional Budget Office numbers or Office of Management and Budget, the administration's budget numbers, because, correct me if I am wrong and maybe the gentleman from Maine has a better memory than this, but back in 1995 when the Republican leadership in Congress decided to take on the Clinton budget numbers, it was over the stated purpose that the Clinton administration was relying on their own OMB numbers to justify their budget calculations rather than relying on the Congressional Budget Office numbers.

Now we have the same situation today, where many of us are crying foul because of the bookkeeping and the gimmicks that are being played with OMB numbers, I mean some bookkeeping changes that have not been made in the last 35 years in order to pretend as if we are not dipping into these trust funds. I think there is some political rhetoric being used here in what numbers we are using, but the fundamental point is that I am hoping that this Congress and the administration working with us will be able to find a bipartisan solution to continue using the trust fund money to reduce our national debt so we are going to be in the fiscal position to deal with the aging population and the baby boomers when it comes time for them to retire and start entering these very important programs.

Mr. ALLEN. I had a couple of thoughts that were triggered by the gentleman's comments. First of all, the gentleman from Wisconsin is correct. It was the Republicans insisting on using CBO numbers and not OMB numbers because they said then the CBO numbers were more accurate than the OMB numbers. The same holds true today.

Mr. KIND. As the gentleman recalls, the ultimate outcome of that insistence back in 1995 led to the shutdown of the Federal Government. Because the leadership in Congress was insistent that the administration use CBO numbers rather than OMB numbers and it led to the shutdown of the government which as we later found out was not exactly popular with the vast majority of Americans throughout the country.

Mr. ALLEN. And not something we want to go through again. But there is a further point in that connection. I had another chart but I do not have it here today which shows that during the first Bush administration, the economic projections from OMB as to the health of the economy were always significantly above, about .8, .7 percent above the consensus private forecasts. That is about what the first year of this administration's projections of economic growth are above the private forecasts. So now under both the first Bush administration and now the second Bush administration, we see that OMB is more optimistic about the economy than the private forecasts.

You have to say to yourself, what is going on here? They are trying to make the numbers look good so the budgets look good so they can get through an immediate funding crisis. If you look at the Clinton administration, in the 8 years of the Clinton administration, only in 2 years were the OMB projections above the consensus private forecasts. In 2 of those years, they were exactly the same. In the other 4 years, they were actually lower. They were more conservative than the consensus private forecasts. One of the disturbing aspects of this administration in its first few months is that it looks and feels as if the Office of Management and Budget has become an arm of the spin machine, that numbers are being manipulated, not just numbers related to projections of future economic growth but numbers that make the accounting change in Social Security that the gentleman was referring to, the gimmick I mentioned earlier about moving $33 billion in corporate tax revenues from 2001 to 2002, all of these gimmicks, all of this

manipulation is really a way to kind of make the numbers come out right.

But that is not the way we ought to be doing our budgeting. It is not conservative. It is not fiscally responsible. We ought to be getting the best numbers we can and then be arguing policy. But we should not have to be doing what we have wound up doing the first few months of this administration which is arguing about the accuracy of the numbers. That did not happen to anything like this extent before. It really is important that OMB get back on track with CBO and stop manipulating numbers because we have got a real problem.

Mr. KIND. These are not insignificant differences, a percentage point here, a percentage point there on projected economic growth. When you project it out over 4, 5, 10 years, these numbers explode on you. And so it is important that we deal with an accurate projection and description of what the economy is doing and forecasting. When you see the OMB starting to manipulate these numbers, have these gimmicks within the bookkeeping system that have never been tried before in the last 40 years, it undermines the confidence that many of us have in the numbers that the administration is using in order to justify their budget requests. And it makes it a much more difficult proposition then to work in a bipartisan fashion to reach agreement on these important issues. That is why many of us earlier in the year when we were discussing the merits of a tax cut of this size were using more conservative numbers. Many of us supported an alternative tax proposal, one that was based on more conservative economic figures because we felt it was prudent and made fiscal sense to hedge our bets a little bit because as quickly as the surplus can appear, many of us knew it could disappear.

Given the incredible size of our Nation's economy, a slight change in growth one way or the other was going to have a huge impact on budgetary decisions before this Congress. So many of us supported an alternative tax relief plan that would provide meaningful tax relief to working families, dealt with the marriage penalty, dealt with estate tax relief or family-owned businesses and family farms but within a more fiscally responsible framework, not of the magnitude of the tax cut that was ultimately passed and which is now having the most important impact on dipping into the Social Security trust fund again.

The reason why many of us felt it was important to be somewhat conservative was because of the obligations our Nation faced, of Social Security, Medicare, trying to come up with a bipartisan prescription drug plan that was going to provide meaningful relief to our seniors who are suffering under this burden of escalating drug prices that they need to have, our obligations to a strong national defense, just quality of life with our military personnel.

This was not going to come cheap. In fact, the President is still calling for a 9 percent increase in defense spending, roughly $20 billion that does not exist right now. It puts a lot of us in a tough position that supported many of these policy proposals but because of the slowdown because of the magnitude of the tax cut, it is going to make it very difficult for us to meet these obligations for our Nation.

Mr. ALLEN. Again, I think what we are trying to say is that if any of us have a child 5 or 10 years away from going to college and we know we are going to be paying for that out of our own pockets, the prudent thing to do is start setting aside some money to pay for the college expenses. If we are the owners of a business and we can see that we have reached the capacity of growth within our existing buildings and we are either going to grow and do a major expansion or we are going to be at a competitive disadvantage and we have to do that in 3 or 4 or 5 years, we would start to figure out how to set aside funds to be able to do that when the time comes.

We are, as a country, in the same spot with respect to Social Security and Medicare. We know that the leading edge of the baby boom generation within 9 or 10 years is going to start to qualify for those two programs. So as many of us have argued over and over and over again, even though we have lost the point on the debate in the tax cut, we have said what is prudent to do is to use the Social Security and Medicare surpluses to pay down the national debt, to reduce the amount we pay in interest costs on the national debt, to be ready to wade in and support those two programs when the baby boom generation starts to move into them. That would be prudent fiscal planning. It is not prudent to go out and take a big vacation right now and spend all of the surplus over the next 5 or 6 years based on projections that we knew even a few months ago were inherently unreliable.

I want to come back to the way I began, the statement that the President made in Portland, Maine on March 23. He said, ''We've increased discretionary spending by 4 percent.'' Not exactly. Right now, now that the defense budget is in, that 4 percent number is 7.2. It should read, ''We've increased discretionary spending by 7.2 percent,'' 7.2 percent more than the Clinton administration did in the last year of that administration.

He also said, ''We set aside $1 trillion in the budget over a 10-year period for contingencies.'' Well, not exactly. It was not true then. It is not true now. If it were true then, if there were truly a contingency fund, we would not be in the dilemma that we are in today because we have not had a loss of $1 trillion just from economic or technical factors, although it is $639 billion. This tax cut was rushed through. It was too big to be responsible, it was too weighted to the wealthiest Americans, and it was rushed through without considering either how the economic numbers, how the projections would work out over time and without even the President's own request for defense which has turned out to be by far the biggest increase, not education as he was saying in March, the biggest increase in his proposal.

If we are going to get back on track, we have to be honest about the numbers and honest about the claims and look at this problem we have with our budget, look at exactly what caused it, largely the tax cut, also the economic slowdown, also some additional requests for spending by the administration and also some other numbers that we have to deal with. But let us look at the numbers honestly and let us try to figure out how to work our way through this to get the best result for the American people.

Mr. KIND. I do not want to speak on behalf of my friend from Maine, but for me really the crux of the issue is what decisions can we make in this body that will set up our younger generation, the next generation, for success later on in life, so that they can meet the obligations that they are going to face when the reins of leadership turn over to them. I fear that if we make it impossible by not reducing national debt, by not shoring up the Social Security and Medicare trust funds, it is going to be impossible for that next generation to meet those obligations and we will see a fiscal crisis never before witnessed in this Nation.

It is almost deja vu all over again as far as economic policy. We have seen this. It is really the repeat of Reaganomics back in the early 1980s where they ushered through this huge tax cut but also simultaneously tried paying for a huge increase in defense spending which led to year after year, a whole decade's worth of deficit financing which left us in a position of dealing with a $5.7 trillion national debt.

□ 2115

The difference between that then and what we are facing today is back then the country could afford to make that mistake, because we had time to recover.

We do not have that luxury anymore. We have this aging population staring us in the face. They are going to start retiring in the next decade. We do not have the luxury of being able to deal with a fiscal mistake that was made and trying to dig ourselves out of that hole in time to prepare for this aging population.

That is really the big difference between the economic policies of the early eighties and the same type of economic policy being pursued today. We do not have that margin of error in order to correct the mistakes, to dig ourselves out of debt, as we were starting to succeed in doing throughout the decades of the 1990s. Instead, we apparently have now reversed track and have jeopardized the good work being done just a few short years ago.

Mr. ALLEN. What is so startling is all this has happened in just a few months, so those of us who were saying this is a reckless approach, this an irresponsible approach back in March and April, now find ourselves saying, you know, we told you this was a possible outcome. We told you that the policy was irresponsible. Now, Mr. President, how do we dig ourselves out of that?

I think that the point the gentleman was making about Social Security and Medicare, it is very true. But it is also true when I travel around my State of Maine and talk to business owners, for example, they say to me, apart from health care, which seems to be their number one problem, the high cost of health care, they talk about the qualifications of the workforce. They realize that they are only going to succeed if they have well-trained, well-educated, well-qualified workers for the jobs which they need.

It gets harder and harder. If too many kids do not get Head Start, if you do not have enough spending on title I funds for kids from disadvantaged areas, if you are not fully funding special education in accordance with the promises made by this Congress in the past, if young people in this country do not have the funds to go on and get the college or technical college education they need, we are not going to be as strong a country, as competitive; and our businesses will not do as well. Those are simple facts.

Yet the examples I have given are examples of public investments. They cannot be made by our businesses. They cannot be made by individual families, many of whom are struggling and do not have the funds for private school or private college. They are only the kinds of investments that we can make together. We cannot make those investments together if all the money has gone in a tax cut that is too large to be responsible, where most of the money, or at least half of the money, is going to people in this country who make over $300,000 a year.

We have to look again at this tax cut. We have to figure out how we can make sure that our overall budgeting over the next few years is reasonable, responsible, disciplined and conservative, not irresponsible and reckless, I guess I would say.

Mr. KIND. If the gentleman will yield further, with the drastic change in the budget numbers, and there is no sign of immediate economic recovery on the horizon, I think the responsible thing to do, one that really requires real leadership right now and a gut check, is for the administration to submit a new budget proposal, in light of the fact that their own numbers, a 7 percent increase in discretionary spending, is just not affordable right now within the context of the overall budget, unless, again, they are willing to dip into the Social Security and Medicare Trust Funds, which I do not think there is a lot of bipartisan support to do.

I think just about everyone in this Chamber now is on record supporting the lockbox proposal, walling off those trust funds, the surpluses being run in those programs for debt reduction; and that is why we are hoping that the administration, the President, will take a look at this and realize that things have changed.

That is okay. Mistakes are made from time to time. But we are still in a position of being able to recover. We are not down this road that far yet. These numbers have just come out. We have not passed the next fiscal year's budget, so there is still time to recover.

It is going to require, I think, a whole lot of cooperation across the aisle and shared responsibility across the aisle to make this add up, to maintain some fiscal discipline, but also meet our obligations that exist.

We have an Elementary and Secondary Education Act we are trying to reauthorize that is going to require resources, bipartisan thinking, in order to solve that dilemma. We have the next farm bill reauthorization to come to the floor here shortly. Lord knows our family farmers are struggling to survive. You talk about a national security issue, food security ranks right up there at the top as well. We have that obligation to meet.

We also need to be thinking long term and maintaining the solvency again of these important programs, like Social Security, Medicare, so we are not just punting on this issue, which would be the easiest thing for us to do today. I think that is one of the reasons why the President appointed his Social Security commission, because he realizes we need to take a hard honest look at this and start finding some bipartisan solutions to the challenges we face.

We still have time to recover. I guess that is one hopeful note in tonight's discussion. Hopefully, we are going to get enough consensus and enough bipartisan work here in the coming weeks before the ultimate budget is passed to recover from the new economic realities and do the right thing for our kids.

I have got two little boys myself. I am a little concerned about the fiscal obligations they are going to be facing. The numbers are not working in their favor right now. With the generational trends with the aging population, more and more will be asked of the next generation to deal with these challenges. We can help by starting today in dealing with accurate economic numbers and making some probably pretty difficult choices in the weeks ahead.

I thank the gentleman again for organizing this Special Order and highlighting in such a coherent fashion the dilemma we are in and the challenges we face.

Mr. ALLEN. Mr. Speaker, I thank the gentleman for being part of this debate. I know we can do better, and we will do our best to do better.

CHALLENGES FACING AMERICA: THE BUDGET AND IMMIGRATION REFORM

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

Mr. TANCREDO. Mr. Speaker, I appreciate the opportunity to address the House tonight and to bring to the attention of this body and to the Nation an issue of, I think, extreme importance to us. My original intent was to speak on the issue of immigration, immigration reform, in light of the visit of President Vicente Fox. I intend to do so. I will certainly do so for the majority of my remarks.

But as I sat here in the House waiting for my opportunity to present my observations, I was, of course, listening to the discussion that preceded me with regard to the fiscal dilemma in which the United States finds itself at the present time; and my colleagues on the other side of the House, the Democrats, have concluded that the problem is that we are not taxing Americans enough. They have suggested, for over 1 hour what we have heard, is that we have an enormous task ahead of us because revenue projections are lower than had been anticipated as a result of a turn down in the economy and that, therefore, this Congress is faced with a major dilemma: How do we deal with the fact that we do not have enough money coming into this body?

It is their plan, when they ask the question, how did this problem come about, the answer they provide is that we gave Americans tax breaks. We allowed Americans to keep more of their money. As a result of that, the Democrats say, we are now in this fiscal bind. We now find ourselves in a situation where we may ''dip into the Social Security Trust Fund,'' a trust fund, may I remind you, Mr. Speaker, that was raided, not just partially, but totally, 100 percent, every single year that the Democrats had control of the Congress of the United States. Every single year.

All of a sudden, this new-found concern about the Social Security Trust Fund is, I must admit, greatly appreciated. I am so happy to hear that my friends on the other side of the aisle are worried about this fund, which they successfully raided every single year for 40 years, took every single penny out of it and spent it in the general fund. Now they are worried about getting into that particular fund.

Well, I am glad. This is a major shift in thinking in this body. I hope and I pray that it lasts for a long time. I hope and I pray that every Member of this body will in fact adhere to the pledge to not spend any money out of the Social Security or Medicare Trust Fund in the general fund.

I am one of the 150 Members who have signed a letter to the President of the United States telling him that if he

vetoes any appropriations bill that forces us to dip into that trust fund, we will support his veto. By the way, I did not see a single name of a Member of the other side on that letter, not one.

I was intrigued by the fact that in all this discussion, the 1 hour that has preceded me here about the horrible state of our economy and the horrible state of our budget, not once did I hear, Mr. Speaker, even though there was constant reference to the fact that we may have in fact given too much back to the people in terms of tax breaks, gone way too far, that was said over and over again, way too far in giving back the people of the United States their hard-earned money, giving back, as if it was ours to begin with.

Of course, the appropriate way to phrase it is we allowed them to keep more of their money. But to my friends on the other side of the aisle, any money that we allow an American taxpayer to keep is money we are giving back to them; money that first belongs here in the Congress of the United States, first belongs to be spent by this body, and, if we deign, we will allow Americans to keep part of their tax dollars. But not once, Mr. Speaker, not once in that 1-hour presentation that preceded me, did you hear any one of the various Members on the other side who addressed this issue say the words ''let's repeal the tax cut.''

You see, Mr. Speaker, every one of us has a wonderful opportunity, being a Member of the Congress of the United States, an incredible, enormous opportunity, and that is to introduce legislation that we believe to be important, that we believe to be helpful to this country. Every one of us here, that is something that we can do. Every one of the Members who spoke here tonight, Mr. Speaker, every one of them, could introduce a bill tomorrow to repeal the tax cut.

We have only sent out half of the checks so far. They could introduce a bill to say stop where you are; we desperately need the money. They could introduce a bill saying for all of the other tax cuts we have passed, for the elimination of the marriage penalty tax, for the elimination of the death tax, for the reduction in the tax rates, we will not reduce them. We will eliminate them. We will get rid of them, because we believe we are in desperate financial straits; and those straits can be addressed, they can be changed, they can be dealt with successfully by taxing Americans more.

You did not hear that, did you, Mr. Speaker, because they did not say it, because they, of course, know that it is politically very unpopular to tell people that we cannot live within our budget in this body; because, my friends, the problem here in Washington is not a lack of revenue from you, from the taxpayers of the United States of America. That is not the problem. Mr. Speaker, the problem is the fact that we in this body collectively spend too much and have spent too much.

One of the other speakers referenced Reaganomics. I am glad he did, because it is, in a way, Reaganomics all over again. But let us look at what Reaganomics really means and what it really was.

□ 2130

It was a time in the Nation's history when we reduced tax rates, not taxes, but tax rates, and we reduced them significantly.

What happened, Mr. Speaker? Was there a dramatic decline in revenues to this government as a result of that reduction that caused deficit spending that we, of course, had? We definitely had deficit spending during the 1980s. Was it because the Reagan tax cuts produced fewer dollars coming into the coffers of the government? No, of course not. It is simply because we spent all of the money.

Not only did it not reduce the revenue coming into the government, it dramatically increased the revenue. Revenues tripled, quadrupled because, of course, we stimulated the economy, more people were employed, so more people were, therefore, paying taxes. That is the effect of Reaganomics. It increased revenues to the Federal Government.

We definitely had deficit spending, absolutely true. Why?

Mr. Speaker, the reason is because this body, this body spent the money. Not only did it spend all of the revenues that came in, which were significantly more than had been experienced in the past, but it went on and spent beyond that. It did, in fact, deficit spend. So it was not Reaganomics, Mr. Speaker, it was this body. It was the Congress of the United States in profligate spending that caused the deficits of the 1980s, and it may very well be this body which causes that problem again. It may very well be, because no one can accuse us of being very judicious in the way we approach budgets.

In the last several years, because of the past President's urging and the fact that this Congress could not say no very often in terms of spending, we outdid ourselves. We increased budgets dramatically. And now, of course, we may have to look at reducing expenditures.

That was something that was never mentioned in the 1-hour as we listened to the other side talk about our problem. Never once did they say, we need to reduce expenditures. Every single time they talked about the problem we face, they said it was because we gave people a tax break. Now, is that not intriguing, and does that not simply tell us something about the nature of this body?

Today, Mr. Speaker, a newspaper which comes out every day here in the Congress, it is called The Hill. For most people, they may not have heard of this, because it is really just a newspaper circulated in the Capitol and around the Capitol, and it is certainly not a paper that I would call, or I think anyone would call partisan in favor of Republicans. It is a very liberal-leaning newspaper; most of its reports have that sort of slant to it.

But today a very interesting headline in The Hill newspaper, especially in light of the discussion we just heard about the problem we are having with the deficit, with the budget, and about why we may actually be sort of dipping into the Social Security Trust Fund, remember, a fund that the other side spent 100 percent of every single year in the general fund. But now they have great concerns about it. Again, I am happy to hear that, I am very happy to hear that we have had sort of an epiphany for the people on the other side here.

But here is The Hill newspaper and here is the headline: ''Senate Dems Wield Power, Feast on Pork.'' The whole article is about the degree to which the Senate Democrats, the Democrats now having taken control of the Senate, have gone bananas essentially in a spending frenzy.

Senate legislation would give the Corps of Engineers $500 million more than the President requested in his budget, which sought to reduce superfluous spending by that agency. The Corps currently has a $40 billion backlog, and there is no greater pork barrel project in this Congress than the Corps of Engineers.

It is everybody's engineering firm around here. Believe me, I know. I have tried to reduce the funding, and whenever we do, we run into a buzz saw around this place, because many, many, many Members see the Corps of Engineers as their personal construction company. It is not just unique to the Democrats, I should say, but in this case: ''Senate Dems Wield Power, Feast on Pork.''

We should take that into consideration, I say to my colleagues, when we think about the degree to which the words of our Members on the other side hold any water whatsoever when they discuss the issue of budgets and tax reductions and the reasons for coming up to a budget crisis.

So anyway, as I say, Mr. Speaker, these were not the original remarks I intended to give, but I simply could not sit here and listen to the other side discuss this issue without trying to at least shed a little light on the reality of the situation.

The real reason, of course, that I took to the floor this evening is to discuss the issue of immigration into the United States, massive, uncontrolled, illegal and legal immigration into the United States. I take this opportunity to address this issue, of course, because of the visit today and tomorrow of President Vicente Fox of Mexico.

I was privileged to be able to be on the south lawn of the White House this morning when President Bush greeted Mr. Fox, President Fox, and it was truly a very exhilarating experience. It is always exciting to be able to go to the White House, to be able to participate in an event of that nature, a lot of

pomp and circumstance and 21-gun salutes and all of the rest of it. It was very, very interesting, very enjoyable.

As I stood there with the crowd watching, I listened to both the remarks of the President of the United States and the remarks of Mr. Fox. To a large extent, those remarks centered on the issue of immigration.

Now, when I say ''immigration,'' I think most people understand the meaning of the word ''immigration,'' immigration meaning people coming from one country into another. In this case, more specifically, people coming from Mexico into the United States. ''Immigration,'' that word was never once spoken by either the President of the United States or President Fox, interestingly, although a great deal of the time and a great many of their remarks dealt specifically with immigration.

Mr. Speaker, let me tell my colleagues how they addressed it. Let me tell my colleagues the word they used. Throughout this whole speech, there were several times, from both the President of the United States and President Fox of Mexico, I thought, gosh, that is a different sort of phrase, that is a different way of addressing that particular issue; I never heard it like that before, they have changed.

In this debate about immigration, we have found that there have been many, many times actually that the words have been changed. For instance, we started talking about a month ago, I guess, and we used a word to describe a process called amnesty, the word ''amnesty.'' The word has a definition; one can look it up in the dictionary. We all pretty much understand what it means. It means, if you have done something wrong, we are going to forgive you for it. That is amnesty. If you have broken the law, we are going to say, that is okay, no problem. Everybody go back to square one and start over again. That is amnesty.

Well, because the word ''amnesty'' has a relatively bad connotation, and let me tell my colleagues how bad it is, by the way. There were recently several polls done, the most recent is the Zogby poll on amnesty for illegal immigrants, but by the way, everything I am going to say in this poll is substantiated by other polls, by the Gallup Poll, USA Today; all of them say the same thing.

Consistent with other polls, Zogby finds that the majority of Americans, 55 percent, think that amnesty is a bad or a very bad idea, compared to 34 percent, who think it is a good or very good idea. The strongest opposition to amnesty can be found among conservatives with 60 percent thinking it is bad, and most troubling for those who are supporting this idea is that 32 percent of the conservatives said they would be less likely to vote for anybody who supported amnesty.

Among Democrats, 55 said they thought amnesty is a bad idea, 55 percent of the Democrats; 36 thought it was a good idea. Some of the strongest opposition was found among voters in union households, a key Democrat constituency. Sixty percent of the voters in union households said it was a bad idea, compared to 32 percent who said it was good. And amnesty splits the party's liberal base right down the middle with 46 percent of the liberals thinking it was good idea and 45 percent of the liberals, people identifying themselves as liberal Democrats, saying it was a bad idea, 45 percent.

By the way, amnesty does not even appear to be winning Hispanic votes. Fifty-one percent of the respondents identifying themselves as Hispanic said it was a bad idea; 51 percent of Hispanic Americans said that amnesty is a bad idea. This according again to the Zogby poll, but believe me, every single poll that has been taken says the same thing.

So, all of a sudden, as a result, Mr. Speaker, as a result of this kind of information, these kinds of facts being brought to the forefront, all of a sudden, the word ''amnesty'' disappeared. We will not hear anyone who favors this concept use the word.

We have now changed ''amnesty'' into ''regularization.'' Yes, that is right, ''regularization.'' Or, another one I have heard is ''earned legalization.'' These are the euphemisms that have been constructed to describe the fact of amnesty, but nobody wants to use the word because of the polling data that tells them, everybody is against it.

Do we know why they are against it, Mr. Speaker? They are against it because they are, in fact, logical, common-sense people, common-sense Americans. When we say to Americans, do you think it is okay for people to come into this country illegally, take jobs, many of them, of course, hardworking, nobody is suggesting that that is not the case, but do you think that that is okay? Do you think that we should reward that behavior with amnesty? Do you think it is all right that there are literally hundreds of millions of people around the world who would give their eye teeth to come to the United States, and who go through a process every year signing up, going through the application process, which is laborious, and hoping and praying that their number will come up and that the quota that they are in will not be filled until they get in.

And those people who do the right thing and come to the United States expect, of course, that they are coming to a country which is governed by the rule of law and not by the rule of man. That is the basic underpinning of the American republic, the rule of law.

So we ask Americans, do you think it is okay that those people who choose to ignore that particular avenue, albeit for probably very, very good reasons, probably because they are in economic deprivation in the country of their birth. They are seeking to get into the United States for advancement. Again, I do not blame them for trying. But do you think that we should reward them for doing that? Is that a good idea, America? Do you think that will help us deal with our illegal immigration problem?

And America says, golly, I do not think so, to the tune of some 65 to 67 percent in the CNN poll, Gallup-CNN poll, 66 or 67 percent saying, no, I do not think that is a good idea.

So, therefore, in the speeches today, from both President Bush and of President Fox, we never heard the word ''amnesty.'' Never. And we will not hear it emanating out of the administration or any of the people in this body who support immigration. What we will hear are these other things, these other euphemisms: ''regularization'' and ''earned legalization'' and all that stuff.

□ 2145

But I ask my friends when they hear that word to remember that it means one thing, amnesty, which means rewarding people for breaking the law. That is it, pure and simple.

They went on; both Presidents today went on in their remarks. I mentioned earlier that although a lot of the discussion revolved around the whole concept of administration, I never once heard the word ''immigration'' ever spoken. Never once did either one of the two gentlemen speaking today use the word ''immigration.''

What they used instead, and this is President Bush speaking, ''We understand our two nations must work together in the spirit of respect and common purposes to seize opportunities and tackle challenges on issues that affect the lives of our citizens, including migration,'' migration; ''the environment, drugs, crime, corruption, and education.''

President Fox went on in his remarks: ''Likewise, we want to continue making progress towards the establishment of an agreement on migration which will be of mutual benefit to us, and will recognize above all the value of migrants. The time has come to give migrants and their communities their proper place in the history of our bilateral relations. Both our countries owe them a great deal.''

Well, that is an issue we will explore a little bit more here as time goes on.

Mr. Fox goes on: ''For this reason we must and we can reach an agreement on migration before the end of the year which will allow us before the end of our respective terms to make sure that there are no Mexicans who have not entered this country legally, and those who have come to this country do so with proper documents.'' Once again, two or three times, migration.

Mr. Speaker, there is a difference between a migrant and an immigrant. A migrant moves from place to place. An immigrant moves from country to country. This is an important distinction which is attempting to be blurred by these kinds of statements.

I know these are small things. People would say, it is just a word. It is just a word. But these are important, very important. Do Members think it is odd at all, even intriguing, put it both ways, that both gentlemen in their discussions never use the word ''immigration,'' but also use the word ''migrant'' or ''migration''?

It is important. There is a distinction here between those two words. The attempt is to make us feel as though there is essentially no border; that the movement of people back and forth between what we now call Mexico, or by the way, which has actually had a name change in the recent past. Today when I got the invitation to go to this particular event over at the White House, I was intrigued because it said, ''Please come here. President Vicente Fox, President of the United States of Mexico.'' That was on my invitation.

That was interesting. I did not know Mexico had changed its name from the Republic of Mexico to the United States of Mexico. There were all kinds of interesting really semantic things in terms of discussing this issue which I think are intriguing, to say the least: the United States of Mexico.

But the whole purpose of the discussion today was to make us simply think about the idea of illegal immigration as being nonexistent. And when Mr. Fox suggests that ''there will be no Mexicans who have not entered this country legally,'' what he is saying, of course, is there is only one way in which that particular phenomenon could occur, one way. That is to essentially remove the border, eliminate the border in a de facto way and even a de jure way. That is the only way we would eliminate illegal immigration is by everyone coming here as legal.

There are people here in this body, there are people certainly throughout the country, who believe that that is exactly what we should do; that we should in fact eliminate the border, not just the border between the United States and Mexico but all borders, because, of course, nowadays the free flow of capital and people should not be impeded, and, what the heck, it is all one big world, anyway.

The European Common Market has formed itself into the European Union, they have established a single currency, and they are now establishing a single government in the European Congress. So that should be sort of the model for the rest of the world: that we should simply eliminate borders and let nature take its course.

If that is the case, Mr. Speaker, then I think that that is a debatable point. I hope and I pray that this body will debate that point, because that is the end result of our whole debate on immigration.

We have sort of talked around the edges of it: How many people, what should we call them, how long should they be here, how should we deal with the millions who have come to the United States illegally.

What really and truly people are saying, people who are pushing the pro-immigration side, and I am saying ''immigration,'' mind you, not ''migration.'' Migration is what happens if I move to Kansas. It is not what happens if I move to Mexico or Canada or Guatemala. That is immigration.

But when we talk about immigration in this body, and in this context, in the context of the discussions, the speeches given today by President Fox and by President Bush, I am concerned that what we really are beginning to discuss is the elimination of the borders.

In the June 22 Time Magazine, they had a very, very interesting series of articles. In fact, the front page, and I wish I had it with me tonight, I forgot to bring it, but the cover of Time Magazine June 21 says, ''Mex-America,'' and the real gist of the story was that we have in fact, in a way, completely eliminated the border between the United States and Mexico, and that the Mexican culture, not just culture but many other aspects of life, has changed in the South, southwest parts of the United States because of massive immigration, both legal and illegal. There are, in fact, people who believe that we should do that.

Well, then let us get to that point, Mr. Speaker. Let us really and truly simply get to the basic debate point here in the issue of immigration; that is, should we have a border, or should we not?

Mr. Speaker, here is what we have to decide as a nation. If we want a border, if a border is meaningful, if it has any reason to be, if there is a reason to draw a line around this place we call the United States, then it is the responsibility of this Congress, uniquely of this Congress, by the way, and this administration, to defend it, to give it integrity.

What that means is to make sure that only the people who are allowed to come in by law are able to come in, and if that means defending that border with one's armed forces, that is what it means.

That is what we have to do if we want a border. We establish an immigration policy. Every Nation does. It says, here is how many people we will allow in this year; and by the way, not just how many people, but here is how many people with what we need in this country. We need doctors or lawyers although I must admit I do not know why we need any more of the latter. But we need people with various skills, various attributes to come into the United States, or any country. That is not just us, that is what most countries do. They say, here is who we need, here are the kinds of skills we need, and we will establish that as our immigration policy. We will defend our borders to make sure nothing else occurs.

The United States essentially has surrendered that degree of sovereignty by saying, hey, listen, we will wink at all the millions, and I mean millions, of people coming across our borders illegally every year; we will wink at the employers who employ them illegally, and we will do so because it provides profits for many employers, and in a way it provides future voters for various political parties. Let us face it, there is a very political issue here.

So we do not care about the fact that this Nation's population grows approximately 60,000 per week. That is the net gain over deaths and over emigration, people leaving the country, 60,0000 a week. And we ignore the fact that approximately 70 percent of that amount is a result of immigration.

All of the issues with which we deal day in and day out in terms of the enormous strain on our infrastructure, the increase in demands, in the State of California, by the way, 95 percent of that State's increase in population over the last year, 95 percent is the result of immigration, legal and illegal. And because of that, Mr. Speaker, the State of California has to build a school a day to keep up with the demand. And, of course, there are highways, hospitals, and social services.

It has been estimated that the cost of adding every new person to any community is about $15,200 a year, and that is the initial cost. It is not the costs we incur every year from that point on. There is no way that people coming into the United States today with very few skills or none at all, taking the lowest-paid jobs available, will ever pay back that cost. So all the talk about immigration being important for the United States, important economically, is hokum.

If we were to really be concerned about what was good for America, we would say that we will take in about 300,000 a year, and here is who we need, people with certain skills, high-level skills, primarily, who will come into the United States, become very highly successful in terms of whatever trade they are involved with, and become net taxpayers, not tax users. That is the present state of affairs, that by far, by far the people coming into the United States today are net tax drains on the United States over even in the short run and over the long run.

We tend to ignore this for a lot of other reasons, a lot of political reasons. I have developed a list of questions that I would like to be able to pose to President Fox while he is here. I have a feeling they will never be asked, but this is my only opportunity to present them.

I am the chairman of what we call the Immigration Reform Caucus in this House. I have many times attempted to contact the administration, the White House, and talk to them about this issue. We have been unsuccessful in arranging for a meeting to this point in time. Therefore, I have only this way of bringing these issues to the attention of my colleagues, to the administration, and to the people of the United States.

Recognizing full well that it is extremely important for Mexico to reconstruct itself economically in order to

provide a standard of living for its own people that will keep them in Mexico, will allow them to live in their homeland, will allow them to prosper, achieve a better life for themselves. Recognizing a significant change has to occur in Mexico, I would ask President Fox, in order to achieve that degree of change, I would ask him: Number one, Mr. President, exactly how do you plan to reduce the massive and pervasive corruption which, in your country, unfortunately is endemic? For everyone from the cop on the beat to the highest levels of government, we know, everyone knows, the world knows the level of corruption.

I had a gentleman in my office 2 days ago, in my Denver office, my Littleton office. He wanted to open up a business in Mexico. It is sort of a unique enterprise. He was not sure exactly who he needed to talk to in order to get permission from the Mexican government to import certain, in this case, tires to be recycled. And if he opened a plant in Mexico, he thought, how can I get permission from the Mexican government?

He was going around and beating around the bush. Finally he said, look, what I am trying to say is, can you find out for me, Congressman TANCREDO, who I have to pay off in Mexico to get the permits? Because he had done business in Mexico before, and anybody who has done business in Mexico and in fact in many third-world countries recognizes that that is the cost of business. That is the cost of doing business.

□ 2200

If you have been stopped in Mexico for a traffic ticket, I mean, I could go on and on and on. We know that the best way to handle it is to hand the policeman your driver's license and a $20 bill, probably now more like a $50 bill. It does not matter. The corruption goes from that level up to the top.

I assure the Speaker that until we begin to address this particular problem in Mexico we will never have a viable economy. NAFTA has got nothing to do with it.

We could have completely 100 percent free trade between these two countries. We would lose many, many jobs in the United States, but it would not improve the economy of Mexico because the economy in Mexico is stuck in two ways.

It is stuck in a socialistic enterprise. It still has not been able to get itself out of the old government control, government ownership. The government owns the oil industry. The most significant industry in Mexico is owned by the government. This is not a good idea.

If I had the opportunity, I would ask Mr. Fox, What are you going to do about that? Are you going to divest yourself of the oil industry because, of course, you will never prosper as a nation under these conditions?

What are you going to do, President Fox, about corruption? Tell me specifically how you are going to handle it.

President Fox demanded of the United States not too long ago, attacking our current immigration policies, and this was in Milwaukee on July 17, an integrated Mexican-U.S. labor market. An integrated Mexican-U.S. labor market.

Again, I would ask Mr. Fox, What do you mean by that? That is an interesting statement. An integrated labor market. I would like to know specifically how you define that.

He demanded that U.S. laws be rewritten to bring about open borders between the United States and Mexico and that we give illegal aliens in the United States driver's licenses, even though, of course, they cannot read the road signs and do not have insurance; and that we give Mexican illegals a university education and other taxpayer benefits.

Mr. Speaker, we do now presently provide K–12 education to all illegal immigrants' children in the United States. He wants us to go farther. He asked us to, in fact, provide university education to illegal immigrants from Mexico.

So I would ask President Fox, Will your government, the Government of Mexico, provide a free education, K–12 and post-secondary, to any foreign national in Mexico as he has requested of the United States? Is he willing to do the same thing?

I would ask President Fox, Since you own the oil company, President Fox, will you agree to sell the United States oil at below OPEC prices when that cartel punishes the United States by reducing its production? Because at a certain point, about $27, they go, oh, it is too low. OPEC says we have got to decrease production in order to increase prices.

So, President Fox, you said that you wanted to be a friend to the United States. We have to build a relationship on trust.

Okay, I would say. Mr. Fox, let us start here. I want you to agree to sell us oil at below OPEC prices every time they try to blackmail us. What do you think the answer would be? I wonder.

I would ask him again, President Fox, What specific step is your government willing to take in the direction of increased privatization of the Mexican industry, Mexican economy. Are you willing to give up the oil company? Are you willing to privatize in order to spur economic growth?

If not, do not look to the United States to be your safety valve, to take all of your unemployed, all of your poverty. Because I assure you, Mr. Speaker, as long as we continue to do that there will never be any pressure on Mexico to reform itself, as long as we are there acting as that safety valve.

I will ask him, Mr. Fox, Will you stop the practice of handing out survival kits to those people about ready to come into the United States illegally? An agency of the government hands out a paper bag, 200,000 at last count, to people coming across the border into the United States illegally, paper bags filled with maps, little how-to-survive in the desert, condoms. Go ask them what is the purpose. But, anyway, that is what they give them, some water.

Will you stop that, Mr. Fox? Because you say you want to stop illegal immigration in the United States, why are you promoting it by handing them out ''survival kits''? Will you stop that as a friendly nation?

Will you publicly condemn those members of the Mexican Government who have called for the recolonialization of the southwestern United States by Mexican nationals? They have done so. Bizarre as that sounds, they have done so.

I guess also, Mr. Fox, I would have to ask you, Why are you encouraging your people to take dual citizenships in the United States? In 1998, Mexico passed a law allowing for dual citizenships of their people. Since then somewhere close to 6 million Mexican-Americans, or I should not say Mexican-Americans because there are probably others involved, but so far 6 million people have accepted that particular identification as a dual citizen. Why are you doing that, Mr. Fox? I ask our own government, Why do we allow that?

When a person becomes a citizen of this country, they are supposed to raise their hand and swear that they give up allegiance to any foreign power or potentate, I think is the word that they use. How is it that you can have a dual citizenship and call yourself an American? How can that happen, Mr. Fox? President Bush, I would ask you the same question.

So those are some of the questions that I would pose to the President of Mexico, the Republic of Mexico or the United States of Mexico, whatever it calls itself now. Those are the questions I would pose. I hope that someone will ask them. I doubt if they will.

I will tell you that those are the questions I want answers to before I would move one step forward in the area of immigration, liberalization. In fact, Mr. Speaker, I have introduced a bill to reduce legal immigration in the United States from the present 1 million a year to about 300,000 a year.

I would, of course, take any action I could to stop illegal immigration. I would fine those employers who continue to use this form of illegal employment. I would put troops on the border. I would do what is necessary to protect our border; or I would say let us dissolve it. But let us have the debate here. It is one or the other. Either you have a border or you do not. Either it is meaningful or it is not. But before we go 20 years down the road and we look back and say, gee, how did it happen, that it sort of just evaporated, it is just gone, how did that occur, I would just as soon have us in this body debate that topic, have a vote up or down. Shall we eliminate the borders or not? If we decide not to, then we have to decide to enforce them.

MILITARY STRATEGY

The SPEAKER pro tempore (Mr. JOHNSON of Illinois). Under the Speaker's announced policy of January 3, 2001, the Chair would recognize the gentleman from Missouri (Mr. SKELTON) for half the time remaining before midnight, or approximately 56 minutes.

Mr. SKELTON. Mr. Speaker, I rise this evening to address a crucial issue for the future of our Nation, the military strategy that will govern our armed services.

In 1923, then-Major George C. Marshall was asked to give a speech on national defense. He briefly recounted the history of the Army's end-strengths since the Revolutionary War and noted a consistent pattern. After every conflict the United States immediately and significantly decreased the size of the Army, only to have to increase it dramatically the next time a conflict broke out.

U.S. leaders continued to act as if the absence of an immediate threat justified a dramatic decrease in the size of U.S. forces and the defense budget. The astonishing fact, Marshall said, is that we continue to follow a regular cycle in the doing and undoing of measures for national defense.

Nearly 80 years later in the aftermath of the Cold War, we find ourselves caught in the same pattern. Our active duty military has shrunk from 2.1 million people in fiscal year 1989 to 1.4 million for the coming fiscal year, a decline of 34 percent.

Some in the administration may argue that this decline is reasonable and that further forced cuts are justified because we do not face a global peer competitor, but neither did the United States in 1923. Yet less than 20 years later it found itself at the center of a massive global conflict.

Mr. Speaker, this pattern must stop. Why must we as Members of Congress think about questions of national strategy? My first answer goes back to that 1923 Marshall speech that Congress and the administration must bring stability to the size of our force and the resources that support it, both in the current budget and in the outyears. Stability ensures the United States can counter any threat to its interest, can fulfill its responsibility as the world's lone superpower, and can live up to the trust all those who serve in the military should have in their government.

Second, the Constitution charges the Congress to raise and support armies, to provide and maintain a Navy, and to make rules for the Government and regulation of the land and naval forces. This is a sacred duty that transcends merely authorizing and appropriating annual funds for defense department and military services.

Remember, it was Congress that crafted the Goldwater-Nichols legislation that strengthened the chain of command to U.S. benefit in conflicts like the Gulf War, and Congress had upgraded professional military education. We must now give thoughtful consideration to where our Nation is heading and what the proper role and size of our military is in this current world.

Third, I have had the great fortune of serving on the Committee on Armed Services for over 2 decades. In that time I have participated in scores and scores of briefings and hearings and have conferred widely with active duty and retired military officers, defense experts, military historians and, most importantly, our troops. Through their wisdom and generosity, I have learned quite a bit; and I have come to some opinions about what our military should be doing for our country.

It is an old speech-writing ploy to say that the United States stands at a unique moment in history, but in this case it happens to be true. There is no single overwhelming threat to the United States and its interests. There is no political-economic ideology to rival our democracy in capitalism, the United States the world's leading military and economic power. It has brought not only economic progress, but democracy and stability to many parts of the world.

On balance, the United States has provided great benefits to the world through its leadership. We should feel a great sense of accomplishment at that. But this elevated position creates responsibilities. The United States must continue to lead; we must consciously fan the fire of our leadership to serve as a beacon for those friends and allies who would follow us. We must work with them as partners without arrogance, recognizing that together we can make the world a better and safer place.

Leading in the 21st century means leading globally. The Asia-Pacific region is increasingly critical to our future security because of its population, growing economic strength, advancing military capabilities, and potential for conflict. Yet our leadership cannot focus on this region at the expense of others where U.S. interests remain strong, particularly Europe and the Persian Gulf.

In addition to requiring global leadership, our world position makes us a tempting target for those who would attack us. We may face direct challenges, attacks on our homeland, our citizens and soldiers overseas and our military and commercial information systems. We may face indirect challenges as well as those who resent our leadership seek to increase the cost of our global position and seek to block access to the ports and battlefields of the future.

We may face challenges to our allies and friends in conventional and unconventional forms that affect our own national interest. We may continue to face challenges associated with being a global leader as others ask us to contribute troops to keep the peace and stem violence.

Given the breadth of these challenges, our national military strategy continues to matter, and the size and strength of our military matter as well. A good force structure with the wrong strategy is useless; so is a good strategy with the wrong forces.

Getting the strategy right requires asking what the military must be able to do. In basic terms, we ask the military to prevent attacks on U.S. interests and to respond if prevention fails.

□ 2215

Mr. Speaker, let us look at each in turn. I use prevention to mean two broad categories of activities that together protect U.S. interests, maintain U.S. world leadership, and minimize the likelihood that the military will have to fight.

The first preventive element of our military strategy is the protection of the U.S. homeland as it is our most fundamental national interest. We know of a number of states and nonstate actors that may seek to counter U.S. conventional strength through attacks that may involve weapons of mass destruction.

To counter these threats, the United States needs a comprehensive homeland security strategy, and I have called for this in legislation. To be sure, a limited missile defense system is part of such an effort, but the obsession of national missile defense by some as a ''Maginot line in the sky'' has become theological. Secretary Rumsfeld rightly points out that we cannot predict all of the threats that we will face, just as no one predicted Pearl Harbor or Iraq's invasion of Kuwait. But yet his strategy lacks the flexibility to deal with a range of threats when it puts such significant emphasis and resources on a single threat to be countered with missile defense. Missile defense systems should be treated as a weapons system like any other, and it should be only one part of the U.S. approach to protecting its citizens.

Homeland security must include continued support for nonproliferation programs, including cooperative threat reduction programs with states of the former Soviet Union. It must include great resources for intelligence and coordinated response mechanisms among a range of government agencies. Comprehensive homeland security, not merely the one element represented by missile defense, should be the focus of our efforts.

Beyond physical attacks, the United States is now vulnerable to increasingly sophisticated information warfare capabilities targeted at our military communications or at critical domestic infrastructure. The diffusion of technology allows many states and nonstate actors to target the United States directly through cyberspace at a fraction of the cost of confronting us with conventional forces.

Our own information operations war games, like 1997's Eligible Receiver, showed that even a small group of attackers could break into the power

grids of major American cities and disrupt military command and control systems. In such a scenario, our very technological superiority becomes a weakness with potentially devastating consequences for both infrastructure and the lives of our citizens and troops.

In considering how to deal with information warfare, the United States must build robust offensive and defensive capabilities and ensure that the information and communications that enable combat operations is secure. To do this, the Department of Defense should focus on integrating information operations into broader operational planning and on updating information operations doctrine.

The second preventive element of our strategy is shaping the global environment through active U.S. military engagement. The absence of this requirement in current administration rhetoric deeply troubles me. To speak of the importance of engagement is not simply a liberal effort to make the world a better place, it is one of the best means of maintaining alliance relationships, deterring adversaries, encouraging civilian control of military in foreign countries, and gathering vital intelligence throughout the world.

If we want to reduce the number of contingencies to which the United States is asked to send troops, we must pursue engagement as a means of preventing such conflicts before they happen. This vital engagement function takes two forms.

First, it requires presence, both through permanent basing and temporary deployments and ports of call. The changing global landscape may require basing in new locations. We should consider the use of an Indonesian island, greater presence in Guam, smaller deployments throughout Southeast Asia, and the shifting of more European forces to the southeast of that continent.

We must also be creative in how we use bases, adopting more of a lily-pad approach to basing that will allow us to use forces without overly stressing local communities. Frogs do not live on lily pads, but they use them when needing to get where they want to go.

Beyond presence, engagement must involve continued military-to-military exchanges and international military education. This is our best means of affecting the senior leaders' leadership of other countries and of building expertise in their cultures and doctrines. These relationships should be the last thing we cut in times when we are trying to send a political message. Cutting contacts discourages the positive changes we are seeking to effect in many countries.

In the end, our ability to shape the global environment to the benefit of our national security depends on a multifaceted approach, the linchpin of which is continued engagement and collaboration with other countries.

If our strategy takes these preventive actions for the homeland and through global presence, it must then focus on required military capabilities if prevention fails. Without a credible, overwhelming warfighting capability, the United States cannot deter would-be aggressors and cannot maintain global leadership.

There is no simple, elegant proposition for the warfighting element of the strategy to replace the two-major-theater-war construct, but let me offer a notional ''1–2–3'' approach.

One, we must be able to fight and win decisively at low risk a major regional conflict. Two, we must be able to conduct serious military actions in at least two other regions simultaneously to deter those who would take advantage of our distraction in a major conflict.

Three, at the same time, we must be able to undertake at least three small-scale contingencies throughout the world. Our recent history has shown that this level of demand is simply a reality. Therefore, we should plan for it and accept it as the price of global leadership.

I have agonized, Mr. Speaker, over the risk of abandoning our two-major-theater-war force-sizing approach. While I know we do not currently have the troops to support it, I still believe we must determine our strategy first and only then determine the size of our force.

Our vital interests are spread throughout Europe, the Persian Gulf and East Asia, and therefore we must maintain the ability to undertake significant military action in any combination of these three regions. Many States continue to plow resources into conventional and particularly antiaccess capabilities. While it is true that Iraq's capabilities have been eroded by sanctions and North Korea's by economic stagnation, both countries maintain significant conventional strength. The Taiwan Straits remain a potential flashpoint.

The U.S. military has not given sufficient consideration to how the United States might have to respond if a large-scale conflict broke out between nuclear-capable India and Pakistan. These are the presently foreseeable regions in which a major regional conflict seems most likely to occur.

Now, I agree with Secretary Rumsfeld that the likelihood of any two of these happening at any given moment is remote. Yet the United States must continue to have a multitheater capability. We must have enough forces to deter an attack of opportunity if we are engaged in a major theater war. For these reasons, I believe any move to a one-MTW capability must be accompanied by the ability to undertake significant military actions in two other places as well. These would not be ''holding'' actions, but a credible capability to deter adventurism and to protect crucial interests in those regions.

The third element of the ''1–2–3'' approach to countering conventional threats to U.S. national interests is, the United States will continue to take part in small-scale contingencies in areas of lesser concern. At any given moment, there may be more or less than three such contingencies. The evidence of the last 10 years shows such a tempo is likely, particularly if you consider the continued deployments to keep peace in the Balkans and to maintain the no-fly zones in Iraq. Military planning should be able to contend with at least that number.

Many voices have called for scaling our commitments back and limiting the duration of U.S. involvement. We in Congress will continue to ask tough questions about how we get involved and how to complete the mission, but being involved is the price of global leadership. We must acknowledge this fact and plan our forces accordingly.

Finally, getting the strategy right means communicating that strategy effectively throughout the military services. Doing so means incorporating national strategic thinking into the outstanding professional military education system which already exists. Those in our intermediate and senior war colleges must understand how the tactics, operational art, and battlefield strategy they study fit within the broader national military strategy their civilian leaders devise.

We have the world's best military education system; an effective military strategy must ensure that excellence continues. As William Francis Butler so aptly said, any nation that separates its fighting men from its scholars will have its fighting done by fools and its thinking done by cowards.

When taken together, Mr. Speaker, these strategic elements are similar to those put forward by Secretary Rumsfeld. With the most notable exception of his downplaying of engagement activities, I believe he has gotten much of the strategy right.

He has also rightly put attention on the need to transform a percentage of our forces and to invest in certain critical capabilities. The United States must be able to protect space-based communications and other systems. It must search for increasingly effective intelligence capabilities. It must procure sophisticated stand-off capabilities to ensure that we can deliver firepower when confronted with antiaccess strategy.

Finally, the Department must further joint warfighting through approaches like standing joint task forces. The Secretary has already articulated these requirements effectively.

What he gets wrong is his approach to the troops. Technology is critical, but in many cases it cannot substitute for boots on the ground. Cutting forces directly would be dead wrong. The alternative approach of forcing each of the services to make their own cuts is even worse. This approach would force each service to make cuts in a vacuum,

and would abrogate America's responsibility to match force structure to the strategy it prescribes.

The stability then-Major George C. Marshall spoke of requires force structure consistency within an acceptable range for the health of our armed services. These services are only as good and effective as those they can entice to serve. Recruitment and retention efforts are damaged when end-strength numbers vary widely. Why should a young person commit to serving if he or she knows they may lose their jobs when the government next cuts the size of the military? Keeping faith with those who serve means maintaining a stable military base.

In addition, Mr. Speaker, the strategy I have articulated here requires significant forces, in some cases more than we have today. The United States requires an Army, an Army of forces to fight a major theater war, to deter a second such conflict, to undertake peacekeeping operations, and to take part in engagement operations. If you consider that we used the equivalent of some 10 ground force divisions in the Gulf War, it is hard to see how we could fight one major conventional war while taking on any other missions with our current force. This and the reality of high current OPTEMPO rates argue for additional forces.

At a minimum, we should secure an increase in the size of the active duty Army by 20,000 soldiers to an end strength of 500,000, while maintaining 10 active duty divisions. Just last month, Secretary White and General Shinseki testified before our committee that the Army could use 520,000 to meet the requirements of today's missions; 500,000 is the minimum force size needed to implement this strategy.

In addition, we should support Army transformation efforts. The Army has given careful thought as to how it must face future challenges; these efforts deserve administration and congressional support.

Our strategy will continue to put great demands on the Navy for presence, ensuring access to conflict areas, and to providing firepower to those fighting on the ground. In this service, a greater number of ships, along with a modest increase in end strength, is desperately needed.

□ 2230

The Navy currently has approximately 315 ships. Over time, given our current replacement shipbuilding rate, that figure would drop to 230. Such a decline is appalling for a global naval power with global requirements. The scope of our commitments argues for a 400-ship Navy. This should be our goal. At a minimum, however, we should build toward the Navy's articulated requirement of 360 ships. We must also devote resources to developing innovative ships capable of operating in the littoral—such as a Cebrowski-class of ''streetfighters''—as a complement to our fleet of capital ships. Such new platforms may well have great warfighting value, provide presence on the cheap, and serve as a counterforce to others' anti-access capabilities.

The Air Force is currently well-sized for the present strategy and will continue to play a vital role across the spectrum of conflict. The Aerospace Expeditionary Force concept is essential for allowing the Air Force to deal effectively with the tempo of current operations.

While the Air Force does not require greater force structure, it will need additional capabilities. The Air Force will need to recapitalize its aging fleet. In addition, the distances involved in a strategy more oriented toward Asia must involve greater airlift and more long-range capabilities, like the B–2.

Finally, the Marine Corps is well suited to both contingency operations and major theater war in the 21st century. In addition, they are developing urban warfare capabilities highly relevant to future conflicts. While Marine force structure is appropriate to their missions, they require a modest increase in end-strength to allow fuller manning of existing units and a relief to some OPTEMPO and PERSTEMPO demands. We must ensure that the Marine Corps continues to be able to provide the swift, forward action required by future challenges.

Taken together, these changes result in a larger force. The administration is right to say that we currently have a mismatch between strategy and force structure, but the answer is not to explain away the requirements of our global role. The answer is to size a force appropriate to the roles we must play.

Some might argue that we can accomplish these missions with fewer forces if we accept larger risks. This is a fool's economy. We must give the services the tools they need to fight and win decisively within low to moderate levels of risk. We must also lower risks to readiness by ensuring adequate forces for rotations. Mitigating these risks by modestly increasing the size of the force is the best way to provide the stability in U.S. forces that then-Major George C. Marshall sought in 1923. Only then will we be prepared to meet any challenge that will confront us.

Budgetary concerns alone should not determine our national military strategy. However, we must acknowledge the difficulty of both modernizing our forces and ensuring they have the capabilities needed to fight on any 21st century battlefield, without cutting force structure. Alleviating these pressures will require effort on both sides. We in Congress must keep national strategy in mind when allocating defense resources. President Bush recently expressed his hope that ''Congress' priority is a strong national defense.'' I can tell you that for many of us, Democrat and Republican, this is the case.

But for its part, the administration must make the priority of national defense as or more important than a tax cut. The military truly requires and deserves a greater budgetary top-line and a larger percentage of discretionary spending. The Department must follow through on the management reforms that Secretary Rumsfeld and the service secretaries have rightly highlighted to achieve cost savings.

At the end of the day, my approach is nothing more than Harry Truman common sense. Implementing effective strategy requires inspired leadership by the President and Secretary of Defense. I say again, inspired leadership. I hope the current administration will provide it. Conversations about strategy tend to stay within policy elites. But at its most fundamental level, the impact of this strategy we make is felt by every member of the service. They must have confidence that their leaders will consistently fund defense at levels that allow them to do their jobs proudly and effectively. If we fail to do that, we undermine not only our strategy but all those Americans we should inspire to serve.

NATIONAL DEFENSE

The SPEAKER pro tempore (Mr. JOHNSON of Illinois). Under the Speaker's announced policy of January 3, 2001, the gentleman from Pennsylvania (Mr. WELDON) is recognized for 60 minutes.

Mr. WELDON of Pennsylvania. Mr. Speaker, I want to start off by commending the gentleman from Missouri (Mr. SKELTON) for his very appropriate and very logical comments which I will follow up on in a few moments.

Before doing so, however, Mr. Speaker, I would like to pay my personal tribute to one of our colleagues who passed away over the break, the Honorable FLOYD SPENCE. I had known FLOYD SPENCE as many of our colleagues did in a very personal way over the past 15 years that I have served in the Congress. He was a leader on national security issues when I came to the Congress. He was one of those individuals that I looked up to for guidance and for early orientation to fully understand the role of the Congress in making sure that our military was being properly supported.

Congressman SPENCE, Chairman SPENCE, was one of those very unique individuals who had severe health problems, in fact had a major double lung transplant, and had gone through turmoil in his life from the health standpoint. I can remember the days when they wheeled him to the floor of the House in a wheelchair with a ventilator, yet he came back and rose to become the full chairman of the House Armed Services Committee and for 6 years he led this body in issues affecting our national security.

He was a quiet man, a gentleman, someone that never had a cross word for anyone, even those he disagreed with and was someone who would be a role model for someone aspiring to become a Member of this body. He had a

profound influence. During a time of difficulty in the 1990s when defense budgets were not what they should have been, it was Chairman FLOYD SPENCE who rose above the political fray and led this Congress in a very bipartisan way to increase defense spending by approximately $43 billion over President Clinton's request for defense over a 6-year time period. If it had not been for Chairman SPENCE fighting tirelessly for our military, for the quality of life for our troops, if it had not been for Chairman SPENCE fighting for modernization and fighting for the basic dignity of our military, I do not know where we would be today, Mr. Speaker, because the summary I am going to give following this tribute to Chairman SPENCE will outline some very severe problems in our military.

Thank goodness Chairman SPENCE was here. Thank goodness he was fighting the battle. Thank goodness he was building bipartisan coalitions on behalf of the sons and daughters of America serving in uniform. He did a fantastic job in this body. He was someone who had many friends on both sides of the aisle and someone who will be terribly missed. I could not attend the funeral of Chairman SPENCE because I was in Huntsville, Alabama, giving a major speech to 800 people on missile defense.

It was only because of Chairman SPENCE's leadership that we have moved missile defense along as far as it has gone. As a tribute to him on that opening day of the conference, the entire group joined in a prayer together, a prayer of sympathy for the family of FLOYD, for his wife and his sons, and to let all of America know that FLOYD SPENCE has been a true champion, one of our real patriots.

It was just last April, Mr. Speaker, where I had the pleasure of recognizing Chairman FLOYD SPENCE at our annual national fire and emergency services dinner. We have two types of defenders that we support in America: Our international defenders, our military, and FLOYD SPENCE was definitely their champion. That night as we have for the past 14 years, we honored our domestic defenders.

Our domestic defenders are the men and women who serve in the 32,000 organized fire and EMS departments all across the country. We honored FLOYD SPENCE that night because 6 months prior, in last year's defense authorization bill, it was FLOYD SPENCE as chairman working with the gentleman from Missouri (Mr. SKELTON), who just left this Chamber, who allowed me to move forward legislation that created a grant program to provide matching funds for local fire and EMS departments so that they can better equip themselves to be America's domestic defenders. On that night, 2,000 leaders of the fire and emergency services from all over America gave FLOYD SPENCE a standing ovation for the work that he had done on behalf of our domestic defenders.

So FLOYD SPENCE's legacy is a legacy that all of us could look up to and hope to achieve, one of supporting those people who wear the uniform, the uniform to protect America overseas, and the uniform to protect America at home. To FLOYD's family, his wife, his sons, we say thank you for giving us a tireless public servant whose legacy will live on forever, who did so much in such a short period of time and who will be so sorely missed in this body and in the minds and hearts of military leaders across this country and around the world where our troops are stationed. FLOYD SPENCE was a true American hero.

Mr. Speaker, it is appropriate that following this brief tribute to FLOYD SPENCE, that I highlight a trip that took place the last week of August by myself and several of our colleagues. We are going to go into more detail next week in a 2-hour special order where I will be joined by my ranking Democrat colleague the gentleman from Texas (Mr. ORTIZ), a good friend of mine, as he and I along with the other Members of our delegation go through in very great detail the findings of our trip around the country, a trip that I think was a first of its kind in the history of Congress, a trip that was designed to assess the status of our military's problems.

Mr. Speaker, most of the times when we in Congress take trips to military bases, they roll out the red carpet. They invite us to lunch with the base commander or the admiral. They sit us down and give us nice slide presentations, feed us well, give us a windshield tour of the facility and tell us how well everything is going. Those kinds of trips usually last an hour to an hour and a half. We wear suits and ties and the military personnel are all in their best garb and we see the best but we do not see the worst.

That is not what this trip was about, Mr. Speaker. As the chairman of the Readiness Committee, the committee that oversees the readiness of our troops, approximately one-third of our defense budget, my challenge to our staff and to the services over 5 weeks ago was to put together a trip that would for the first time allow our colleagues in Congress to see the real story of the status of our military.

I called the service reps in; and in my office 5 weeks ago, I outlined my vision for this trip. I said it was going to be a whirlwind trip that would go basically around the clock, have us engage directly with the troops, not pre-positioned people that would know we were coming with prestaged answers but, rather, a very candid and openhanded method of assessing the real problems that our military is encountering today.

We challenged each of the services to come up with bases that we could visit that would give us a real glimpse into problems that we know are there, problems of declining readiness, problems of the lack of ammunition, problems of the lack of ability of spare parts to keep our planes in the air, problems of infrastructure, airfields that were not being maintained, buildings, housing, both barracks and multifamily units, problems with child care and schools and health care, so we would come back and be able to give to our colleagues in this body a full, detailed, accurate assessment as to whether or not we are living up to the requirement that is given to us as our first priority in the Constitution.

Mr. Speaker, as I was sitting in my office, I heard some of my colleagues talk for an hour about the President's tax cuts and how they are going to wreak havoc in America. I heard them talk about the need for more money for education, more money for a prescription drug program, more money for domestic spending, more money for foreign aid, but I did not hear much debate about the need for more funding for our military.

I pulled out my copy of the Constitution, and the Declaration of Independence which is the governing authority for our power in this country, and I looked up article 1, section 8, which defines the role and powers of the Congress. Mr. Speaker, as I assess article 1, section 8 and I see the powers of the Congress, I do not see anything there talking about raising the money to fund education in America, even though I am a teacher by profession and support the role of helping improve our quality of education. But it is not in the Constitution.

□ 2245

I do not see any mention in article I, section 8, of the Constitution establishing a program of prescription drugs for our seniors, although I support the effort to provide prescription drug coverage for those seniors who cannot afford it. I do not see any provision in article I, section 8, covering many of the programs that we fund in this institution. But, Mr. Speaker, I do see six separate parts of article I, section 8, that deal with our national security. This is not something that we have interpreted in the Constitution. These provisions are in the Constitution.

Mr. Speaker, under our Federal system, under our Constitution, one of the mandates, the primary mandates of this body, is to provide for our national defense, to raise an army, to raise a navy, to provide for the operation of our military. It is right there in the Constitution. Most every other thing that we do now is not in the Constitution by definition. In this case, our responsibility to our military is defined by the founders of our country in very clear terms. So with all the other rhetoric about all the other programs we want to fund, what bothers me is we are not hearing Members of Congress talk about our support for the military.

Now, in my own estimation, Federal funding for national security has gone down dramatically as a percentage of total Federal revenues taken in. In fact, when I give speeches around my

district and around the country, when I compare today's budget to the budget of a previous administration, and I usually pick John Kennedy, because it was a similar period of time of relative peace. It was after Korea, but before Vietnam, when John Kennedy was the President. We were spending 52 cents of every Federal tax dollar on the military. We were spending 9 percent of our Nation's gross national product on defense.

In this year's budget, Mr. Speaker, we are spending approximately 15 cents of the Federal tax dollar on the military, about 2.5 percent of our GNP on defense. I would agree that after the cold war ended there was a need for us to make some cutbacks. In fact, I supported many of those cutbacks. But, Mr. Speaker, many of us feel that we have gone too far.

Many of us feel that over the past 10 years two major problems have occurred simultaneously. I say 10 years, because this did not start with a Democrat administration and having me come up and just rail against a Democrat President.

This first problem actually started with the end of a Republican administration, 10 years ago, because that is when the cuts in defense spending started to occur dramatically. That is when we began those cuts that brought us down to a 15 cents on the dollar expenditure for national security, 2.5 percent of our GNP. Many would argue it is the largest continual decrease in defense spending in the history of America.

Now, granted, the dollar amounts that we are spending today are more than they were 10 and 20 years ago, but the actual percentage of available dollars and the percentage of our gross national product has decreased dramatically.

But at the same time that defense spending was going down, something else occurred, and that was the commanders-in-chief of our country, the Presidents, as allowed under our Constitution, decided in their wisdom they would deploy our troops.

If you take the period of time from the end of World War II until 1991 and look at all of the administrations during that period, from Democrat Harry Truman to Republican George Bush, Sr., they could have deployed our troops any time they wanted. They deployed our troops a total of 10 times in major deployments over a 40-year time period. In the previous 10 years, starting in 1991 up until 2001, we have had no less than 37 major deployments, a massive increase in the use of our troops.

Mr. Speaker, none of those deployments, except for Desert Storm in 1991, was paid for. In each case when our troops were inserted into harm's way by the President, we in the Congress were left to try to find a way to pay for the cost of those deployments.

Bosnia, we were told, would end 5 years ago when President Clinton promised the troops would be home by Christmas. We are still in Bosnia today; and we have spent approximately $18 billion of our DOD budget, unfunded, taking it out of other programs, to pay for the Bosnian operation.

Add in Haiti, Somalia, East Timor, Macedonia, Colombia, and every other one of those 37 deployments, and you see that while our defense budget was going down and deployments were going up, as our troops were deployed, the Congress had to find a way to pay the bill.

What the Congress did over the past 10 years, Democrats and Republicans together, was to take money out of that already-decreasing defense budget. That meant that we did not make the repairs on our military bases. That meant that we cut back on reordering spare parts. That meant that we did not build new base housing, that we did not modernize our barracks, that we did not build new child care centers. That meant that we did not build new schools.

Today, Mr. Speaker, we are in the midst of a train wreck. We do not have enough dollars to pay for the cost of our military's operations. We are overcommitted overseas. So this trip was to give us a chance to see what problems have been created at our bases here in the continental United States because of a lack of appropriate funding for infrastructure and for what we call readiness.

Mr. Speaker, what we found on our trip was outrageous and was immoral. We have an all-volunteer force today, risking their lives, giving their entire lives up to guaranteeing our freedom and security, which is the basis of our Constitution and our free democracy.

We saw living conditions worse than public housing in our inner-cities. We saw raw sewage leaking out of barracks, with a stench so bad you could not stay in the building, where the military had to completely excavate under the building because a pipe had been leaking for years raw sewage.

We saw showers on the first floor of barracks where our voluntarily enlisted military personnel had to take their showers with 3 to 4 inches of sewage water around their feet coming from the upper floors of that barracks because of improper drainage.

We saw drinking water taken out of taps that was so dirty and cloudy you would not give it to an animal, let alone a human being or a member of our military.

Mr. Speaker, I have been in Congress for 15 years. The gentleman from Texas (Mr. ORTIZ), who was my cochair of this trip, has been in Congress longer than I. We were joined by the gentleman from Texas (Mr. REYES), a newer Member, and a brand new freshman Member, the gentleman from Virginia (Mr. SCHROCK). We were also joined by four leaders of the Pentagon, representatives of the Secretary of Defense and Secretaries of the services. All of us were appalled. All of us were shocked. None of us believed that things were as bad as they are.

Now, on this trip, Mr. Speaker, it was unique, because we traveled over 8,000 miles in military aircraft, a plane that took off from Andrews Air Force Base. As we traveled around the country, because our crew could not continue to fly around the clock as we wanted, we transferred off to helicopters. We transferred off to P–3s. We kept moving from 7 in the morning until midnight each night, and we interacted with the troops on a continual basis.

When we arrived at a base, they knew we were coming; and they knew we were not going to be dressed in suits and we were not looking for fancy meals. We had told our base commanders that we wanted to see the worst conditions that existed on that base and we wanted to see when we arrived examples of what was happening, because of the lack of support by the Congress and the White House to deal with the ongoing maintenance of our facilities. That is what they showed us.

Each trip to each base lasted for approximately 1½ to 2 hours, and was filled with very real and visual examples that we documented and of which photographs will be presented to Members of this Congress in a written report, hopefully next week.

Throughout the entire trip, we took the media with us. Every step of the way, nothing was off base, no conversation was off limits. We had the media traveling with us to document what we saw. The Army Times, Navy Times, Air Force Times, and Marine Times next week will come out with a massive report on what we found, for starters.

Mr. Speaker, the way that you maintain a building or a property is to invest a certain percentage of the value of that property in maintenance each year. That maintenance prevents that building from deteriorating and from collapsing before its scheduled lifetime. The industry standard for maintaining what is called real maintenance is approximately 4 to 6 percent of the value of the replacement cost of that building, that structure or that complex.

In the military, we could never achieve a 4 to 6 percent rate, so our standard is 1.75 percent. The standard for the Defense Department is that we put 1.75 percent of the replacement cost value of our military bases in a budget each year, which is used to repair broken pipes, fix bad electrical outlets, take care of problems with housing and maintaining roadways and bridges and runways.

In our travels across America in 15 states, in 4 days, at 24 installations, no base that we went to in any of the services came within one-half of that 1.75 percent figure. The highest amount was 0.8 percent. Most bases were funding their real property maintenance at between 0.1 and 0.4 percent of the replacement cost value.

Now, what does that mean? That means that to pay for all those deployments that we got ourselves involved

in in the nineties, we took money away from keeping the quality of life for our troops healthy, and we used that money to pay those unpaid bills.

It was great while it lasted. The last administration was able to use money for the other purposes. Members of Congress were able to claim that we were balancing the budget. All during that time period less and less money was spent on maintaining our infrastructure.

We saw the results. Let me go through the results briefly. Later this week and next week in a 2-hour Special Order we will detail with a bipartisan task force in very great detail what we found at our military bases.

We started out at the Westover Air Reserve Base in Massachusetts; and there we found out, among other things, that we cannibalize one C–5A aircraft for every launch we make. What does cannibalize mean? That means because we have not bought enough spare parts, we have to take apart other planes and take parts off of them to keep a certain few planes flying in the air. Cannibalization of our military aircraft and equipment is now the standard. So to keep our military operational, we have maintenance people all across America at every base taking apart perfectly good aircraft to use those parts to keep other aircraft operational.

At McGuire Air Force Base in New Jersey we learned that one half of the entire fleet of vehicles, 1,000 vehicles, need immediate replacement. What does that mean? That means that we do not have the vehicles to perform emergency services, that we do not have vehicles to maintain the integrity of the boundary lines of the base, because we have not replaced those vehicles, maintained them, changed the oil, because the money to do that went to pay for these deployments overseas out of a rapidly decreasing defense budget. The airfield lighting system was inadequate. The underground heating and air conditioning infrastructure was breaking down and had severe problems because of a lack of maintenance.

At the Naval Air Station in Oceana where we visited in Virginia, we saw encroachment, where local towns were being built right up to the boundary line of the facility, causing us problems in allowing our troops to train, with people that knew there was a base there buying houses and developers building complexes, and then the people who moved next to the base say we do not want the noise; we do not want the planes flying over. So the military has to curtail the flights, the pads and the abilities of our troops to prepare. We had a fighter wing command at Oceana in temporary buildings that you would not house your worst enemy in.

At Norfolk, we had a pier recently collapse. The entire pier just collapsed, where we station our supreme naval vehicles. In fact, the majority of our piers at Norfolk were built prior to World War II or during World War II. They cannot handle our new aircraft carriers. They cannot handle our larger ships. They are not equipped. They do not have the electrical outlets, they do not have the supplies to maintain the water and power needed to take care of America's fleet, even though it is much smaller in the 21st century. We are working on those piers, but the work is not going fast enough.

□ 2300

In our air station in Norfolk, we saw nine World War II hangars that are still being used, but they all have serious deficiencies. The naval air station in Newark does not meet our antiterrorism guidelines, nor our force protection standards, and most of the barracks at the naval air station do not meet our criteria to have a one-plus-one standard of two soldiers with one bathroom in one living unit.

At Fort Riley, our next stop in Kansas, we saw old, inadequate motor pools. We saw military personnel being asked to change engines out in the driving heat, the drenching rain, and the freezing cold, because we have not put the money on the table to build new motor pools, because they are not sexy like an aircraft carrier or a B–1 or a B–2 bomber. I mean, who can crow about having built a motor pool?

So the people we are asking to maintain our fleet and our tanks and our artillery are having to work under impossible conditions, outside, 24 hours a day, 365 days a year, because we have not given them the facilities with which to repair this equipment that we spend tons of money on.

Then, at Fort Riley, we have a provision that makes no sense at all. We allow the State governments to tell our military what buildings they can or cannot repair. If a building is old on a military base, instead of the base commander deciding where to spend the money, the State historic commission comes in and says, oh, no, you are not going to tear that building down; you are not going to leave that building unattended; you are going to repair that building.

Mr. Speaker, that is ridiculous that we have a State historic commission determining for our base commanders what buildings can or cannot be fixed up. If a State historic commission wants to repair an old building, let them use State money, but they should not have the power to take money away from the vital improvements needed for our troops to be put into historic preservation.

We traveled to Fort Lewis. At Fort Lewis we saw that 60 percent of our barracks are nowhere near standard. We have a major spare parts problem for every piece of equipment, urban encroachment issues and major problems with Army Reserve spare parts for helicopters.

At Whidbey Island out in Washington State, there is earthquake damage to a flight simulator building that occurred months ago that is still not repaired because we have no money, no money for upgrading and improving these earthquake problems. Now, we can spend billions of dollars to reimburse local towns for earthquakes, but we did not spend the money for the military to fix the earthquake damage that they had from earthquakes and wildland fires and other natural disasters that have hit their facilities.

We have no wash rack for the P–3 aircraft. It all must be done outside in the freezing cold weather. A 50-year-old control tower does not even have a view of the entire runway. In fact, we heard about a child care facility on Whidbey Island where there has been a recurring problem of mold, where there is a lack of fire protection systems that would otherwise close that complex down if it was not on the military base; and at one point in time, they had the child care center closed down for a 30-day time period.

Mr. Speaker, these are people that volunteer their lives to serve our country. These are people who did nothing wrong. These are people who are working for our government who are providing a number one service required by our Constitution to provide for our national security, and we have let them down. Democrats and Republicans, White House and Congress, we have let them down.

We traveled along to Mountain Home Air Force Base in Idaho, the home of our B–1s, and as we arrived there and we were in the hangar looking at a B–1B bomber that had just been fixed, the commanding officer introduced us to a young mechanic. We were told that mechanic had just worked 6 straight days, 12 hours a day. Now, in the military you do not get overtime. We basically own you when you are in the military. This young mechanic left his family, including leaving and ignoring personal commitments he had with his kids, to work 6 straight days, 12 hours a day, to take parts off another B–1 to put this B–1 back in the air. Of the six planes in the B–1 squadron at Mountain Home Air Force Base, three are operational. The others are either inoperable or have been cannibalized, because the backlog for some spare parts for the B–1 is over 360 days.

Mr. Speaker, that B–1 mechanic did not join the military voluntarily to work 12 hours a day, 6 days a week because we did not supply enough spare parts.

We have one F–15, one of our top tactical fighters in our fleet, on the ground for 43 straight days being used to cannibalize it to keep other planes in the air.

Mr. Speaker, this is not the story at Mountain Home alone. I am giving highlights of each base. These problems are occurring at every military base we visited.

We went on to Edwards Air Force Base in California. There we have lost some frequency spectrum so they cannot conduct their normal routines

where our high-tech work is being done all the time. The training and testing of our newest equipment is done at Edwards, yet we cannot do it because we have lost frequency spectrum.

We have the oldest fleet of aircraft at the most state-of-the-art test facility in our national inventory at Edwards. The oldest fleet of aircraft for test purposes at a facility that gives us the most cutting-edge testing capability that our military owns.

We have a major problem at Edwards in keeping engineers. They no longer want to stay and work for the government. Even though our military has to maintain its cutting-edge leadership, they are leaving. We cannot get new engineers to come in.

We have crumbling runways and water problems in the housing area. In fact, Mr. Speaker, we brought back a jar of water that looks like it was colored with a kind of water coloring one uses to dye one's Easter eggs at Easter time. We took it right out of the tap and it was brown, because our water system does not have the proper treatment capabilities to drive out the solids and the heavy minerals that are located in the facilities at Edwards.

We went down to Miramar, the headquarters of our Navy and Marine Corps cutting-edge flight operations for the West Coast, and there we have a severe shortage of housing. Our young Marines cannot find a place to stay because housing in southern California is out of sight and there is not enough housing on the bases. We had parts shortages for our C–8–46s. We cannot keep our basic helicopters in the air because we cannot get spare parts to repair them.

In fact, we visited North Island in Coronado while we were there, and there we saw our major runway. This runway handles 300,000 takeoffs and landings a year, 300,000. The runway is in such bad shape that when they drove us out, we saw potholes in the runway. We saw pieces of macadam and concrete, they call it FOD in the military, that could fly up and if it got in an engine would destroy an engine, a million-dollar engine, destroy it, or could cause a plane to crash. Yet this is our premier facility for naval and Marine Corps aviation on the West Coast.

In fact, it was at the same site that we were looking at a terrible problem of a shortage of adequate facilities to house spare parts, inventory and equipment. They took us by a bunch of temporary buildings, buildings that no one would work in in this country if you were in the private sector because OSHA would shut you down, yet all of our military personnel were working in these buildings. And we stopped at this one complex which was basically a steel cargo facility that would normally be used to transfer port cargo on a vessel at sea, on a cargo ship. And there inside of this steel-enclosed cargo container was a Navy sailor who had been working in this facility for a year and a half. No electricity, no lights, no water, no ventilation, 24 hours a day, 7 days a week, young sailors finding spare parts with flashlights in what is basically a metal storage container to be used on cargo ships.

□ 2310

Mr. Speaker, that is not the world-class military that America is supposed to have. Imagine the morale of somebody who goes to work every day in a metal building with no light, having to use a flashlight to look for expensive spare parts.

Camp Pendleton, our showcase facility for the Marine Corps. We have allowed the environmental radicals in California to basically take over Camp Pendleton, a monstrous base on the coast of Southern California. As we flew the helicopter up and down the coast, we saw city after city along the California coastline built up to such an extent that one could not see open land.

Therefore, the wildlife and the endangered species have no place to go, not because of anything our military did, but because the city leaders and the planners and the State of California ignored the planning process and allowed families and buildings to be built side by side all along the coastline.

The only open area on the coast of Southern California is Camp Pendleton. The military then becomes the haven for endangered species. So what does the Fish and Wildlife Service say? You at Camp Pendleton cannot do any training if it infringes on endangered species.

What about the rest of the coast of California that caused the endangered species to have to go to Camp Pendleton, the only open area on the coast of Southern California? But no, what we are going to do instead of penalizing the towns is we are going to tell the Marines, ''You cannot train here,'' So Marines, when they do amphibious assault training off the coast, believe it or not, Mr. Speaker, they have to put them on buses and take them under highways to get to the other side of the training area.

Our most widely used and best beach for amphibious training is called Red Beach. I am going to provide an overlay for every Member of Congress. Almost 80 percent of Red Beach, the number one spot for Marine amphibious training, cannot be used because of endangered species. And heaven forbid that a Marine come close to an endangered species, which California ignored while they massively built up their coastline.

That is the way we treat our Marines, those men and women that we send in first to secure the front line capabilities that our military has to have?

Forty percent of the buildings at Camp Pendleton were built during the 1940s and 1950s. The utility system is grossly outdated and marginally capable. They are making some progress, but again, brown water comes out of our taps because of a lack of improvement to our water systems.

We went on to Fort Bliss, where the barracks are below standard. Advanced training facilities are rated as unacceptable. Two new water towers are needed. They are so old they are ready to collapse. They have low water pressure. Hospital and medical facilities are rated as unacceptable.

So here we have young people going into the service being told if they serve their country, we will give them and their family health care, we will give the family child care. We worry about child care for those people in public housing, but we do not hear Members get on the floor and talk about decent child care, decent health care for the men and women who serve in uniform.

We went on to Fort Sill, where our motor pools were too small to handle the modern equipment we are giving them. We had a roof collapse in a major storage facility where the entire truss beam fell in. The entire beam, this monstrous beam, just collapsed. They cannot use the whole building now. It is condemned until we get the money, who knows when that will come, to replace that truss.

There are 15-year-old barracks falling apart, with leaking roofs, leaking walls. There we saw something that is just unbelievable. We saw three-story dormitories or what we call barracks where the sewage system is so inadequate that when soldiers on the second and third floor take their showers, the water backs up in the first floor showers, so the soldiers taking their showers on the first floor are standing in ankle deep water that has just come off the soldiers that have showered on the second and third floors.

Mr. Speaker, if this occurred in any building anyplace in America, we would raise Cain. If this happened in a public housing unit, we would have Members screaming on the floor. These are the men and women who serve our country. Where is the outrage? Where is the demanding to hold accountable the fact that we have not provided the decent funding to repair these facilities?

We went down to Kelly Air Force Base, where that base has just been privatized and the other half has been transferred over to Lackland. There we saw F–16 aircraft at best 71 percent mission capable. That means 29 percent of the time they cannot fly the F–16. We saw part shortages for the C–5 and the F–60, not enough spare parts to keep the planes in the air.

At Lackland we saw an unbelievable situation. A sewage line under a barrack leaked. Because there was no maintenance money to repair it, the leak got worse and worse, so they had to go under the building and excavate it to find the leak. We went under the building.

The smell of raw sewage was so bad one would never want one's worst enemy to be stationed there, let alone living there. If American parents knew

that their sons and daughters would be put into barracks where raw sewage would be leaking underneath those barracks, they would demand our heads. That is what is happening at Lackland.

We had one technical training dorm that was so bad the entire dorm was evacuated and could not be used anymore. Heating, ventilation, and air conditioning systems were so old they were breaking. They had to move a fleet of portable chillers from one building to another so the soldiers and sailors and Air Corpsmen could continue their work, continue to eat in the heat, because the chillers had broken down because they had not been maintained and repaired.

We went on to Fort Hood. In Fort Hood, we saw something unusual, a couple of things unusual. We had a young female, and we happened to visit her dorm because as we went around the bases and they took us to housing, we would stop the bus and get out and go talk to ordinary people. We talked to some wives that were standing out in front of their moldy family housing at one site. We talked to recruits. We talked to young servicepeople. Whoever we saw, we went over and grabbed them to get some anecdotal feedback.

In this case, we went to a dorm or a barracks and a young woman was there. She let us see her room. This young woman went out with her own money that she makes, whatever that meager amount of money is, and bought a caulking gun, caulk, and tile because the holes and the cracks in her room were so bad that she decided that rather than wait for months and months and never get it fixed, she would take it upon herself to spend her own money, seal up the cracks, put new tiles in the bathroom, and try to make her living unit more comfortable.

Mr. Speaker, that is not what we asked of these young people when they volunteered to serve our country.

Then, Mr. Speaker, at Fort Hood, as we interviewed some more individuals, we met a young colonel who had just gotten back from Bosnia. He gave me a statement that I think should make this entire body, the White House, and the other body, feel a sense of shame upon all of us.

He said, ''Congressman, I just returned from 9 months in Bosnia. I am a career military person, and I joined voluntarily to serve my country. But let me tell you, Congressman, we had better facilities in Bosnia than here in the U.S. That is why our morale is a 5 on a scale of 1 to 10, because of work conditions and housing conditions.''

That was a young colonel, and I have his name, just returning from Bosnia, who tells a group of Members of Congress that he had it better in Bosnia, with our tax dollars, by the way, than he does at his own base here in America at Hunter Army Airfield in Georgia.

We also met someone else at Hunter Army Airfield in Georgia. We were in a building where they maintain our fleet of helicopters. Hunter is important because that is our primary staging area for the Army of the future to move out quickly to respond to any situation worldwide. They have to be ready to go in 22 hours. That is their mandate, so they are our cutting edge.

In the facility where this equipment is maintained, there was no air conditioning.

□ 2320

Yet down in Hunter Army Air Station where this place is, it gets very hot in the summer. So a young private first class, new to the military, realizing the working conditions were intolerable, went out with his own money and bought an air conditioner so that everyone in his unit could have a cooler working environment while they did the job of preparing and maintaining the cutting-edge force for America's first-response worldwide.

We saw inadequate sewage treatment. We saw all housing facilities at Hunter declared unacceptable.

Our final stop was Fort Bragg, limited training ranges, only 60 percent of what is needed; 600,000 square feet of storage vehicle maintenance facilities not available to maintain this cutting-edge complex. Our supply and storage buildings are World War II. The largest barracks deficiency in the Army is at Fort Bragg.

We went into one barracks at the end of the night. It was about eleven o'clock on our last night before we came home. In this one barracks it was like a scene from a World War II movie. I thought we had gotten rid of these years ago. An actual barracks, not for new recruits, but for people being trained at Fort Bragg, open with about 24 beds and little individual storage lockers. No privacy, everybody out in the open in one common living area.

Mr. Speaker, there is something wrong here. There is something wrong when the men and women who wear the uniform to serve the country have it worse than some of the people in public housing in our cities. We have to bear the responsibility, Democrats and Republicans, White House and the Congress. We have failed our military miserably.

In my eulogy to FLOYD SPENCE, I credit him with leading the Congress with bipartisan votes to plus-up $43 billion over Clinton's request, our defense budgets over 6 years. I do not know where we would be if we had not done that.

Mr. Speaker, we have got problems. To fix up every backlog of repair and maintenance today, the estimates by the Pentagon are $150 billion. We could never meet that need. In a report that was mandated by last year's defense bill, the Pentagon said that we need $4.9 billion just to catch up on basic maintenance and repair. So, Mr. Speaker, as a final response to our trip we are going to recommend that this body take action.

This is a disaster as bad as any flood. It is a disaster as bad as any hurricane. It is a disaster as bad as any wildlands fire. It is a disaster as bad as any building collapse. These are the young men and women in uniform who volunteer to do the one thing that our Constitution mandates, and that is provide for our national security; and they are doing it in substandard facilities. They are doing it without spare parts. They are doing it without adequate training. They are doing it where they risk their lives, not from their duty but in training and living. That is unacceptable. I challenge this body and the other body and the White House to come together in an emergency situation because that is what this is, and pass a special one-shot funding package that I am preparing right now, separate from our defense request by the President, to take care of these immediate needs. If we have to declare it off budget, so be it.

If there are others in this body that say, wait a minute, you will take this from some other source, so be it. This is an emergency. These troops deserve better.

Mr. Speaker, let me say to our men and women in uniform what I said to them in each of our stops, our 24 stops around the country. By the way, many of our colleagues joined with us. We had about 20 Members of Congress from both parties come out and meet us as we stopped at each site. This is what I told our military personnel: you have got to stop being taken for granted.

It is amazing, Mr. Speaker, I asked some of our troops at the bases, How many of you are registered to vote? In some cases less than half of them raised their hands. We in Congress have taken aggressive steps to have Motor Voter, where we register people when they go to get their car license renewed. We have taken steps to have people register to vote at welfare offices. Yet we do not do anything to encourage our military personnel to register at military bases.

I am challenging our military leaders to have a massive voter registration drive so that when a young recruit comes to a base, he or she is automatically registered to vote, I do not care what party they are, so they can start to have an influence on how we spend their money, so they are no longer disenfranchised, so they have a right to vote.

I also encourage this body to pass a waiver so they can choose to register at their place of residence or military base, whatever is most convenient for them. So they can vote as college students do, where they work. College students can register at the college campus where they go to school. Why should not military personnel be able to register at the base where they are stationed and still keep the benefits that would accrue from living back in their original home while they are serving their country?

If we empower the military, if the military speaks out, then our colleagues in this body will stop taking them for granted.

Mr. Speaker, some will say that yes, you are right. We should spend some money; and, therefore, we should take it from the President's request for missile defense. No. It does not work that way, Mr. Speaker.

The President has made the case based on threat assessments, that we have a new threat we have to deal with and that requires a significant new amount of dollars. To blame this shortfall on the President's tax cut or the President's request for missile defense is looking at and denying the fact that for 10 years we have not given the military the money they need. We allowed the previous two administrations to cut defense spending too low and not provide the support for real property maintenance and upgrades in spare parts and housing to support the quality of life for our troops.

We need missile defense as much as we need to support our troops, and the tax cut just occurred this year. It did not cause the shortfalls that should have been corrected over the past 10 years that my colleagues on the other side will now try to blame on President Bush. That does not work, Mr. Speaker.

It is time for us to come together as we did on this trip, Democrats and Republicans, House Members and Senators along with the President and demand that we deal with this emergency.

In dealing with this emergency, it is going to cost us money. We have to replace the dollars that were taken away from maintaining the quality of life that our troops deserve, the spare parts that our military equipment needs, the improvements to runways and housing and hospitals and child care to keep our military's morale up. If we do not do that, then we will have failed our military personnel, and we will have failed the Constitution of the United States.

Mr. Speaker, next week we will do an in-depth bipartisan summary of the trip. Our colleagues will join us, hopefully, the 20 or so that were a part of this whirlwind trip; and together we will move forward to pass a supplemental piece of legislation dealing with the emergency needs that we have now evidenced in a firsthand way that our military has across the country, across all services.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HASTINGS of Florida (at the request of Mr. GEPHARDT) for today on account of personal reasons.

Mr. MCNULTY (at the request of Mr. GEPHARDT) for today on account of personal reasons.

Mr. HAYES (at the request of Mr. ARMEY) for today and the balance of the week on account of recovering from hip surgery.

Mr. CRANE (at the request of Mr. ARMEY) for today and the balance of the week on account of illness in the family.

Mr. HORN (at the request of Mr. ARMEY) for today and the balance of the week on account of official business.

SPECIAL ORDERS GRANTED

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

(The following Members (at the request of Ms. MILLENDER-MCDONALD) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Mrs. CAPPS, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. HOOLEY of Oregon, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

(The following Members (at the request of Mr. GRAHAM) to revise and extend their remarks and include extraneous material:)

Mr. GRUCCI, for 5 minutes, today.

Mr. HUNTER, for 5 minutes, today.

Mr. BUYER, for 5 minutes, today.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Ms. KAPTUR, for 5 minutes, today.

SENATE BILLS AND A CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 238. An act to authorize the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River basin, Oregon; to the Committee on Resources.

S. 329. An act to require the Secretary of the Interior to conduct a theme study on the peopling of America, and for other purposes; to the Committee on Resources.

S. 356. An act to establish a National Commission on the Bicentennial of the Louisiana Purchase; to the Committee on Resources.

S. 491. An act to authorize the Secretary of the Interior, pursuant to the provisions of the Reclamation Wastewater and Groundwater Study and Facilities Act to participate in the design, planning, and construction of the Denver Water Reuse project; to the Committee on Resources.

S. 498. An act to amend the National Trails System Act to include national discovery trails, and to designate the American Discovery Trail, and for other purposes; to the Committee on Resources.

S. 506. An act to amend the Alaska Native Claims Settlement Act, to provide for a land exchange between the Secretary of Agriculture and the Huna Totem Corporation, and for other purposes; to the Committee on Resources.

S. 509. An act to establish the Kenai Mountains-Turnagain Arm National Heritage Corridor in the State of Alaska, and for other purposes; to the Committee on Resources.

S. 737. An act to designate the facility of the United States Postal Service located at 811 South Main Street in Yerington, Nevada, as the ''Joseph E. Dini, Jr. Post Office''; to the Committee on Government Reform.

S. 970. An act to designate the facility of the United States Postal Service located at 39 Tremont Street, Paris Hill, Maine, as the ''Horatio King Post Office Building''; to the Committee on Government Reform.

S. 1026. An act to designate the United States Post Office located at 60 Third Avenue in Long Branch, New Jersey, as the ''Pat King Post Office Building''; to the Committee on Government Reform.

S. 1144. An act to amend title III of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11331 et seq.) to reauthorize the Federal Emergency Management Food and Shelter Program, and for other purposes; to the Committee on Financial Services.

S. 1198. An act to reauthorize Franchise Fund Pilot Programs; to the Committee on Government Reform.

S. Con. Res. 62. Concurrent resolution congratulating Ukraine on the 10th anniversary of the restoration of its independence and supporting its full integration into the Euro-Atlantic community of democracies; to the Committee on International Relations.

ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 93. Federal Firefighters Retirement Age Fairness Act.

H.R. 271. An act to direct the Secretary of the Interior to convey a former Bureau of Land Management administrative site to the city of Carson City, Nevada, for use as a senior center.

H.R. 364. An act to designate the facility of the United States Postal Service located at 5927 Southwest 70th Street in Miami, Florida, as the ''Majory Williams Scrivens Post Office''.

H.R. 427. An act to provide further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, and for other purposes.

H.R. 558. An act to designate the Federal building and United States courthouse located at 504 West Hamilton Street in Allentown, Pennsylvania, as the ''Edward N. Cahn Federal Building and United States Courthouse''.

H.R. 821. An act to designate the facility of the United States Postal Service located at 1030 South Church Street in Asheboro, North Carolina, as the ''W. Joe Trogdon Post Office Building''.

H.R. 988. An act to designate the United States courthouse located at 40 Centre Street in New York, New York, as the ''Thurgood Marshall United States Courthouse''.

H.R. 1183. An act to designate the facility of the United States Postal Service located at 113 South Main Street in Sylvania, Georgia, as the ''G, Elliot Hagan Post Office Building''.

H.R. 1753. An act to designate the facility of the United States Postal Service located at 419 Rutherford Avenue, N.E., in Roanoke, Virginia, as the ''M. Caldwell Butler Post Office Building''.

H.R. 2043. An act to designate the facility of the United States Postal Service located at 2719 South Webster Street in Kokomo, Indiana, as the ''Elwood Haynes 'Bud' Hillis Post Office Building''.

H.R. 2213. An act to respond to the continuing economic crisis adversely affecting American agricultural producers.

BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on August 8, 2001, he presented to the President of the United States, for his approval, the following bills.

H.R. 2131. To reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2004, and for other purposes.

H.R. 2213. To respond to the continuing economic crisis adversely affecting American agricultural producers.

Jeff Trandahl, Clerk of the House reports that on August 10, 2001, he presented to the President of the United States, for his approval, the following bills.

H.R. 1183. To designate the facility of the United States Postal Service located at 113 South Main Street in Sylvania, Georgia, as the ''G. Elliot Hagan Post Office Building''.

H.R. 1753. To designate the facility of the United States Postal Service located at 419 Rutherford Avenue, N.E., in Roanoke, Virginia, as the ''M. Caldwell Butler Post Office Building''.

H.R. 2043. To designate the facility of the United States Postal Service located at 2719 South Webster Street in Kokomo, Indiana, as the ''Elwood Hayes 'Bud' Hillis Post Office Building''.

H.R. 271. To direct the Secretary of the Interior to convey a former Bureau of Land Management administrative site to the city of Carson City, Nevada, for use as a senior center.

H.R. 364. To designate the facility of the United States Postal Service located at 5927 Southwest 70th Street in Miami, Florida, as the ''Marjory Williams Scrivens Post Office''.

H.R. 427. To provide further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, and for other purposes.

H.R. 558. To designate the Federal building and United States courthouse located at 504 West Hamilton Street in Allentown, Pennsylvania, as the ''Edward N. Cahn Federal Building and United States Courthouse''.

H.R. 821. To designate the facility of the United States Postal Service located at 1030 South Church Street in Asheboro, North Carolina, as the ''W. Joe Trogdon Post Office Building''.

H.R. 93. To amend title 5, United States Code, to provide that the mandatory separation age for Federal firefighters be made the same as the age that applies with respect to Federal law enforcement officers.

H.R. 988. To designate the United States courthouse located at 40 Centre Street in New York, New York, as the ''Thurgood Marshall United States Courthouse''.

ADJOURNMENT

Mr. WELDON of Pennsylvania. Mr. Speaker, pursuant to House Resolution 234, I move the House do now adjourn in memory of the late Honorable FLOYD SPENCE.

The motion was agreed to; accordingly (at 11 o'clock and 29 minutes p.m.) pursuant to House Resolution 234, the House adjourned until tomorrow, Thursday, September 6, 2001, at 10 a.m. in memory of the late Honorable FLOYD SPENCE.

EXECUTIVE COMMUNICATIONS, ETC.

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

3333. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Asian Longhorned Beetle; Addition to Quarantined Areas [Docket No. 00–077–2] received August 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3334. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Veterinary Services User Fees; Fees for Permit Applications [Docket No. 99–060–2] received August 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3335. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Ethalfluralin; Pesticide Tolerances for Emergency Exemptions [OPP–301155; FRL–6793–2] (RIN: 2070–AB78) received August 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3336. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—2–Propenoic Acid, Polymer with 2–Propenamide, Sodium Salt; Tolerance Exemption [OPP–301157; FRL–6794–7] (RIN: 2070–AB78) received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3337. A letter from the Director, Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals of budget authority as of August 1, 2001, pursuant to 2 U.S.C. 685(e); (H. Doc. No. 107–113); to the Committee on Appropriations and ordered to be printed.

3338. A communication from the President of the United States, transmitting requests for Fiscal Year 2002 budget amendments for the Department of the Interior and the District of Columbia; (H. Doc. No. 107–116); to the Committee on Appropriations and ordered to be printed.

3339. A communication from the President of the United States, transmitting requests to make available previously appropriated contingent emergency funds for the Departments of Agriculture and the Interior; (H. Doc. No. 107–117); to the Committee on Appropriations and ordered to be printed.

3340. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of General Michael E. Ryan, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

3341. A letter from the Acting Assistant Secretary, Department of Defense, transmitting an Annual Report on Fiscal Year 2000 Third Party Collections; to the Committee on Armed Services.

3342. A letter from the Deputy Secretary, Department of Defense, transmitting a Report on Fiscal Year 2001 Funds Obligated in Support of the Procurement of a Vaccine for the Biological Agent Anthrax; to the Committee on Armed Services.

3343. A letter from the Comptroller of the Currency, Administrator of National Banks, transmitting the four issues of the Quarterly Journal that comprise the 2000 annual report to Congress of the Office of the Comptroller of the Currency; to the Committee on Financial Services.

3344. A letter from the Group Vice President, Structured and Trade Finance, Export-Import Bank of the United States, transmitting a report involving U.S. exports to the Republic of Korea, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

3345. A letter from the Director, Export-Import Bank of the United States, transmitting a report involving U.S. exports to the Republic of Korea, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

3346. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Mexico, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

3347. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Malaysia, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

3348. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Austria, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

3349. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Mexico, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

3350. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Mexico, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

3351. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to the People's Republic of China, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

3352. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Brazil, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

3353. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to the Democratic and Popular Republic of Algeria, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

3354. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received August 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3355. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA–D–7511] received August 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3356. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations—received August 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3357. A letter from the Attorney, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Theft Prevention Standard; Final Listing of Model Year 2002 High-Theft Vehicle Lines [Docket No. NHTSA–2001–9831] (RIN: 2127–AI08) received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3358. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—OMB Approvals Under the Paperwork Reduction Act; Technical Amendment [FRL–7028–2] received August 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3359. 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 Control District and Imperial County Air Pollution Control District [CA179–0243a; FRL–7022–5] received August 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3360. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Final Authorization of State Hazardous Waste Management Program Revision [FRL–7029–1] received August 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3361. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Final Exclusion [SW-FRL–7025–8] received August 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3362. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Partial Removal of Direct Final Rule Revising the Arizona State Implementation Plan, Maricopa County Environmental Services Department [AZ 086–0043; FRL–7029–5] received August 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3363. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Montana [MT–001–0018a, MT–001–0019a, MT–001–0020a, MT–001–0022a, MT–001–0023a; MT–001–0031a; FRL–7026–3] received August 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3364. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule-Clean Air Act Full Approval of Operating Permits Program in Washington [FRL–7031–6] received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3365. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [MO 118–1118a; FRL–7032–2] received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3366. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Final Exclusion [SW-FRL–7025–3] received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3367. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Idaho: Final Authorization of State Hazardous Waste Management Program Revision [FRL–7031–5] received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3368. A letter from the Senior Legal Advisor to Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Alamo Community, New Mexico) [MM Docket No. 00–158; RM–9921] received August 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3369. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table Allotments, FM Broadcast Stations (Bordelonville, Louisiana) [MM Docket No. 01–68; RM–10087] received August 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3370. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Browning, Columbia Falls, and Pablo, Montana) [MM Docket No. 99–14; RM–9442; RM–9647] received August 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3371. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Burnet, Texas) [MM Docket No. 99–358; RM–9783; RM–9838] received August 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3372. A communication from the President of the United States, transmitting notification that he has exercised the authority granted to him to continue the system of controls contained in 15 C.F.R. Parts 730–774 and issued an Executive Order to continue export control regulations, pursuant to 50 U.S.C. 1703(b); (H. Doc. No. 107–114); to the Committee on International Relations and ordered to be printed.

3373. A letter from the Director, International Cooperation, Department of Defense, Acquisition, Technology, and Logistics, transmitting certification of a project for the Standoff Sensors For Nonacoustic ISR and ASW Project Agreement between the United States and the United Kingdom, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

3374. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Italy [Transmittal No. DTC 019–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3375. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Japan [Transmittal No. DTC 100–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3376. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Canada [Transmittal No. DTC 089–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3377. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with the United Kingdom [Transmittal No. DTC 78–01], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

3378. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with France [Transmittal No. DTC 077–01], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

3379. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Japan [Transmittal No. DTC 094–01], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

3380. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Germany [Transmittal No. DTC 081–01], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

3381. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Singapore [Transmittal No. DTC 097–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3382. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Baikonur, Kazakhstan and Korou, French Guiana [Transmittal No. DTC 090–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3383. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Baikonur, Kazakhstan and Moscow, Russia [Transmittal No. DTC 098–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3384. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Baikonur, Kazakhstan [Transmittal No. DTC 087–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3385. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to French Guiana [Transmittal No. DTC 091–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3386. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Canada [Transmittal No. DTC 080–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3387. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Brazil [Transmittal No. DTC 079–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3388. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 095–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3389. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to New Zealand [Transmittal No. DTC 068–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3390. A letter from the Assistant Secretary for Legislative Affairs, Department of State,

transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 096–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3391. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to the United Kingdom and Saudi Arabia [Transmittal No. DTC 101–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3392. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Korea [Transmittal No. DTC 067–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3393. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Israel [Transmittal No. DTC 093–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3394. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to the Arab Republic of Egypt [Transmittal No. DTC 064–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3395. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Belgium [Transmittal No. DTC 082–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3396. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to South Korea [Transmittal No. DTC 076–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3397. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Italy [Transmittal No. DTC 070–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3398. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to the Netherlands [Transmittal No. DTC 084–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3399. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Greece [Transmittal No. DTC 086–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3400. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Austria [Transmittal No. DTC 069–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3401. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Taiwan [Transmittal No. DTC 088–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3402. A communication from the President of the United States, transmitting a supplemental report consistent with the War Powers Resolution, regarding U.S. Armed Forces in East Timor; (H. Doc. No. 107–115); to the Committee on International Relations and ordered to be printed.

3403. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Israel [Transmittal No. DTC 092–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3404. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–107, ''Technical Amendments Act of 2001'' received September 5, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3405. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–120, ''Ed Murphy Way, N.W., Act of 2001'' received Septemeber 5, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3406. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–121, ''Closing and Dedication of Streets and Alleys in Squares 5920 and 5928, S.E., S.O. 00–86, Act of 2001'' received September 5, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3407. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–118, ''Special Signs Temporary Amendment Act of 2001'' received September 5, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3408. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–122, ''Closing of a Public Alley in Square 529, S.O. 01–1183, Act of 2001'' received September 5, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3409. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–127, ''Approval of the Extension of the Term of the Franchise of Comcast Cablevision Act of 2001'' received September 5, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3410. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–129, ''American Sign Language Recognition Act of 2001'' received September 5, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3411. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–117, ''New York Avenue Metro Special Assessment Authorization Act of 2001'' received September 5, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3412. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–109, ''Nominating Petitions Signature Amendment Act of 2001'' received September 5, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3413. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14–119, ''Mental Health Service Delivery Reform Act of 2001'' received September 5, 2001, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

3414. A letter from the Executive Secretary and Chief of Staff, Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3415. A letter from the Director, Employee Benefits/Payroll/HRIS, AgriBank, transmitting transmitting the annual report disclosing the financial condition of the Retirement Plan for the Employees of the Seventh Farm Credit District as required by Public Law 95–595, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform.

3416. A letter from the Executive Director, Committee for Purchase From People Who Are Blind or Severely Disabled, transmitting the Committee's final rule—Additions to the Procurement List—received August 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

3417. A letter from the Acting Chief Executive Officer, Corporation for National and Community Service, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3418. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3419. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3420. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3421. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3422. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3423. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3424. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3425. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3426. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3427. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3428. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3429. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3430. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3431. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3432. A letter from the Director, Office of Headquarters and Executive Personnel Services, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3433. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3434. 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.

3435. 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.

3436. 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.

3437. 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.

3438. 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.

3439. 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.

3440. 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.

3441. A letter from the General Counsel, Executive Office of the President, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3442. A letter from the Chairman, Federal Trade Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 2000, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

3443. A letter from the Administrator, General Services Administration, transmitting a report on agency programs undertaken in support of the Federal Employees Clean Air Incentives Act; to the Committee on Government Reform.

3444. A letter from the Counsel to the Inspector General, General Services Administration, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3445. A letter from the Administrative Officer, Institute of Museum and Library Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3446. A letter from the President and Chief Executive Officer, Overseas Private Investment Corporation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3447. A letter from the Executive Secretary and Chief of Staff, U.S. Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

3448. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Arkansas Regulatory Program [SPATS No. AR–038–FOR] received August 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3449. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Indiana Regulatory Program [SPATS No. IN–151–FOR] received August 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3450. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Pennsylvania Regulatory Program [SPATS No. PA–133–FOR] received August 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3451. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's ''Major'' final rule—Migratory Bird Hunting; Early Seasons and Bag and Possession Limits for Certain Migratory Game Birds in the Contiguous United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands (RIN: 1018–AH79) received August 24, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3452. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's ''Major'' final rule—Migratory Bird Hunting; Final Frameworks for Early-Season Migratory Bird Hunting Regulations (RIN: 1018–AH79) received August 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3453. A letter from the U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's ''Major'' final rule- Migratory Bird Hunting; Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 2001–02 Early Season (RIN: 1018–AH79) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3454. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Coastal Pelagic Species Fisheries; Annual Specifications [Docket No. 010718180–1180–01; 062901A] (RIN: 0648–AP01) received August 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3455. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Steller Sea Lion Protection Measures and 2001 Harvest Specifications and Associated Management Measures for the Groundfish Fisheries off Alaska [Docket No. 010112013–1168–06; I.D. 011101B] (RIN: 0648–AO82) received July 26, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3456. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Closure of the Commercial Fishery from U.S.—Canada Border to Leadbetter Pt., WA [Docket No. 010502110–1110–01; I.D. 071601E] received August 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3457. A letter from the Director, Administrative Office of the United States Courts, transmitting a report on compliance within the time limitations established for deciding habeas corpus death penalty petitions under Title I of the Antiterrorism and Effective Death Penalty Act of 1996; to the Committee on the Judiciary.

3458. A letter from the Deputy Assistant Secretary, Employment and Training Administration, Department of Labor, transmitting the Department's final rule—Labor Certification Process for the Permanent Employment of Aliens in the United States; Refiling of Applications (RIN: 1205–AB25) received August 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

3459. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Secretary of State's findings pursuant to Section 219 of the Immigration and Nationality Act, as added by the Antiterrorism and Effective Death Penalty Act of 1996, and amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; to the Committee on the Judiciary.

3460. A letter from the Senior Attorney, National Highway Trafic Safety Administration, Department of Transportation, transmitting the Department's final rule—Civil Penalties [Docket No. NHTSA 2001–9404; Notice 2] (RIN: 2127–AI42) received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

3461. A letter from the Program Analyst, FAA, Department of Defense, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A310, and Model A300 B4–600, A300 B4–600R, and A300 F4–600R (Collectively Called A300–600) Series Airplanes [Docket No. 2000–NM–160–AD; Amendment 39–12302; AD 2001–13–20] (RIN: 2120–AA64) received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3462. A letter from the Principal Deputy Assistant Secretary of the Army (Civil Works), Department of Defense, transmitting a report on the deep-draft navigation project for Savannah Harbor, Georgia; to the Committee on Transportation and Infrastructure.

3463. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment and Revision of Restricted Areas, ID [Airspace Docket No. 99–ANM–15] (RIN: 2120–AA66) received August 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3464. A letter from the Paralegal Specialist, Federal Transit Administration, Department of Transportation, transmitting

the Department's final rule—Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations [Docket No. FTA–2000–8513] (RIN: 2132–AA71) received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3465. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace, Malta, MT [Airspace Docket No. 01–ANM–03] received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3466. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establish Class E Airspace: Hagerstown, MD [Airspace Docket No. 01–AEA–01FR] (RIN: 2120–AA66 (2001–0116)) received August 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3467. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–100 and -200 Series Airplanes [Docket No. 2000–NM–327–AD; Amendment 39–12331; AD 2001–14–20] (RIN: 2120–AA64) received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3468. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–300 Series Airplanes Modified by Supplemental Type Cerificate ST00171SE [Docket No. 2000–NM–237–AD; Amendment 39–12321; AD 2001–14–10] (RIN: 2120–AA64) received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3469. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas DC–9–51 and DC–9–83 Series Airplanes Modified by Supplemental Type Cerificate SA8026NM [Docket No. 2000–NM–229–AD; Amendment 39–12312; AD 2001–14–02] (RIN: 2120–AA64) received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3470. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model DHC–8–102, –103, –106, –201, –202, –301, –311, –314, and –315 Series Airplanes [Docket No. 2000–NM–45–AD; Amendment 39–12301; AD 2001–13–19] (RIN: 2120–AA64) received August 2, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3471. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—Implementation of Public Law 105–34, Section 1417, Related to the Use of Additional Ameliorating Material in Certain Wines (98R–89P) [T.D. ATF–458] (RIN: 1512–AB78) received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3472. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—Liquors and Articles From Puerto Rico and the Virgin Islands; Recodification of Regulations (2001R–56P) [T.D. ATF–459] (RIN: 1512–AC40) received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3473. A letter from the Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting the Department's final rule—Manufacture of Tobacco Products and Cigarette Papers and Tubes, Recodification of Regulations (2001R–57P) [T.D. ATF–460] (RIN: 1512–AC39) received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3474. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's final rule—Medicare Program; Payments for New Medical Services and New Technologies under the Acute Care Hospital Inpatient Prospective Payment System [CMS 1176–F] (RIN: 0938–AL09) received September 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3475. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Deposits of Excise Taxes [TD 8963] (RIN: 1545–AX11) received August 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3476. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Classification of Certain Pension and Employee Benefit Trusts, and Other Trusts [TD 8962] (RIN: 1545–AY09) received August 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3477. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Low-Income Housing Credit—received August 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3478. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last-in, first-out inventories [Rev. Rul. 2001–41] received August 7, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3479. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Modification of Tax Shelter Rules II [TD 8961] (RIN: 1545–BA04) received August 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3480. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Action On Decision: Mesa Oil, Inc. v. United States—received August 3, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3481. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—The Future of the Employee Plans Determination Letter Program [Announcement 2001–83] received August 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3482. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Administrative, Procedural, and Miscellaneous [Rev. Proc. 2001–42] received August 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3483. A letter from the Secretary, Department of Defense, transmitting a report on Anti-Deficienct Act Review of the Defense Health Program; jointly to the Committees on Armed Services and Appropriations.

3484. A letter from the Chief Cousel, Foreign Claims Settlement Commission of the United States, Department of Justice, transmitting the Commission's 2000 Annual Report on operations under the War Claims Act of 1948, as amended, pursuant to 50 U.S.C. app. 2008 and 22 U.S.C. 1622a; jointly to the Committees on International Relations and the Judiciary.

3485. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a Memorandum of Justification for Nonproliferation and Disarmament Fund (First Submission for FY 2001); jointly to the Committees on International Relations and Appropriations.

3486. A letter from the Secretary, Department of Veterans' Affairs, transmitting a draft of proposed legislation entitled, ''Veterans' Benefits Act of 2001''; jointly to the Committees on Veterans' Affairs and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Omitted from the Record of August 2, 2001]

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1007. A bill to limit access to body armor by violent felons and to facilitate the donation of Federal surplus body armor to State and local law enforcement agencies; with an amendment (Rept. 107–193 Pt. 1). Ordered to be printed.

[Submitted August 31, 2001]

Mr. COMBEST: Committee on Agriculture. Supplemental report on H.R. 2646. A bill to provide for the continuation of agricultural programs through fiscal year 2011 (Rept 107–191, Pt. 2).

[Pursuant to the order of the House on August 2, 2001 the following report was filed on September 4, 2001]

Mr. STUMP: Committee on Armed Services. H.R. 2586. A bill to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2002, and for other purposes; with amendments (Rept. 107–194). Referred to the Committee of the Whole House on the State of the Union.

[Filed on September 5, 2001]

Mr. TAUZIN: Committee on Energy and Commerce. H.R. 717. A bill to amend the Public Health Service Act to provide for research and services with respect to Duchenne muscular dystrophy; with amendments (Rept. 107–195). Referred to the Committee of the Whole House on the State of the Union.

Mr. OXLEY: Committee on Financial Services. H.R. 2589. A bill to amend the Multifamily Assisted Housing Reform and Affordability Act of 1997 to reauthorize the Office of Multifamily Housing Assistance Restructuring, and for other purposes (Rept. 107–196). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAUZIN: Committee on Energy and Commerce. House Concurrent Resolution 84. Resolution supporting the goals of Red Ribbon Week in promoting drug-free communities (Rept. 107–197). Referred to the House Calender.

Mr. THOMAS: Committee on Ways and Means. House Joint Resolution 51. Resolution approving the extension of nondiscriminatory treatment with respect to the products of the Socialist Republic of Vietnam (Rept. 107–198). Referred to the Committee of the Whole House on the State of the Union.

Mr. HYDE: Committee on International Relations. H.R. 2368. A bill to promote freedom and democracy in Viet Nam; with an amendment (Rept. 107–199 Pt. 1).

Mr. NUSSLE: Committee on the Budget. H.R. 981. A bill to provide a biennial budget for the United States Government; with amendments (Rept. 107–200 Pt. 1).

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII: The Committees on Financial Services and Rules discharged from further consideration. H.R. 2368 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 981. Referral to the Committees on Rules and Government Reform extended for a period ending not later than November 2, 2001.

H.R. 2368. Referral to the Committees on Financial Services and Rules extended for a period ending not later than September 5, 2001.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. SMITH of New Jersey:

H.R. 2832. A bill to promote freedom and democracy in Viet Nam; to the Committee on International Relations, and in addition to the Committee on Financial Services, 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. SMITH of New Jersey:

H.R. 2833. A bill to promote freedom and democracy in Viet Nam; to the Committee on International Relations, and in addition to the Committee on Financial Services, 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. ANDREWS:

H.R. 2834. A bill to amend section 526 of the National Housing Act to provide that any certification of a property for meeting energy efficiency requirements for mortgage insurance under such Act shall be conducted by an individual certified by an accredited home energy rating system provider; to the Committee on Financial Services.

By Mr. COX (for himself, Mr. LANTOS, and Mr. ROHRABACHER):

H.R. 2835. A bill to authorize the payment of compensation to members of the Armed Forces and civilian employees of the United States who performed slave labor for Japan during World War II, or the surviving spouses of such members, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISRAEL (for himself and Mr. GRUCCI):

H.R. 2836. A bill to amend title XVIII of the Social Security Act to provide for equitable reimbursement rates under the Medicare Program to MedicareChoice organizations; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCDERMOTT:

H.R. 2837. A bill to amend the Internal Revenue Code of 1986 to extend the exclusion from an employee's gross income for employer-provided health coverage of the employee's spouse to coverage provided to the employee's domestic partner; to the Committee on Ways and Means.

By Ms. MILLENDER-MCDONALD:

H.R. 2838. A bill to require the Director of the National Institutes of Health to conduct or support research using certain human pluripotent stem cells, and for other purposes; to the Committee on Energy and Commerce.

By Ms. MILLENDER-MCDONALD (for herself, Mr. HOUGHTON, Mr. LEACH, Mrs. MORELLA, Mr. RANGEL, Mr. MCDERMOTT, Ms. LOFGREN, Mr. JEFFERSON, Mr. ACKERMAN, Mr. HALL of Ohio, and Ms. MCCOLLUM):

H.R. 2839. A bill to provide additional appropriations for the fiscal year 2002 for the Peace Corps; to the Committee on International Relations.

By Mr. PORTMAN:

H.R. 2840. A bill to suspend temporarily the duty on Dichlorobenzidine Dihydrochloride; to the Committee on Ways and Means.

By Mr. RANGEL:

H.R. 2841. A bill to designate the building located at 1 Federal Plaza in New York, New York, as the ''James L. Watson United States Court of International Trade Building''; to the Committee on Transportation and Infrastructure.

By Mr. SCARBOROUGH:

H.R. 2842. A bill to provide that Federal civilian retirees shall not be allowed to receive veterans' disability compensation while receiving retirement benefits, except to the extent that retired members of the Armed forces are allowed to receive such compensation while receiving military retirement pay; to the Committee on Government Reform.

By Mr. SCARBOROUGH:

H.R. 2843. A bill to amend the Federal Rules of Criminal Procedure to allow motions for a new trial at any time where the error alleged is a violation of constitutional rights; to the Committee on the Judiciary.

By Mr. CASTLE:

H. Con. Res. 216. Concurrent resolution expressing the sense of the Congress that a commemorative stamp should be issued honoring Felix Octavius Carr Darley; to the Committee on Government Reform.

By Mr. HYDE (for himself, Mr. LANTOS, Mr. PAUL, Mr. BALLENGER, Mr. MENENDEZ, and Mr. DELAHUNT):

H. Res. 233. A resolution recognizing the important relationship between the United States and Mexico; to the Committee on International Relations. considered and agreed to.

By Mr. SPRATT:

H. Res. 234. A resolution expressing the condolences of the House of Representatives on the death of the Honorable Floyd Spence, a Representative from South Carolina; considered and agreed to.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

185. The SPEAKER presented a memorial of the General Assembly of the State of Tennessee, relative to Senate Joint Resolution No. 239 memorializing the United States Congress and the President of the United States to fully fund the federal commitment to the Individual with Disabilities Education Act; to the Committee on Education and the Workforce.

186. Also, a memorial of the General Assembly of the State of Rhode Island, relative to House Resolution 2001–H 6557 memorializing the President and Congress not to allow drilling in Georges Bank; to the Committee on Resources.

187. Also,a memorial of the Legislature of the State of Alaska, relative to Legislative Resolve No. 19 memorializing the United States Congress to fully fund the United States Coast Guard's supplemental budget for its operational readiness and recapitalization requirements to ensure that this humanitarian arm of the nation's national security system remains ''semper paratus'' throughout the Twenty-First Century; to the Committee on Transportation and Infrastructure.

188. Also,a memorial of the General Assembly of the State of Rhode Island, relative to Joint Resolution 01–S 0944 memorializing the President and Congress to impose a moratorium on major airline industry mergers in order to fully and carefully consider all consequences; jointly to the Committees on Transportation and Infrastructure and the Judiciary.

189. Also,a memorial of the General Assembly of the State of Rhode Island, relative to Joint Resolution 2001–H 6446 memorializing the President and Congress to impose a moratorium on major airline industry mergers in order to fully and carefully consider all consequences; jointly to the Committees on Transportation and Infrastructure and the Judiciary.

ADDITIONAL SPONSORS

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

H.R. 15: Mr. ARMEY.

H.R. 17: Mrs. DAVIS of California, Mr. DELAHUNT, and Ms. PELOSI.

H.R. 25: Mr. MCDERMOTT.

H.R. 31: Mr. EVERETT.

H.R. 36: Mr. MOLLOHAN.

H.R. 61: Mr. PASCRELL.

H.R. 91: Mr. GEORGE MILLER of California, Mr. LATOURETTE, and Mr. OWENS.

H.R. 134: Ms. BROWN of Florida.

H.R. 159: Mr. KERNS.

H.R. 163: Mrs. ROUKEMA.

H.R. 179: Mr. KERNS.

H.R. 184: Mr. WAXMAN.

H.R. 218: Mr. REYNOLDS, Mr. KERNS, and Mr. CRANE.

H.R. 250: Mr. SHUSTER, Ms. HART, Mr. HILL, Mr. NUSSLE, Mr. WAMP, and Mr. CARSON of Oklahoma.

H.R. 267: Mr. SANDLIN.

H.R. 278: Ms. CARSON of Indiana.

H.R. 281: Mr. DAVIS of Illinois, Mr. BISHOP, Ms. PELOSI, and Mr. SHOWS.

H.R. 292: Mr. CAPUANO, Mr. TIERNEY, and Mr. DOYLE.

H.R. 294: Mr. GORDON.

H.R. 303: Ms. WATSON, Mr. SHUSTER, Ms. RIVERS, Mr. BERMAN, Ms. MCCARTHY of Missouri, and Mr. MCINNIS.

H.R. 336: Ms. MCCOLLUM.

H.R. 420: Mr. GOODLATTE.

H.R. 425: Mr. KILDEE and Mr. PETERSON of Minnesota.

H.R. 448: Mr. WATT of North Carolina, Mr. MCDERMOTT, and Mr. RAMSTAD.

H.R. 458: Mr. TERRY, Mr. COX, Mr. BURTON of Indiana, Mr. KERNS, and Mr. WALSH.

H.R. 500: Mr. MORAN of Virginia.

H.R. 510: Mr. SKEEN, Mr. JOHN, Mr. FORBES, and Mr. SWEENEY.

H.R. 525: Mr. LATOURETTE.

H.R. 534: Mr. BENTSEN, Mr. NORWOOD, Mr. FORBES, Mr. BOUCHER, Mr. HORN, Mr. BAKER, and Mr. REHBERG.

H.R. 595: Mr. CUNNINGHAM.

H.R. 639: Mr. GUTIERREZ, Mr. NADLER, Mr. DEFAZIO, and Mr. GORDON.

H.R. 649: Mr. DEMINT.

H.R. 663: Mr. MEEKS of New York.
H.R. 664: Mr. ROGERS of Kentucky and Mrs. CAPITO.
H.R. 677: Mr. MATHESON and Mr. DOYLE.
H.R. 684: Mr. RUSH.
H.R. 699: Mr. CUNNINGHAM.
H.R. 713: Mr. DELAHUNT.
H.R. 746: Mr. REHBERG.
H.R. 751: Mr. OWENS.
H.R. 852: Mr. PORTMAN and Mrs. JONES of Ohio.
H.R. 854: Mr. COSTELLO, Mr. HOBSON, Mr. GEORGE MILLER of California, Mr. WELDON of Florida, Mr. BECERRA, and Mr. PORTMAN.
H.R. 868: Mr. GRAVES, Mr. REYES, and Mr. HINCHEY.
H.R. 869: Mr. MATHESON and Mr. GUTIERREZ.
H.R. 912: Mr. SIMMONS, Ms. WATSON, and Mr. INSLEE.
H.R. 950: Mr. NETHERCUTT, Mr. BISHOP, and Mr. KERNS.
H.R. 951: Mr. LUCAS of Oklahoma, Mr. KELLER, Mr. WATKINS, Mr. LEVIN, Mr. BOEHLERT, Mr. SIMMONS, Mrs. CHRISTENSEN, Ms. NORTON, Ms. DELAURO, Mr. LARSEN of Washington, Mr. KNOLLENBERG, and Mr. EVERETT.
H.R. 964: Mr. DELAHUNT and Mr. WEINER.
H.R. 969: Mr. HALL of Texas.
H.R. 1008: Mr. REYNOLDS.
H.R. 1033: Ms. SOLIS, Ms. MCKINNEY, and Mr. UNDERWOOD.
H.R. 1110: Mr. UDALL of Colorado.
H.R. 1170: Mr. BOUCHER, Mr. SANDLIN, Mr. KENNEDY of Rhode Island, Ms. DEGETTE, Mr. SHERMAN, Ms. KAPTUR, Mr. ROTHMAN, and Mr. MARKEY.
H.R. 1178: Mr. OWENS.
H.R. 1192: Mr. LAMPSON.
H.R. 1198: Ms. PELOSI, Mr. ROSS, Mr. FARR of California, Mr. JOHNSON of Illinois, Mr. FORBES, Mrs. NORTHRUP, Ms. DELAURO, Mr. CRAMER, Mr. THOMPSON of California, Mr. MASCARA, Mr. BLUMENAUER, Mr. HOLT, Mr. MCINTYRE, and Mr. BALDACCI.
H.R. 1238: Mr. HOBSON.
H.R. 1252: Ms. SCHAKOWSKY.
H.R. 1254: Mr. BARCIA, Mr. MASCARA, Mr. FILNER, Mr. SHAYS, Mr. REYNOLDS, Mr. BERMAN, and Mr. Ferguson.
H.R. 1269: Mr. WATT of North Carolina and Ms. MCCOLLUM.
H.R. 1273: Mr. KERNS.
H.R. 1280: Ms. MCCOLLUM.
H.R. 1287: Mr. MOORE.
H.R. 1295: Mr. OWENS, Mr. PASCRELL, and Mr. LANTOS.
H.R. 1296: Mr. BAKER, Mr. KINGSTON, Mr. WOLF, Mr. FERGUSON, Mr. LARSON of Connecticut, Mr. GUTKNECHT, and Mr. CANTOR.
H.R. 1304: Mr. REYNOLDS, Mr. WALSH, and Mr. CRAMER.
H.R. 1305: Mrs. JOHNSON of Connecticut, Mr. GRAVES, Mr. NORWOOD, and Mr. GRUCCI.
H.R. 1319: Mr. OWENS.
H.R. 1322: Ms. DELAURO.
H.R. 1330: Mr. BRYANT.
H.R. 1341: Mr. OTTER and Mr. MCCRERY.
H.R. 1344: Ms. SCHAKOWSKY, Mr. HINCHEY, and Mr. WAXMAN.
H.R. 1353: Mr. SOUDER, Mr. OSBORNE, Mr. KELLER, Mr. PENCE, Mr. SIMMONS, and Mr. SESSIONS.
H.R. 1354: Mr. OLVER, Mr. THOMPSON of California, Mr. MCINTYRE, Mr. BISHOP, and Mr. OWENS.
H.R. 1358: Mr. BISHOP.
H.R. 1368: Mr. EHLERS.
H.R. 1382: Mr. WAXMAN.
H.R. 1405: Mr. HINCHEY.
H.R. 1425: Ms. PELOSI and Mr. DOYLE.
H.R. 1429: Mr. FATTAH.
H.R. 1436: Mr. FERGUSON, Mr. COSTELLO, Mr. GALLEGLY, Mr. BENTSEN, Mr. MCINTYRE, Mr. ISAKSON, Mr. DAVIS of Florida, Mr. PETERSON of Minnesota, and Mr. SMITH of New Jersey.
H.R. 1438: Mr. ISAKSON.
H.R. 1451: Mr. MCINTYRE.
H.R. 1452: Mr. OWENS.
H.R. 1487: Mr. HUNTER, Mr. SMITH of Washington, Mr. GREENWOOD, and Mr. OSE.
H.R. 1509: Mr. COSTELLO, Mr. STENHOLM, and Mr. POMEROY.
H.R. 1512: Mr. KILDEE.
H.R. 1541: Mr. MCINTYRE.
H.R. 1556: Mr. BECERRA, Mr. BRYANT, Mr. ROGERS of Michigan, Mr. PICKERING, Mr. VISCLOSKY, Mr. GRAVES, Mr. FRELINGHUYSEN, Mr. HINOJOSA, Mr. MCINTYRE, Mr. MATSUI, Mr. JONES of North Carolina, Mr. DAVIS of Florida, Mr. TIERNEY, Mr. SESSIONS, Mr. ABERCROMBIE, and Mrs. JO ANN DAVIS of Virginia.
H.R. 1564: Ms. CARSON of Indiana.
H.R. 1582: Mr. HINCHEY and Mrs. MORELLA.
H.R. 1591: Mr. FILNER and Mr. GEORGE MILLER of California.
H.R. 1596: Mr. ABERCROMBIE.
H.R. 1600: Mr. DOOLITTLE.
H.R. 1601: Mr. BRYANT, Mr. WHITFIELD, Mr. PETERSON of Pennsylvania, and Mr. LEACH.
H.R. 1609: Mr. SHUSTER, Mr. MORAN of Kansas, Mr. STUMP, Mr. FILNER, Mr. PLATTS, Mrs. CAPITO, Mr. MCINTYRE, Mr. HASTINGS of Washington, Mr. DOYLE, Mr. DUNCAN, and Mr. ABERCROMBIE.
H.R. 1640: Mr. REYNOLDS.
H.R. 1645: Mr. MOORE, Ms. PRYCE of Ohio, Mr. DIAZ-BALART, Mr. MCINTYRE Mr. LUCAS of Kentucky, Mrs. CLAYTON, Mr. GORDON, Mr. SMITH of New Jersey, Mr. BOUCHER, and Mr. SHIMKUS.
H.R. 1739: Mr. BONIOR.
H.R. 1744: Mr. FILNER, Ms. MCKINNEY, Mr. OWENS, and Ms. JACKSON-LEE of Texas.
H.R. 1754: Mr. JONES of North Carolina, Mr. REYNOLDS, Mr. STUMP, Mr. FILNER, and Ms. MCKINNEY.
H.R. 1773: Mr. MASCARA, Mr. SHUSTER, Mr. MCHUGH, and Mr. OWENS.
H.R. 1815: Mr. DELAHUNT and Ms. MCCOLLUM.
H.R. 1822: Mr. POMEROY, Mrs. DAVIS of California, Mrs. CLAYTON, Mr. WATKINS, and Mr. GREENWOOD.
H.R. 1828: Mr. DOOLEY of California.
H.R. 1861: Mrs. CHRISTENSEN, Mr. PETERSON of Minnesota, Mr. FARR of California, and Mr. HOLT.
H.R. 1873: Mr. STUPAK.
H.R. 1896: Mrs. TAUSCHER.
H.R. 1904: Mr. DOOLEY of California, Mr. FRANK, Mr. FILNER, Ms. SANCHEZ, Ms. CARSON of Indiana, Mrs. THURMAN, Ms. MCKINNEY, Mr. BONIOR, Mr. FARR of California, Mr. OWENS, Mr. BERMAN, Mr. KUCINICH, Mr. EVANS, Ms. LEE, Mr. HASTINGS of Washington, Ms. ESHOO, and Ms. JACKSON-LEE of Texas.
H.R. 1911: Mr. BROWN of South Carolina and Mr. OSBORNE.
H.R. 1919: Mr. ROGERS of Kentucky, Mr. WHITFIELD, Mr. CARSON of Oklahoma, Mr. PICKERING, Mr. MCINNIS, Mr. WOLF, and Mr. BEREUTER.
H.R. 1948: Mr. COSTELLO, Mr. DOYLE, and Mr. BALDACCI.
H.R. 1967: Mr. LANTOS, Ms. SOLIS, and Mr. DEFAZIO.
H.R. 1969: Mr. BONIOR.
H.R. 1975: Mr. EHLERS, Mr. BLAGOJEVICH, Mr. JOHNSON of Illinois, Mr. DICKS, Mr. LUCAS of Oklahoma, and Mr. MCINTYRE.
H.R. 1987: Mr. SHUSTER, Mr. RADANOVICH, Mr. OTTER, Mr. BRYANT, Mr. OXLEY, and Mr. CLAY.
H.R. 1990: Mr. SERRANO and Mr. WAXMAN.
H.R. 1997: Mr. OWENS.
H.R. 2035: Mr. BACA, Ms. PELOSI, Mr. INSLEE, and Mr. BARCIA.
H.R. 2037: Mr. TOM DAVIS of Virginia and Mr. OSBORNE.
H.R. 2058: Mr. RUSH and Mr. OWENS.
H.R. 2059: Mr. BARRETT.
H.R. 2070: Mrs. TAUSCHER.
H.R. 2073: Mrs. CAPITO, Mr. DEFAZIO, Mr. SCHROCK, Ms. PRYCE of Ohio, and Mr. STUPAK.
H.R. 2074: Mr. FALEOMAVAEGA, Mr. BISHOP, Ms. RIVERS, Mr. ENGEL, Mr. OLVER, Mr. PRICE of North Carolina, Mr. HOEFFEL, and Mr. DELAHUNT.
H.R. 2117: Mr. CLEMENT, Mr. LUCAS of Kentucky, Mr. COOKSEY, Mr. FILNER, Mr. BORSKI, Mr. SMITH of New Jersey, Mr. BACA, Mr. MCINTYRE, Mr. SHAW, and Mr. COYNE.
H.R. 2123: Mr. GREEN of Wisconsin, Mrs. BIGGERT, Mr. FALEOMAVAEGA, Mr. MCINTYRE, and Mr. CANNON.
H.R. 2157: Mrs. MINK of Hawaii, Mr. KILDEE, and Mr. EDWARDS.
H.R. 2185: Mr. DOYLE.
H.R. 2219: Mrs. JONES of Ohio, Mrs. CHRISTENSEN, Mr. CLEMENT, Mr. MICA, Mr. OWENS, and Mr. PASCRELL.
H.R. 2220: Mr. ISSA and Mr. HILLIARD.
H.R. 2235: Mr. GOODLATTE, Mr. WHITFIELD, Mr. DEAL of Georgia, Mr. GOODE, Mr. MILLER of Florida, and Mr. GREEN of Wisconsin.
H.R. 2244: Mr. KELLER.
H.R. 2258: Mr. GREEN of Texas, Mr. MORAN of Virginia, Ms. ROYBAL-ALLARD, Mr. WAXMAN, Mrs. MINK of Hawaii, Mr. STARK, Ms. ESHOO, Mr. DELAHUNT, Ms. WOOLSEY, Mr. OWENS, Mr. TIERNEY, and Mr. ROTHMAN.
H.R. 2282: Ms. ESHOO, Mr. MEEKS of New York, Mr. COYNE, and Mr. BARRETT.
H.R. 2319: Ms. PELOSI.
H.R. 2329: Mr. OLVER, Ms. PRYCE of Ohio, Mr. LANGEVIN, Mr. TRAFICANT, Mr. PICKERING, Mr. TOM DAVIS of Virignia, Mrs. CAPITO, and Mr. LEACH.
H.R. 2333: Mr. ISAKSON, Mr. FILNER, and Mr. UPTON.
H.R. 2337: Mr. OTTER.
H.R. 2339: Mr. WELDON of Florida, Mr. UPTON, Mr. CLEMENT, Mr. FLETCHER, Mr. HOEFFEL, and Mrs. MORELLA.
H.R. 2340: Mr. CARSON of Oklahoma.
H.R. 2341: Mr. COOKSEY, Mr. DEAL of Georgia, Mr. SHAYS, Mr. SIMMONS, and Mr. SMITH of Texas.
H.R. 2349: Mr. PALLONE, Mr. SERRANO, Mr. MEEKS of New York, Mr. WAXMAN, Mr. PASCRELL, Mr. HINCHEY, Mrs. MORELLA, Mr. MALONEY of Connecticut, and Mr. WEINER.
H.R. 2364: Ms. ESHOO and Mr. WELDON of Pennsylvania.
H.R. 2368: Mr. MARKEY, Ms. ROS-LEHTINEN, and Ms. MCCOLLUM.
H.R. 2377: Ms. ROYBAL-ALLARD, Ms. BROWN of Florida, Mr. UDALL of Colorado, Mr. KENNEDY of Rhode Island, Mr. MATSUI, and Ms. PELOSI.
H.R. 2380: Mr. OLVER and Mr. OWENS.
H.R. 2391: Mr. KERNS.
H.R. 2405: Mr. HINCHEY and Mr. HOEFFEL.
H.R. 2413: Mr. OWENS.
H.R. 2417: Mr. OSBORNE, Mr. BASS, Mr. COSTELLO, Mr. OWENS, and Mr. WALSH.
H.R. 2438: Mr. FRELINGHUYSEN, Mr. EHLERS, Ms. SLAUGHTER, Mr. GREENWOOD, and Mr. STARK.
H.R. 2439: Mrs. EMERSON, Mr. HASTINGS of Florida, Ms. KAPTUR, Ms. MCKINNEY, Ms. RIVERS, Mrs. THURMAN, and Mr. WATKINS.
H.R. 2459: Mrs. MINK of Hawaii and Mr. ABERCROMBIE.
H.R. 2476: Mr. ENGEL.
H.R. 2485: Mr. GOODE, Mr. BARCIA, Mr. LATOURETTE, Mr. COBLE, and Mr. MANZULLO.
H.R. 2515: Ms. BALDWIN.
H.R. 2517: Mr. BACA.
H.R. 2573: Mr. OLVER, Mr. FRANK, Mr. KLECZKA, Mr. BARRETT, and Mr. ROTHMAN.
H.R. 2592: Mr. HINCHEY and Mr. WAXMAN.
H.R. 2594: Mr. ROSS.
H.R. 2622: Mr. SHAYS and Mr. HORN.
H.R. 2623: Mr. UNDERWOOD, Mrs. MINK of Hawaii, Ms. MCKINNEY, Mr. TOWNS, Mr. DOYLE, and Mr. KING.
H.R. 2667: Mr. ORTIZ and Mrs. MEEK of Florida.

H.R. 2669: Mr. FALEOMAVAEGA.

H.R. 2675: Mr. FALEOMAVAEGA, Ms. MCKINNEY, and Mr. OWENS.

H.R. 2677: Ms. ROYBAL-ALLARD, Mr. KUCINICH, Mr. BERMAN, Mr. BRADY of Pennsylvania, Mr. BORSKI, Ms. ESHOO, and Mr. TOWNS.

H.R. 2690: Mr. KIND, Mr. ISAKSON, Mr. ROHRABACHER, Mr. OBERSTAR, Ms. LOFGREN, Mr. HOLDEN, Mr. WEINER, Mr. RAMSTAD, Mr. KILDEE, Mr. MCGOVERN, and Mr. CONDIT.

H.R. 2695: Mr. KNOLLENBERG and Mr. QUINN.

H.R. 2701: Mr. DEUTSCH, Mr. FILNER, Mr. SCHIFF, Mr. THOMPSON of California, Mr. TIERNEY, Mr. BRADY of Pennsylvania, Mr. MCHUGH, and Mr. BERMAN.

H.R. 2711: Mr. MEEKS of New York and Mrs. THURMAN.

H.R. 2718: Mr. FRANK and Mr. COYNE.

H.R. 2725: Mr. HEFLEY, Mr. ETHERIDGE, Mr. MORAN of Virginia, Mr. GORDON, Mr. BENTSEN, Ms. ROYBAL-ALLARD, Mr. TRAFICANT, Ms. HOOLEY of Oregon, Mr. SIMMONS, Mr. PENCE, Mr. ROSS, Mr. BOUCHER, and Mr. SCHROCK.

H.R. 2755: Mr. BROWN of Ohio, Mr. HILLIARD, Mr. LAFALCE, Mr. MEEKS of New York, Ms. WATERS, Ms. WATSON, Ms. SCHAKOWSKY, and Mr. BONIOR.

H.R. 2778: Mr. MEEKS of New York, Mr. ENGEL, and Ms. PELOSI.

H.R. 2779: Mr. LEACH, Ms. MCKINNEY, Ms. SCHAKOWSKY, Mr. DOYLE, and Mr. PETERSON of Minnesota.

H.R. 2787: Mr. OWENS and Mr. RANGEL.

H.R. 2794: Mr. GREENWOOD and Mr. RILEY.

H.R. 2806: Mr. MCDERMOTT.

H.R. 2812: Mr. HILLIARD, Mr. MEEKS of New York, and Mr. CONYERS.

H.R. 2813: Ms. MCKINNEY.

H.R. 2816: Mr. MCDERMOTT.

H.R. 2817: Mr. GREENWOOD, Mr. HUNTER, Ms. MCKINNEY, Mr. GILMAN, Mr. SHOWS, Mr. ROGERS of Michigan, and Mr. OWENS.

H.J. Res. 6: Mr. WALSH.

H.J. Res. 40: Mr. LEACH.

H. Con. Res. 26: Ms. DELAURO.

H. Con. Res. 60: Mr. FILNER, Mr. HALL of Ohio, Mr. OWENS, and Mr. ENGLISH.

H. Con. Res. 102: Mr. SAWYER, Mr. CARSON of Oklahoma, and Mr. KIND.

H. Con. Res. 104: Mr. GOODE and Mr. HOLT.

H. Con. Res. 116: Mr. KILDEE and Mr. ANDREWS.

H. Con. Res. 118: Ms. SANCHEZ and Mr. BONIOR.

H. Con. Res. 164: Mr. ROTHMAN, Mr. CASTLE, Mr. BOYD, and Mr. CHABOT.

H. Con. Res. 181: Mr. SCHIFF, Mr. CLAY, and Mr. GOODE.

H. Con. Res. 191: Mrs. JONES of Ohio, Mr. ENGLISH, and Mr. OWENS.

H. Con. Res. 194: Mr. ROHRABACHER, Mr. GUTKNECHT, Mr. GREEN of Wisconsin, Mr. TOOMEY, Mr. CANTOR, Mr. SAM JOHNSON of Texas, Mr. SUNUNU, Mr. SHADEGG, Mr. CUNNINGHAM, Mr. NEY, Mr. VITTER, Mr. JONES of North Carolina, Mr. RYAN of Wisconsin, Mr. TERRY, Mr. SESSIONS, Mr. ADERHOLT, Mr. DEMINT, Mr. SMITH of New Jersey, Mr. FLAKE, Mr. FOSSELLA, Mr. SHERMAN, Mr. LANTOS, Mr. PAYNE, Mr. HOEFFEL, and Mr. BROWN of Ohio.

H. Con. Res. 195: Ms. WATSON and Mr. CROWLEY.

H. Con. Res. 211: Mr. DELAHUNT, Mrs. MORELLA, Mrs. TAUSCHER, Mr. FRANK, and Mr. HINCHEY.

H. Res. 144: Mr. TRAFICANT.

H. Res. 197: Mr. KERNS.

H. Res. 224: Mr. PASCRELL, Mr. SMITH of New Jersey, and Mr. ROTHMAN.

H. Res. 226: Mr. TIBERI, Ms. BROWN of Florida, Mr. RANGEL, Mr. WAXMAN, Mr. STARK, Ms. ESHOO, Mr. BOYD, and Mr. BORSKI.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 2107: Mr. KUCINICH.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, FIRST SESSION

Vol. 147 WASHINGTON, WEDNESDAY, SEPTEMBER 5, 2001 No. 114

Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore [Mr. BYRD].

PRAYER

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

Omnipotent God, all-powerful Lord, all authority comes from You. You raise up leaders and entrust them with spiritual, intellectual, and physical power. All You require is humility to acknowledge You as the source of all that they have, and they are accountable to You for how they have used Your entrusted power. You delight to bless those who delight in giving You the glory. Forgive us when we assume that power comes from titles and positions. Most of all, forgive our dependence on, and satisfaction with, our own limited human powers. You offer us supernatural power to think beyond our understanding and lead courageously beyond our abilities. May this be a day when we deliberately ask for Your power and live expectantly for Your divinely inspired strategies and solutions. When we give up the idea that we are the source of our power, You amaze us with what You are able to do through us. So free us from bartering power, struggling for power, and manipulating with power.

Spirit of the living God, anoint the men and women of this Senate with Your power so this Nation will know that it is being led by people who trust You, who share party power to accomplish Your plans, point away from themselves to You, and attempt great things for You because they have received great power from You. Amen.

PLEDGE OF ALLEGIANCE

The Honorable ROBERT C. BYRD 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.

RESERVATION OF LEADER TIME

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

EXPORT ADMINISTRATION ACT OF 2001

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 149, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 149) to provide authority to control exports, and for other purposes.

The PRESIDENT pro tempore. The Senator from Nevada is recognized.

Mr. REID. Mr. President, the Senate is going to be working today on the export administration bill. Senator DASCHLE called a joint leadership meeting today, and he and Senator LOTT, among others, indicated a real desire to move on to the many things we have to do in this month, especially appropriations bills.

Senator SARBANES is certainly one of the most skilled legislators, and I know he is doing everything in his power, as is Senator GRAMM, to move this export administration bill as quickly as possible. We had an overwhelming vote yesterday on an amendment. The opposition to moving this bill forward I think got 18 votes. From my personal perspective, that is a high water mark. I certainly hope the few Senators who oppose this legislation will recognize the need to move forward with the legislation not only for the Senate but, more importantly, for this country.

We have eight appropriations bills we need to complete by the end of the month. Using the numbers we have, we probably only have about 12 legislative days this month, with the Jewish holidays and the big conference being held late in the month that will take a day away from us. We just need to move expeditiously.

I repeat, I hope those people who oppose this legislation will recognize that we are going to pass this bill. It is just a question of when. Their holding this up isn't to the good of this country. I know that the people who oppose this legislation believe they are doing the right thing. I hope they will recognize that just a few Senators are opposing this bill. We need to move forward. We have a fiscal year that is coming to an end in just a few weeks. We have not completed a single conference on the five appropriations bills that have passed.

The leadership has committed 1 week to Defense authorization, which takes away more time from our appropriating process. Whether people like it or not, the 13 appropriations bills have to be passed or we are going to wind up with a big fat omnibus bill called a continuing resolution that doesn't help anybody, especially the country.

So I am confident there will be rollcall votes on amendments throughout the day. The Senate is going to recess from 12:30 to 2:15 for the weekly party conferences today. Again—and I think I speak for the joint leadership—we need to move past this bill and get on to the appropriations bills. On appropriations bills, we have to have a way of moving them more quickly. I think that is the belief the leadership has in trying to move to the Commerce-State-Justice bill just as quickly as possible.

The PRESIDENT pro tempore. The senior Senator from Maryland, Mr. SARBANES, is recognized.

Mr. SARBANES. Mr. President, I echo what my colleague, Senator REID, just had to say. We are back on the bill. We did a number of opening statements yesterday. I know there were a couple Members who indicated that they want to be able to just speak on the bill briefly. I invite them to come over. Anyone who has amendments, we are open to consider them. I hope we can possibly finish this bill today and thereby enable the Senate to move on to other business for the remainder of

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

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the week. I frankly say that ought to be our objective. Hopefully, we can reach it. I do know there is a state dinner this evening that may impact on the Senate's schedule.

Mr. REID. If the Senator will yield, all of us haven't been invited to the state dinner, so some of us can still work.

Mr. SARBANES. I implore my colleagues who are within earshot, if they wish to make a statement on this bill, to come to the floor and get that done this morning before we go to the two weekly conferences. I also hope that at some point shortly we could have an amendment laid down and proceed to move through the amendments.

I yield the floor.

The PRESIDENT pro tempore. The senior Senator from Tennessee, Mr. THOMPSON, is recognized.

Mr. THOMPSON. I thank the Chair.

Mr. President, I have listened to the distinguished majority whip this morning expressing concern that we move on with this bill. I think we can do that. We had a good discussion yesterday. We had a vote on one amendment that was a pretty definitive vote. We all get to the point where we can count votes around here, and we know which way the die is cast as far as this bill is concerned.

The administration supports this bill. Apparently, the administration is going to oppose any and all amendments. That is unfortunate. That is, frankly, shortsighted, but that is the way it is. I do not think we want to belabor the matter any more than necessary.

I must say, we have had some very good discussions this morning on both sides of export administration in this country. We are still talking, and we may be able to come together on some things that will help the bill and help some of us who have concerns about this bill. I know Senator KYL from Arizona is on his way to the Chamber and would like to make an opening statement, and then we will move on from there and see where we are.

Until Senator KYL gets here, I will reiterate some of the bases for our concern. We make no apologies for bringing these amendments up regardless of the fact we have an appropriations bill pending. As important as these appropriations bills are, the national security of this country is even more important. That is what we are dealing with here, the issue of national security. We all have the same thing as our ultimate goal for the protection of this country, but we have some quite distinct and different ideas about how to get there.

Export administration legislation in this country traditionally has been designed not to facilitate business but to help protect the national security interests of this country. If one looks at the purpose that is set out in this legislation, it does not say anything about expediting business.

No one wants to bog these exports down, but the fact of the matter is, they are not being bogged down. It was said yesterday for a broad category of items, the average processing time is 13 days, I believe—13 days. What it does set out and the purpose for this legislation, as similar legislation in the past has set out, is that we want to make sure we are not assisting the proliferation of weapons of mass destruction. We want to make sure that in our haste to do business—there is no greater freetrader in this body than I am—and to export that we do not make mistakes. That is what the export administration legislation is all about.

We are living in a different time than the last time we addressed this issue. We are living in a world where we do not have the old Soviet Union and the massive European assault that we all feared looming over our heads. But what we do have is many different threats, more insidious threats in many respects and more dangerous in many respects because those threats are in the hands of totally irresponsible individuals in other parts of the world.

We get these reports from Presidential commissions. We get these reports from our intelligence community warning us, time and time again, that it is growing, that it is based on technology, that the threats are great—nuclear, biological, chemical threats—and the ability to deliver those threats to our soil is growing year by year. Even a country such as North Korea, which is starving it's people to death, can pose a mortal threat to major American cities, having already launched a three-stage rocket over Japan just to demonstrate what they can do, while a million people are starving in North Korea.

That is the nature of the growing threat based on technology. Our intelligence agencies point out to us that a lot of this technology is derived from countries such as Russia and China, which our intelligence agencies still say are massive proliferators of weapons of mass destruction.

Here we are getting ready to pass legislation to make exports of dual-use items, which can possibly be used for military purposes, to countries such as Russia and China easier.

When Mr. COX and others on the commission tell us that the Chinese, for example, are diverting products imported for civilian reasons to military purposes, and they also tell us that part of the problem has been created by our own laxity in our export laws, I do not know how much more definitive the record needs to be for us to be concerned, when we sit down to write an export administration bill, that we not make any significant mistakes in the bill with regard to contributing to the growing threat to the national security of this country.

There are great commercial interests involved. There is substantial commercial interest. They are substantially involved in the political process, but in terms of the trade welfare to this country, they constitute about 3 percent of our total exports. The exports to these controlled countries constitute about 3 percent of our total exports; 90-some-odd percent of those export applications to those countries are approved, so we are talking about a small fraction of 3 percent of our exports that we are dealing with.

Some make it sound as if we are trying to shut down exports or we are trying to close the borders. We are not. It is important, and it is growing. The interest here is not what can happen today. The interest is the potential, and the potential is great, but therein lies the potential problem.

Even though the technological genie is somewhat out of the bottle, to be sure, but not totally out of the bottle or we still would not be trying to keep things out of the hands of Saddam Hussein, Iran, and North Korea, we implicitly acknowledge some control is doable. But let's just say for the sake of argument the genie is out of the bottle and eventually everybody is going to get everything.

Does it not benefit our country somewhat to say with regard to these most sensitive items we need to slow certain countries down while we are trying to come together on a consensus on things such as national missile defense? We are expending great political capital in this country and will be spending, I think, great monetary capital, as it were, on a missile defense system. I think that is an appropriate thing to do.

We are willing to go to our European friends, Russia, China, and have a debate here based upon this threat about which I am talking. Does it make sense when we are so concerned about this threat, and we do not have a missile defense system off the drawing board yet, for us to be hustling to make sure that potential adversaries a few years down the road are caught up to date, technologically, to be even with us or to improve themselves to a point where they can be competitive with us?

Does it make sense for us to be helter-skelter assisting as much as we can while we are in this stage over here and trying to defend ourselves against these same technological challenges? That is what this is all about.

We may have appropriations bills we want to get passed and we may say: We had a big vote yesterday and the die is cast; get away, son, you bother me.

It is not going to be quite that easy. This issue is not going to go away. I understand those of us who comprise the committees that have to do with intelligence and national defense matters form a distinct minority. When we first started debating this issue, I was chairman of the Governmental Affairs Committee that has jurisdiction over matters of proliferation, as well as other things.

The chairman of the Armed Services Committee, the chairman of the Intelligence Committee, and the chairman of the Foreign Relations Committee,

all of us were as one in expressing the concerns I have laid out today. We still have those concerns, although we are ranking members now instead of chairmen of the various committees, but we also recognize we are in a distinct minority. We have been unsuccessful in persuading enough of our colleagues these concerns are so great we ought to at least have some amendments to address some of these concerns.

I am still hopeful. We have had some good discussions recently, as discussions tend to come about once we are considering an issue. With regard to things like a Presidential commission, for example, that is an idea that Senator SHELBY, who was chairman of the Intelligence Committee, now ranking member, has espoused for a long time and one that we have all supported at one time or another. The idea is we have a blue ribbon commission established. We know some of these commissions do a good job and some do not, but we had such a good experience with the Rumsfeld commission, a bipartisan commission made up of experts, some from a more liberal persuasion, some more conservative, but people of unimpeachable expertise who were appointed and took a look at the kinds of issues I have been talking about this morning, why can't we do something along those lines to answer some of these questions we have posed, such as what effect are our export policies having on national security?

As I talk about it, I am very well aware the distinguished senior Senator from West Virginia, who now presides, has been a leader on this very issue and he is responsible for a commission that is doing some good things in this same area but perhaps targeted a little bit more on answering some of these questions. The problem, as I see it, is not that I have the answers that we are definitely doing something that is going to be hurting national security or it is not that my colleagues on the other side of this issue have the answers that they are definitely sure we are not doing anything that is going to be harming national security. I am afraid the point is, we do not really know. We do not know the effect of what we are doing. We do not really know, now that we are about to pass this bill, what the effect of this bill is going to be or what it might look like a year from now.

As a part of the Defense appropriations bill in 1998, there was a provision which acknowledged, first of all, that there was a massive decontrolling of our supercomputers going on in the Clinton administration. They changed the MTOPS level rapidly so more and more supercomputers could be exported. There has been a growing concensus almost, I would say, among a lot of the people who follow these matters in the country that perhaps MTOPS is not the best way to decide what should be controlled in terms of these supercomputers. Maybe we need to look at something else. We did not really look at something else. We decontrolled, and now what we are doing in this legislation, in terms of MTOPS, is totally decontrolling and doing away with it. So it is an extension of the Clinton policy.

Also in that 1998 legislation, there is a provision that says, as we do that we must do a national security assessment of the effect of doing this. That was never done. It has never been done.

It is bad enough we are not following our own laws, but it is doubly bad we do not know the answer. So we are having some discussions now about can we not get together and come up with an independent assessment, over a period of time, as to what the effect of this might be?

Another issue we are discussing is the so-called deemed export rules. As I am sure the Presiding Officer knows, we have a system in this country that basically says if you export a certain item or information to another country, you need a license for certain kinds of things. Also, if you give that same information to a foreign student, a foreign national, who is over here working in, say, one of our laboratories, or one of our businesses, if you give him that same information, that is the equivalent, potentially, of exporting the matter. It is called a deemed export, and we need to look at that carefully also.

We had hearings in the Governmental Affairs Committee a year or so ago, and we found out that the law is being universally ignored by our laboratories. Private business is doing a much better job of complying with the deemed export rules and seeking licenses for these transfers of information than is the Government. Of course, they have a proprietary interest in doing so, but for whatever reason they are doing a much better job. Our laboratories have done a very poor job and now, of course, we know that valuable information has been taken, illegally and improperly, from our laboratories, which is the repository of some of the most sensitive information, if not the most sensitive information, our country possesses. We need to do something about that.

This bill does not address that. These are as much exports or potential exports as some of the goods flying to another country.

My understanding is the administration has expressed some concern that this is a complicated subject which they have not had an opportunity to address yet and would prefer to have the opportunity to address, and I understand that. A lot has been laid on their plate in a short period of time. We came to them with this whole export business, this whole overhaul issue, when they were still trying to get draperies in their office. Getting any modern President's team together now is a long, drawn out process. Some say it will be 12, 14, or 16 months before this administration gets its team together. We are laying this highly technical stuff on them at a time when many of the important departments do not have their team together. I prefer to put this off until later, until they have had the opportunity to get their team together, but they have seen fit to agree to have this go forward. It makes a certain amount of sense.

We do not want to discourage foreign students from coming to the United States. It is important for many different reasons. We do not want to close our borders. With as many problems as we have had with the People's Republic of China over the last few years, they have 54,000 students here now. We do not want to reverse that process. Many make valuable contributions to us and what we are doing. Many choose to stay here. However, in the process we have to learn to protect ourselves. Because we have peace and prosperity today does not mean we will have it forever.

I just finished reading a book called ''While America Sleeps'' in which the Kagans were drawing a parallel between the United States today and England after World War I. This book is based on Winston Churchill's ''While England Slept.'' They talk about when a country wins a war or skirmish, the tendency is to allow your military to go down, to have a higher threshold for engagement elsewhere. You want a peace dividend. You want to come back home and enjoy the peace dividend and forget about the unpleasantness. By doing that, you encourage problems here, there, around the world. They are very small at first, and they grow into major problems that ultimately a democracy has to address. We do not want to do that. That is what we are trying to avoid.

These are a couple of areas on which I think we might still have come together, even at this date. I am hopeful of that. Again, I reiterate, this is not foolish business we are engaged in. These are not dilatory tactics. These are not things to get on with while we wait to get on with the more important business of spending money. It is not about money but about the national security of this country. I do not care if we have to have 95–5 votes on some of these issues. Time will tell the correctness of the various positions. Some Members believe it is very important to lay them on the table, require deliberate consideration, and see whether or not even at this stage of the game we cannot come together at least on some things that might make this a better bill and ensure the enhanced security of this country.

I yield the floor.

The PRESIDING OFFICER (Ms. CANTWELL). The Senator from Maryland.

Mr. SARBANES. Madam President, I am hopeful we can work out some of these matters which he discussed. I think the idea of a presidentially appointed independent advisory committee to review the matter and submit its findings to the Congress at an

appropriate time is a good idea. It may well prove of significant benefit.

I repeat what I said yesterday. I think all 100 Members of the Senate are concerned that our national security is effectively protected. I hope what we went over yesterday, provisions of the bill and some of the authority given to the President, provided some reassurance in terms of ultimate authority to act on behalf of important national security and foreign policy interests. I hope in the course of the day we can work through some of these matters and perhaps move to a conclusion.

Again, I state my appreciation to the Senator for the questions he raised and focusing our attention on them. He has done that consistently as we have moved through the process. I know my very able colleague from Wyoming, Senator ENZI, has interacted throughout. What is before the Senate in this legislation has been shaped in part by questions and concerns the Senator has raised. It is not as though there has not been a response to some of the matters brought forward, and that is reflected already in the legislation before the Senate.

Mr. THOMPSON. If the Senator will yield, I certainly agree with that. I should not leave the impression that this has been a totally adversarial proceeding. We have had discussions, and this bill does incorporate some of the points we have discussed at prior times. I appreciate that.

Mr. SARBANES. I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. KYL. Madam President, this past weekend the Washington Post ran articles on a Bush administration decision to impose sanctions on a Chinese company that it found to be transferring sensitive missile technology to Pakistan in violation of last November's agreement to terminate such transfers. Two of my colleagues, the chairman of the House Intelligence Committee and the chairman of the Senate Intelligence Committee, and I just returned from a visit to Pakistan, and we expressed concerns about the proliferation of weapons of mass destruction technology in that area of the world. We are very aware of the situation which could easily evolve in that part of the world because of tensions between different countries that could inadvertently result in the use of nuclear weapons, something no one in the world wants to occur. Part of that is because of the willingness of countries such as China to transfer technology to countries that could use those weapons.

Sunday's Washington Post article to which I referred noted that the decision to impose sanctions on the Chinese Metallurgical Corporation came over the objections of Asia experts in our State Department who ''had warned that this could further fray Sino-American relations.''

Of course, anytime one enforces a provision which is designed to protect the U.S. national security on a corporation that is violating the terms of agreements or provisions which could prevent the transfer of this technology, it will upset someone. They have been caught cheating, and to the extent we are willing to enforce it, they are not going to like the result. However, that is what is at stake: Our willingness to enforce the regime which we have heretofore imposed that hopes to at least reduce the amount of transfer of technology to countries that would use that technology in an irresponsible fashion.

I ask unanimous consent to have printed in the RECORD the article ''Chinese Arms Firm Faces U.S. Sanctions.''

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

[From the Washington Post, Sept. 1, 2001]

CHINESE ARMS FIRM FACES U.S. SANCTIONS

TECHNOLOGY ALLEGEDLY PASSED TO PAKISTAN

(By Alan Sipress)

The Bush administration will impose sanctions today on a major Chinese arms manufacturer because it transferred sensitive missile technology to Pakistan despite assurances by Beijing last year that it would refrain from these exports, according to the State Department.

A department official said yesterday the United States would place sanctions on the China Metallurgical Equipment Corp., A private company that administration officials say works closely with the Chinese government, and at the same time on the National Development Complex of Pakistan, which received the missile technology.

The decision to take these punitive measures comes a week after a U.S. delegation to Beijing headed by Deputy Assistant Secretary of State Vann Van Diepen failed to break a deadlock over U.S. demands that China halt the transfer of technology for missiles that can carry nuclear warheads. Last-ditch negotiations in recent days also proved unsuccessful, officials said.

The new American measures could further sour relations between the United States and China, which have begun to rebound after a tough spell in the opening months of the Bush administration. With President Bush scheduled to visit China late next month, the two countries have tried to move beyond their dispute this spring when a U.S. Navy surveillance plane and its crew were detained on Hainan Island after colliding with a Chinese jet.

Secretary of State Colin L. Powell raised American concerns about missile proliferation during a visit to Beijing in July and warned that the administration might impose sanctions unless China adhered to an agreement reached last November. Under that accord, the United States agreed to issue licenses for American companies to launch satellites on Chinese rockets.

Powell and his Chinese counterparts agreed during his trip to resume talks on weapons proliferation. The two sides had not discussed this matter since last November, when China agreed not to help other countries build missiles capable of delivering nuclear weapons. U.S. diplomats had filed formal protests with China alleging that it had violated the agreement numerous times by providing missiles or missile technology to Pakistan and other countries.

Both the Chinese and Pakistani officials have denied allegations of missile technology sales.

But a State Department official said yesterday that China's transfer of Category 2 technology had contributed to Pakistan's missile program, flouting the international guidelines established to govern the proliferation of missile parts and technology. Under the Missile Technology Control Regime, Category 1 refers to whole missiles while Category 2 includes constituent parts and technology.

As a result, the administration has also been considering whether to suspend the issuance of licenses for U.S. companies to place their satellites on Chinese rockets and make it illegal to transfer American technology to China's satellite industry. The Los Angeles Times reported in today's editions that the United States had decided to take these punitive actions.

These steps, which could set back China's efforts to develop its industry, may also prove painful for some American companies that have seen Chinese rockets as a relatively inexpensive way to place their satellites into orbit.

The Bush administration has said it is worried about recent reports that China was providing sensitive missile technology to Pakistan. Sen. Joseph R. Biden Jr. (D-Del.), Chairman of the Senate Foreign Relations Committee, pressed Beijing during a recent visit there to end these transfers and called for sanctions to be place on Chinese companies that are shown to be helping Pakistan's missile program.

U.S. officials have at the same time expressed concern about what they say are Pakistani attempts to develop a nuclear missile program. The United States imposed sanctions on Pakistan and India after both countries tested nuclear weapons in 1998. India and Pakistan have a long-standing border conflict over Kashmir and their development of nuclear weapons, security analysts say, has made South Asia potentially the most dangerous place in the world.

While Sino-American relations have been complex and often difficult for decades, the United States long has close relations with Pakistan, especially when it was a crucial Cold War ally. But those ties have grown estranged in recent years and not only because of Pakistan's nuclear program. U.S. officials have also expressed dissatisfaction with the 1999 military coup by Gen. Pervez Musharraf that ousted democratically elected Prime Minister Nawaz Sharif and with Pakistan's ties to the Taliban movement ruling much of Afghanistan.

Mr. KYL. This mentality that enforcing the law could further fray relations with countries such as China, for example, lies at the core of much of what we are debating with respect to the legislation before the Senate. It is the continued relevance of robust export controls on the one hand versus legislation that is explicitly designed to weaken those controls in order to enhance trade on the other.

While the case that the Washington Post article discussed involves Chinese technology transfers to Pakistan, these actions on the part of foreign countries with records of proliferating militarily sensitive technologies are central to the overall debate over U.S. controls on exports to countries that in turn transfer knowledge and hardware to third countries to which the United States would not currently export such items or knowhow. In other words, it is the transfer of this technology through a middleman, so to speak.

In addition to this most recent China-related proliferation development, the U.S. Customs Service last

week arrested two United States-based Chinese nationals involved in smuggling, and smuggling extremely sensitive military encryption technology to China—another violation of the Arms Export Control Act.

While the encryption case does involve the Arms Export Control Act and not the export administration regulations which are the issue today, it does nevertheless significantly highlight the scale of the problem that confronts the United States in preventing certain countries from either legally or illegally obtaining militarily sensitive technologies that could most assuredly be used against the United States or our allies in a future conflict.

There exists a mistaken notion that the end of the cold war eliminated the national security justification for controlling exports in technologies with both civilian and military applications, but nothing could be further from the truth.

The President, in April, announced his decision to sell to Taiwan $4 billion worth of weaponry to better defend itself against the growing military threat from China. That threat, already considerable, involves primarily conventional arms, including the 300 missiles currently targeted against Taiwan, a number that is projected to grow in the future.

A decision to liberalize controls on dual-use technologies, every one of which by definition have military applications, while acknowledging, as we all do, the very real threat posed by China to Taiwan and to U.S. interests in the Far East, is therefore inconsistent with and clearly contrary to our national interest.

Make no mistake, much of this debate is about China. The so-called rogue nations are at issue here only to the degree that other nations such as China, and at times even the United States, end up selling military-sensitive items to those countries, either directly or, as I said before, through third parties. So this is just one example of the fact that the end of the cold war has not ended the necessity of keeping an eye on the kind of dual-use technologies sold abroad because in the end those technologies could be used against the United States or our allies.

Let me just give some examples of things that have happened with exports in the not too distant past that illustrate this point.

In July of 1998, IBM's east Europe/Asia subsidiary entered a guilty plea for the unlawful export of computers to Arzamas-16, a Russian nuclear weapons laboratory.

Silicon Graphics similarly illegally sold high-performance computers to Russia's Chelyabinsk-70 nuclear laboratory.

This past July a company in my home State, Arizona, settled charges that it had illegally exported diode lasers to Israel, 16 times between 1995 and 1997.

And, of course, there is the 1994 sale by McDonnell to China National Aero-Technology Import-Export Corporation of an entire warehouse full of machine tools for the production of modern military aircraft and missiles continues to represent not just a highly inappropriate export but the problem of diversion of exported dual-use technologies to the noncommercial side of the equation. Some of the machine tools in question were diverted to a factory that manufactures Silkworm missiles—the very missiles that now line Iran's coastal waters on the Persian Gulf.

These are just a few examples of what can happen.

When the post-World War II export control regime was established in 1949, there was an explicit recognition of the difficulties that would be faced in regulating militarily sensitive items that also had benign commercial applications and that should not necessarily be denied to all potential customers. It is a problem.

The principal country at issue then, of course, was the Soviet Union, with China a secondary concern. The success of United States unilateral, as well as COCOM multilateral export controls in keeping many vitally important dual-use technologies out of the hands of the Soviet Army was an important component in the national strategy that ultimately resulted in the Soviet Union's demise.

There is no denying the gravity of the problems we faced after the cold war when sensitive technologies exported by western countries to Iraq were suddenly threatening United States and allied troops in the Persian Gulf war. The lack of a more far-sighted export control policy—and I would be remiss were I to ignore the geopolitical context in which legal if questionable sales to Iraq occurred during the Iran-Iraq war—was instructive as to the nature of the problem we face today.

It must be assumed that nondemocratic regimes will exploit dual-use technologies for military purposes. So the end of the cold war has not reduced the need for us to continue to be concerned about the export of these dual-use items.

I would like to take a couple of minutes to review a classic case of dual-use technologies being permitted to be sold a nondemocratic regime known to be interested in developing weapons of mass destruction and the means to deliver them: the case of Gerald Bull's Supergun. The British author James Adams back in 1992 wrote about Iraq's covert efforts at acquiring the components with which Canadian ballistics expert Bull was to assemble a cannon capable of firing large nuclear payloads to Israel. We can discuss the military utility of that gun, had it not been destroyed during the Persian Gulf war, all we want. What we can't ignore is the manner in which it was being built. It is also indicative of the type of problem the Customs Service recently uncovered with regard to Chinese efforts at attaining United States military encryption technology. This Adams described in his book on the life of Gerald Bull:

> British intelligence knew that . . . the Iraqis had already established a vast international procurement effort . . . [I]n information was discovered in Europe that suggested two British companies, Walter Somers and Sheffield Forgemasters, were also implicated in the scheme [in addition to a Spanish company].
>
> At the beginning of April, a few weeks after Jerry Bull had been killed, SIS (British intelligence) was tipped off that a shipment of parts destined for the supergun was about to be sent to Iraq . . . On Tuesday, April 10, 1990, customs officers examined a number of crates stored in the warehouse on Quay Seven of Tees Dock . . . Eight wooden cylinders, each twenty-five feet long by three feet wide, were marked ''Republic of Iraq, Ministry of Industry and Minerals, Petrochemical Project, Baghdad, Iraq.'' The crates were about to be loaded onto the *Gur Mariner*, a ten-thousand-ton Bermudian-registered cargo ship that was due to sail for the Iraqi port of Umm Qasr. The ship had been chartered by the Iraqi Maritime Organization.
>
> Inside each crate was a smoothbore barrel that had been carefully machined so that it fit perfectly into the next barrel, with the tube tapering toward one end.

Adams goes on to write:

> ''We are considering the possibility that the gun was manufactured in Britain for the Iraqis,'' said a spokesman. ''It is capable of firing a nuclear shell, or anything else you wanted to put on top of a one-meter shell, and could easily hit Iran or any other Middle East spot.'' [Note: The gun was, in fact, immobile and constructed against a mountain pointing directly at Israel]

To conclude the item from the book:

> After the raid on the company premises of Sheffield Forgemasters, customs officials raided another company, Walter Somers . . . the maker of high-technology heavy forgings. They also claimed they had been supplying forgings to an Iraqi petrochemical project. Both companies claimed that the forgings were steel pipes and had no military application . . . The company that had made the pipes, Sheffield Forgemasters, claimed not only that the pipes were for the oil industry but that the company had received permission to export them from the Department of Trade and Industry.

Finally, on this case, Adams notes that:

> In fairness the DTI (Department of Trade and Industry) was not familiar with the latest intelligence, and neither the intelligence community nor the MOD (Ministry of Defense) was made aware of the petrochemical contract. In addition, the DTI employs ninety-four staff members to vet seventy thousand export applications a year . . . It was precisely this kind of bureaucratic fumbling that had allowed Iraq to build up such an effective military machine in the face of international arms embargoes.

Forgive the digression onto an 11-year-old case, but it is highly relevant to our discussions on S. 149, the Gramm-Enzi export facilitation bill. S. 149 places inordinate control over dual-use exports in the hands of the Federal agency least capable of making informed decisions on the military applications of dual-use technologies and most interested in increasing U.S. exports, namely the Department of Commerce.

So the point of discussing the case is to illustrate that if you do not have the involvement of the intelligence community, which knows what is going on, or of the Department of Defense, that if you only have the Department of Commerce approving the export of these items, they are going to look at the face value of the application and assume it is for a benign commercial purpose. Without the knowledge of the intelligence community or the defense community, it will not necessarily know that in point of fact there is an ongoing specific effort to use that technology for very aggressive military purposes.

That is why you need an export regime which enables all of the communities of interest to be able to be a part of the decisionmaking process: To put the items on the list that need to be reviewed, to review the items that are subject to review, and to grant whatever licenses are appropriate to grant.

It is a big mistake to simply assume the department that is in charge of commerce is going to be able to make those decisions using all of the criteria that should inform the decision.

I go back, then, to this past weekend's stories on the sanctioning of the Chinese company for transferring missile technology to Pakistan, bringing this full circle. That simply illustrates the continued relevance of cases such as the one that I described in the story of Gerald Bull and the Iraqi supergun.

Take a look at the web site of the China Metallurgical Equipment Corporation (MECC), the company sanctioned. This was the subject of a Washington Post story. On the surface, this is a legitimate company with legitimate customers. As its web site states, ''. . . the core enterprise of the China Metallurgical Equipment Group, MECC is involved in sectors of metallurgy, nonferrous metals, building materials, environmental protection and light industry.'' It does business around the world and considers itself a private enterprise.

While I support trade with China and certainly encourage privatization of its industries, we cannot let this hope that China will privatize industry and that we can expand trade with China get in the way of our national security interests. China Metallurgical may qualify as a private-sector company. It operates, however, under the thumb of an autocratic regime that is the single worst proliferator of technologies associated with nuclear weapons and ballistic and cruise missiles, and which as violated numerous agreements that ban such proliferation.

There should also be no mistaking the fact that we are not talking about technologies that anyone can purchase today at Radio Shack, which is something that sometimes you hear. We are talking about technologies with applications for the design and construction of weapons of mass destruction and their means of delivery. Cavalier assertions about the availability of these items in your neighborhood electronics store trivialize the gravity of this issue.

The case of the Iraqi supergun involved pipe sections forged with highly advanced machine tools for extreme precision. At the end of the day, though, they were still something as otherwise seemingly innocuous as pipe sections. If supporters of S. 149 have their way, the kinds of technologies that will be available for export will be far more threatening than the Iraqi supergun.

For example, the Commerce Control List, which is maintained by the Department of Commerce and which lists dual-use items for which a license may be needed, has 2,400 items on it. The military applications of most of them would, in the wrong hands, directly threaten the security of the United States.

For example, thiodiglycol, which admittedly now falls under the Chemical Weapons Convention and its production is being phased out, is nevertheless a dual-use item. An industrial solvent, 500 tons were sold by the Belgian company Phillips Petroleum to the Iraqi State Enterprise for Pesticide Production. In 1988, the United States company Alcolac International exported over 300 tons of it to Iraq. It is believed that these shipments were diverted for use in the manufacture of mustard gas.

Aluminum alloy, which has a number of legitimate commercial industrial applications, is also used in the manufacture of rocket casings. China developed a welded aluminum alloy for use in its Yu-3 torpedo.

Ceramic composite materials are used in commercial electronics, but are also used in the construction of ballistic missile reentry vehicle antenna windows.

Side-looking airborne radars are on the CCL, yet have a very obvious application for foreign military aircraft against which we may find ourselves fighting some day.

Something as simple as wind tunnels, used in measuring the aerodynamic performance of airframe designs, are routinely used in the design of military fighter jets and missiles.

The Wisconsin Project on Nuclear Arms Control has noted, with respect to arguments that we should ''build higher walls around fewer goods,'' that ''Saddam Hussein's scientists were masters at upgrading medium-tech items to 'chokepoint' level. The Iraqis imported equipment that was dual-use . . . The Iraqis bought dual-use isostatic presses to shape A-bomb parts, dual-use mass spectrometers to sample A-bomb fuel, and dual-use electron beam welders to increase the range of Scud missiles. One of those Scuds killed U.S. troops sleeping in Saudi Arabia.'' That was the largest loss of life in any single attack in the Persian Gulf war.

There are many more examples.

A United States company headquartered in Rockville, Maryland, American Type Culture Collection, was the most prominent of a long list of United States biological laboratories that exported pathogens to Iraq during the 1980s.

Biological pathogens represent the penultimate ''dual-use'' item. Even the Biological Weapons Convention permits the possession of otherwise banned pathogens for the purpose of developing vaccines.

We have just seen on the news this morning the breaking news about the work the United States is doing on certain strains of anthrax for purely defensive purposes because we understand those were developed for offensive purposes by countries. Without some kind of antidote to them, their use against other people would, of course, be devastating. That is why we need to develop the technology to find a defense against—a way of inoculating against—these particular pathogens.

But common sense should have indicated that the regime of Saddam Hussein would use the dozens of shipments he received from American commercial laboratories for the development of biological weapons, which is precisely what happened. Such biological agents as anthrax and botulinum toxin were sold to Iraq by American firms.

Gary Milhollin of the Wisconsin Project on Nuclear Arms Control has noted another example of this kind of dual-use proliferation to Iraq. It involved the component of what we refer to as the lithotriptor, which is a medical device that is used in destroying kidney stones by blasting high-energy beams. There are high-precision electronic switches which are part of the lithotriptor. These kinds of switches are also needed to detonate nuclear weapons. They would be decontrolled here because they are part of the lithotriptor, a medical device.

It is interesting also because of their foreign availability. You can buy them elsewhere, but they would be decontrolled in effect under this legislation. Iraq purchases these lithotriptors. The amount of lithotriptors they purchase is interesting.

Milhollin has also noted the suspicious nature of the Iraqi purchases of lithotriptors, state-of-the-art machines used in breaking up kidney stones. Iraq's purchases of the lithotriptors, and far more spare parts than should ever be required, is suspicious because these devises are also used as triggers for nuclear weapons and the number purchased is consistent with the number of assembled weapons—minus the requisite fissile material—Iraq is believed to have by former members of UNSCOM.

So the point is that we should be highly suspicious of the import of these dual-use technologies by Iraq when they appear to be directly related to Iraq's nuclear program. Yet under the legislation before us, this shipment would be liberalized, and there is virtually no way to stop that kind of export to Iraq.

Another case is glass and carbon fibers used in ballistic and cruise missile construction as well as the enrichment of uranium. This would be decontrolled because of their use in the manufacture of items such as skis, tennis rackets, boats, and golf clubs. These fibers would also fall under the mass market of foreign availability criteria of S. 149.

Maraging steel used in the manufacture of solid rocket motor cases, propellant tanks, and interstage for missiles, as well as the enrichment of uranium, would also be decontrolled because of their application in the commercial rocketry and their availability in other countries.

Another example listed is corrosion-resistant valves used in the enrichment of uranium for nuclear weapons, yet also used in commercial energy, paper, and cryogenic industries.

The list of deadly serious military applications for items this legislation would decontrol is long and sobering. I will later ask unanimous consent to put in the RECORD a list that further illustrates this point.

Let's focus on the case that has been discussed in the past about fiberoptic cables. All of us know about the situation in which the United States actually had to destroy Iraqi air defenses because of the development of these air defenses as a threat to the United States and British aircraft carrying out their mission in Iraq. The systems were being upgraded through the installation of fiberoptic cable provided and installed by the Chinese.

Fiberoptic cable is clearly a dual-use item, but it also clearly has significant strategic importance. And its export to China again would be permissible under S. 149.

Allow me to talk for just a moment about the cost of business of these export controls, because the argument is frequently used that the reason we have to do this is because there is such a drag on the United States economy from the existence of export controls today, and that is why we have to liberalize the export of these dual-use technologies. Many major corporations are lobbying hard for this legislation based on this argument.

While I support free trade and support these appropriations normally, I disagree with them on this description of the sense of urgency. The fact is that the effect is only negligible from the export controls because they represent such a minor part of our overall economy. According to the Department of Commerce figures, the total value of all the goods exported to the control destinations represents less than 3 percent of all U.S. exports. We would be talking here about a very small percentage—less than 3 percent—of all of our exports.

Of just over 1,200 applications filed with the Commerce Department in 1999, for example, for licenses to export control dual-use items to China, the total value of those applications of sales was less than $1.5 billion, which is obviously a minuscule number as a percentage of our gross domestic product.

In short, I don't think we should judge this legislation on the basis that the U.S. economy is going to suffer if we continue to maintain a sensible export control regime worthy of the values we represent and the interests we seek to defend. In fact, there is really a critical argument being made by some here.

On the one hand, they argue there is such a dramatic negative impact on the American economy that we have to loosen up these exports. On the other hand, they assure us nothing much is going to change, that the same kind of items that have been controlled in the past that we believe are necessary to control will continue to be controlled, so don't worry about national security implications. One of those two assertions cannot be true.

Now let me discuss for a moment why I think Senate bill S. 149 actually makes the problem worse. There is one advantage to the legislation: It increases some penalties for violation by U.S. companies. That is an important advantage, but it is about the only thing that is better than current law.

I have spent a long time discussing some of the complexity of dealing with dual-use technologies because it is a complex subject. But that fact should not require us to throw up our hands and say we give up; that because some of these things can be mass marketed in the United States and because they are available abroad, we have to throw our hands up in the air and forget controlling these items.

The question is whether the United States wants to be part of the proliferation of technologies that could come back to haunt us in the future simply because somebody else in the world might do the same.

Let me just illustrate the point. I say this with all due respect to the members of these committees. The issue of export controls falls under the jurisdiction of the Banking Committee. This creates a situation analogous to that at the executive branch level. The Department of Commerce, under the provisions of S. 149, would be given most of the influence in the definition of what is on the control list and the subsequent regulation and licensing of those items. That is essentially at the expense of the involvement of the Department of State and the Department of Defense, who heretofore have been much more directly involved in the decisions made with respect to the export of these items.

Remember the case I cited, on which I took some pains to get into detail, of the gun sold to Iraq that could deliver a nuclear weapon. The point was that the Commerce Department of Great Britain did not know what the intelligence community and the defense community knew about the potential use of the item that was being exported, which calls into question a regime which only involves the agency of our Government which is most interested in seeing that exports are increased.

So it should come as no surprise that the Banking Committee, which has this jurisdiction, has produced this bill which gives the Commerce Department most of the jurisdiction and gives, frankly, what I consider short shrift to the agencies of the Department of Defense, the State Department, and our intelligence agencies that should have more of a role to play.

The House version of this bill, on the other hand, interestingly, originates with the International Relations Committee and will next go before the Armed Services Committee, and it, of course, is much more heavily tilted toward the involvement of the State Department and the Defense Department, I would suggest, as a result.

So it seems to me we have to be a little more careful in the Senate to recognize that there are other committees, that there are other departments, and that we need to reconcile these differences between the House version and the Senate version of this legislation in the interest of national security.

Of course, it is true that the White House has endorsed S. 149. But I think it is also recognized that there is the potential for some improvements. They have indicated that in the administration of this legislation, with an Executive order that will implement it, some of the issues we have raised with them will be addressed. I very much appreciate their willingness to address these concerns.

I must say, I have the highest confidence in the current administration and in the officials who would have the obligation to administer this legislation. So hopefully there will be some improvements made at that time in the execution of the law.

It is also my hope—and I will echo what Senator THOMPSON said a moment ago—that before we conclude the discussion on this legislation, it will be possible for us to agree on at least some provisions that would improve the bill from our standpoint.

So I will be participating in those negotiations. I hope we can come to some conclusions on this matter. I will discuss a couple of the items I think we should address in just a moment. But to move forward with the description of the bill itself and why I think it is problematic, the primary concern is the fact that it will seriously weaken controls on literally thousands of items that have a dual-use capability—again, items that have some commercial application but also have some specific military capability.

For example, its provision establishing a National Security Control List would continue the unfortunate trend of marginalizing those agencies that are most responsible for national security—the Department of Defense, the Department of State, as well as the intelligence organizations that possess vital knowledge about the military significance of some of these items.

Specifically, the bill diminishes the role of the Department of Defense, the Department of Energy, the State Department, and the intelligence community in the license review process. Even the Clinton administration Executive order regulating dual-use exports in the absence of a permanent Export Administration Act authorized the Departments of Defense, State, and Energy to review any license application submitted to Commerce. But S. 149 would leave to the Secretary of Commerce the discretion to refer to the national security agencies those applications the Secretary of Commerce deems appropriate.

The bill would also repeal the requirement in the fiscal year 1998 National Defense Authorization Act that computers with certain capabilities be controlled. This is important because this represents the work of the Congress and the signature of the President on important legislation just 2 years ago, in response, primarily, to the breaking news of the technology transfers to countries such as China and the work that different groups did to evaluate the way that was happening, especially the work of the Cox committee which made, in addition, a variety of recommendations of how we could tighten up the process for exporting these kinds of items.

This National Defense Authorization Act had a very specific provision about the export of computers. But President Clinton, as he was leaving the White House, loosened significantly the export controls on high-performance computers significantly. Under President Clinton's guidelines, computers with a processing speed of fewer than 85,000 million theoretical operations per second—or MTOPS—no longer require a license for export to military organizations in so-called tier III countries, countries such as Russia, China, India, and Pakistan. By contrast, in 1997, computers with processing speeds above 2,000 MTOPS were barred from export for military end-users or users in tier III countries.

Now, to contrast: 85,000 MTOPS computers are extremely powerful. As a comparison, in 1997, some of the initial computers developed in the United States under our Stockpile Stewardship Program's Accelerated Strategic Computing Initiative, the so-called ASCI—and the specific project was called ASCI Red and ASCI Red/1024; very sophisticated computing programs—these programs had processing speeds of 46,000 and 76,000 MTOPS, respectively. These computers were used for 3D modeling and shock physics simulation for nuclear weapons applications; in other words, the best we had just 3 years ago, used in the most sophisticated analysis in which our country is involved right now, and these are computers with less capability than those that are now off the list for control with respect to export to countries such as China.

Under this bill, there are two major exemptions created that permit this to happen. One is the so-called foreign availability, and the other is the mass market status exception. Both of these would effectively prevent the Federal Government from regulating the export of many sensitive technologies that could be used to threaten U.S. security. Under these provisions, if a product is available from a foreign supplier or is widely available in the United States, it is very unlikely that the President could meet the standards in the bill necessary to maintain export controls on the item.

We all know trade is vital to the United States, but I hope that most of us would agree that national security concerns do trump trade if there is an irreconcilable conflict; at least it should. U.S. national security interests dictate that there are some goods which should not be sold in some markets. Again, I think all of us would agree to that proposition, hypothetically at least. The fact that some Western European firms, for example, helped Libya construct a chemical weapons production complex should not justify the involvement of United States companies in similar ventures. If we don't want that complex to be built, then the United States should not sanction the export of U.S. products which help to develop that chemical weapons production complex. Nations which threaten our security interests should not be armed by the United States. The fight against proliferation and rogue regimes must include some degree of self-discipline within our own borders.

The bill also weakens current export controls by making it very difficult to control the export of a sensitive item if it is incorporated or embedded into a larger product.

(Mr. CARPER assumed the chair.)

Mr. KYL. For example, the bill prohibits export controls on items that contain controlled components comprising less than 25 percent of the total value of an item and sets an extremely high standard for the President to meet in order to control such items. Nations such as Iran and Iraq spend millions of dollars to establish elaborate procurement companies with front companies and shadowy middlemen in order to obtain items that in some cases really only cost a few thousand dollars. These nations could easily take advantage of this by purchasing the larger items that contain the desired part.

There are a lot of examples of this, where you purchase the larger item, and all you want is the little piece embedded in it. That is what you need for your particular nuclear program or missile program. We all know that the particular item is highly sensitive, that it has military application. But in the bill, if it is only 25 percent of the total value of the overall item, then it goes, notwithstanding the fact that it can be easily taken apart, that the sensitive item can be pulled out and put onto a missile or a nuclear weapon or whatever the use of it might be. That doesn't make sense.

Finally, the current bill weakens current controls by treating export controls adopted for foreign policy reasons as a sanction. The bill's provisions in this area subject such export controls to a process that is intended to make it as difficult as possible for either the President or the Congress to impose or maintain sanctions. And it requires that all such export controls sunset every 2 years.

Let me describe a little bit further the problems with the foreign availability and market exemptions. As I said, the bill calls for the creation of an office at the Commerce Department charged with performing studies of whether products controlled for export by the Federal Government are available from foreign suppliers or are widely available in the United States. At least at first blush it would make some sense that if you can get this thing anywhere, then why should the United States punish its own people for exporting the item, but there is more here than meets the eye.

The President may only maintain export controls on an item if he certifies—and I am going through the bill—one, that the absence of an export control on the item would be detrimental to the United States national security and, two, there is a high probability that the foreign availability of an item will be eliminated through multilateral negotiations within a reasonable period of time. Furthermore, the President may only maintain controls on an item for 6 months at a time, up to a total of 18 months, if he has not reached some agreement with the foreign suppliers to limit availability of the item.

The President of the United States, the ultimate person in our country charged with our national security responsibility, is limited by this legislation to only provide three 6-month extensions of a limitation on the export of an item under this provision of the law. Otherwise, after that, it goes.

The bill has a provision that says the President has an opportunity to try to negotiate with the foreign supplier a limitation on the export of the item to a third country. Why would any country have any incentive to negotiate that when they know that after 18 months the lid is off? It seems to me that it is very important for us to try to change provisions such as this in the legislation to try to tighten up the situation in which there is a finding of foreign availability but there is an important reason for the United States to restrict the transfer of an American component.

One example of this has to do with comparable quality. There is nothing in the legislation as it is written right now that requires there be comparable quality between the products. You can easily have something called a computer that is available from two or three countries on the foreign market

and a computer that is available in the United States. They may be roughly the same price and they may have roughly the same capacity, but that doesn't mean they are equal in quality in the least.

There are many qualitative factors that differentiate products. One reason why people want to buy American products is because of that built-in quality. Maybe the United States product is less prone to break down. Maybe it has better service contracts. Maybe it is more robust, it can stand more hustle and jostle.

The fact is, there are a lot of different reasons why two roughly comparable products may be of substantially different quality. When we go to the auto dealer to buy a car, some of the things we look at are: how will it stand up? What is its service record? How much do the repairs cost? All of these different things have to do with quality. Yet there is nothing in this legislation that permits anybody to look at the quality aspect. So a company in the United States says: Look, one of our foreign competitors is beating us out here; they are selling a product that is roughly comparable to ours in price and capability so lift the restriction on us. There is a matter of foreign availability involved.

Somebody in the United States needs to say: Yes, there is a matter of foreign availability. But the reason you are being undercut is because that is a product they can sell cheaper that countries will buy because it is of lesser quality, but the fact is, they would rather have your product because they know the quality is better.

We can deny them the quality of the United States product for their military use if we have serious export controls. If we have nothing but this test of foreign availability, then the sky is the limit.

The standards in the bill for maintaining controls on a product are also very difficult to reach. The President may only maintain export controls if ''decontrolling or failing to control an item constitutes a serious threat to the national security of the United States, and export controls on the item would be likely to diminish the threat to, and advance the national security interests of the United States.'' There are a lot of items on the list. For the President to have to go through every one and try to justify meeting a standard such as that is unrealistic.

By incorporating into law the foreign availability and mass market criteria that ignore both our moral responsibilities and our vital if, for proprietary reasons, difficult to articulate technological advantages, this legislation would open the floodgates to an outpouring of highly sensitive goods. Foreign countries want American technology. The fact that they can purchase roughly comparable items elsewhere does not detract from the fact that we are the world leader in most key technologies and that the United States and its corporations should not be in the business of advancing the military capabilities of potential enemies of the United States.

This matter of foreign availability is going to be forever subject to interpretation. It is my view that the Department of Defense should have a lot more in the way of a seat at the table to influence this process.

The best example—at least one good example—of this situation is the export of high-performance computers. Our technology exceeds that of all foreign competitors. Yet our companies are asking for more liberal controls on this basis of foreign availability. As I said before, the Clinton administration, for all practical purposes, eliminated restrictions on the sale of these computers. But because of the 18-month limitation I cited before, the reality is there is almost no way to control, at least after 18 months, the export of these items. It is a very dangerous situation.

The Wisconsin Project on Nuclear Arms Control to which I referred before addressed this issue. Let me quote one paragraph:

> This [foreign availability] pushes export control down to the level of the worst abuser.

Let me restate that:

> This [foreign availability] pushes export control down to the level of the worst abuser. Germany sold Iraq more pieces of dangerous equipment before the Gulf War than all other countries combined. If American policy had been as lax as Germany's, Saddam's bomb program would have advanced much faster. And for exports to Iran, U.S. policy would now have to be relaxed because of sales by Germany, Japan and Switzerland. Moreover, U.S. officials acknowledge that estimates of foreign availability are too imprecise to dictate export policy.

That is from the Wisconsin Project on Nuclear Arms Control. They are interested in trying to limit the export of this kind of technology that would spread nuclear technology around the world, nuclear weapons technology. Their point is that the United States should not be dragged down to the least common denominator. Simply because a country in the world is willing to sell a rogue nation whatever it wants doesn't mean that the United States should permit that same kind of export.

More important is the fact that under this bill if Iraq or Iran or North Korea, for example, seek to sell China high-technology items that can be used in constructing weapons of mass destruction and their means of delivery, then U.S. companies would be similarly free to sell such items to China.

The bill does nothing to prevent such a situation from occurring. So here you have a case where it is not one of our allies such as Germany; it is North Korea, Iran, or Iraq. If they are willing to sell an item to a country such as China, the provisions will say the United States must be willing to do so, too. With Iraq and China's penchant for constructing these well-configured front operations to conceal their activities, it is not outside the realm of possibility that they could surreptitiously attain high-tech items to be ''sold'' to China. Indeed, countries such as Germany and France that have sold weapons of mass destruction capabilities to Libya and Iraq should not be setting the tone for U.S. export control policy either.

If China sells dual-use items to Pakistan, does that qualify as ''foreign availability'' under this bill? Yes, it does. Is that the test we want to apply here—if a country such as China sells a dual-use item to Pakistan, therefore it is available on the foreign market?

China's record as perhaps the worst proliferator in the world does not detract from its value as a market. It will receive dual-use technologies under the export regime established by this bill. The risk of those technologies ending up in countries such as Iraq should not be ignored.

The bill contains a provision, section 301, that would prohibit the President from placing controls on ''the export from a foreign country (whether or not by a United States person) of any item produced or originating in a foreign country that contains parts or components produced or originating in the United States.''

Section 301, which is the principal foreign policy control provision of the bill, places unreasonable standards for controlling the item of technology for foreign policy purposes. By statutorily requiring a finding that a ''serious threat''—not just a ''threat''—would be posed to U.S. interests by the export of the item in question, the bar has been raised very high indeed.

What to do, Mr. President? We are going to offer suggestions how to improve the bill. Some changes have been made based on suggestions we made, but there is far too much that has not been done in response to the concerns we have raised. By ''we,'' I don't hesitate to note that we are talking about the chairmen, primarily, of the committees of jurisdiction with a concern of national security—chairman of the Armed Services Committee and Ranking Member WARNER, the ranking member of the Intelligence Committee, the ranking member of the Foreign Operations Committee, the ranking member of the Government Operations Committee, I chair a Subcommittee on Terrorism and am a member of the Intelligence Committee and Senator MCCAIN, the ranking member on the Commerce Committee. These are people who have expressed concerns about provisions of the bill, as I have today.

We have tried to get some changes made in the bill. We will continue to work with the sponsors of the bill and the administration to try to make some additional changes that are a little bit more in line with what we believe are true national security interests and closer to the version passed by the House of Representatives.

Eventually, there is going to have to be a compromise between the House

and Senate. We have amendments we would like to offer. One I will describe briefly. I will offer it later on, unless we can work this out. There is a possibility that we can work it out. It has to do with the question of how you verify an agreement with another country to inspect after the transfer has been made, to make sure that the shipment has gone to the place they said it would go. Remember, we are talking about dual-use technologies. They say: We want to buy item X to use in our commercial sector. And you say: If you use it in the commercial sector, that is OK, but it is not OK to use in your defense establishment. They agree, so the item is shipped. Somebody needs to go check to make sure the use is indeed in the commercial sector, that they haven't surreptitiously sent it across the street to the defense plant to be used for illicit purposes.

Under regimes that exist with China today, there is very little postshipment verification permitted by China. If we are going to have a trusting set of export controls, as we have in this legislation, we need to have some way of enforcing the agreement these other countries make when a limitation is placed upon a license that it must be used for commercial, nondefense purposes.

The bill, right now, doesn't provide an enforcement mechanism with respect to these countries. It does with respect to companies but not countries. But in the case of China, for example, which has permitted less than one-fourth of the transfers with respect to satellites to have postshipment verification, notwithstanding its agreement in 1998 that it would do so, we need to have some kind of enforcement that, in fact, when we sell them something for commercial purposes, that is what it will be used for.

The only way to do that is to change a provision of the law which would enable us to go in and inspect—not have the Chinese do it for us, which is sometimes what they do today. They insist on doing their own inspection. We need to verify postshipment that the item went where it was supposed to go. If a country such as China does not permit that, or we find they have violated the terms of the agreement, then we have to have the ability to say no to future licenses.

Under the bill, the only thing you can say no to is that same kind of item. Clearly, the U.S. Government needs a broader authority. If the Chinese are cheating on satellites, for example, and then they want to buy nuclear components ostensibly for a powerplant, but we also know it has nuclear weapons capability, we want to have the ability to say no until they show us they are abiding by the agreement with respect to satellites; we are not going to export something that could be used militarily by their armed services for a nuclear program.

I have suggested language to the proponents, and I hope they will be receptive to a change that would give the U.S. the ability with respect to subsequent license decisions to say no if, in fact, the U.S. believes there is a lack of cooperation by this country.

There is so much detail one could get into here, and there are so many changes I think we should make. I hesitate to go further with the description. I have tried to generally describe some of the aspects we think are wrong. I think it is important for us to have the ability to offer some amendments, describe specifically the improvements we think should be made in the bill, and hopefully throughout the course of the proceedings we will be able to come to some agreement that will make the bill a little better so we can get on with the work of dealing with the House of Representatives so we can conclude work on this legislation.

I know it is important to the administration. I don't want to hold it up because of that. If the President says he wants to have a bill on this subject, that is good enough for me. I am willing to try to have that happen. We hope we can get work done on improving the bill in the next day or two. Assuming that we can, my guess is that consideration of the legislation will go more quickly.

I appreciate the indulgence of my colleagues. Later, I will discuss the specific amendments I think would be appropriate—not in detail, but by general subject matter—and that will enable us to decide how we can move forward on the legislation at this time.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. ENZI. Mr. President, I thank the Senator from Arizona for his comments. I feel compelled to comment on a couple of the items he raised. There were several mentions of jurisdiction in there. I know there has been some jurisdictional friction during this entire time that we have worked on the bill over the last 3 years. I hope the Senators feel they have been included in discussions. We have lists of a lot of meetings in which we participated. We mentioned the 59 changes that have been made in the bill as a result of those meetings, probably the most significant of which is the enhanced powers. We mentioned foreign availability.

I have to tell you that the foreign availability in this bill was in the 1979 act, but it has gotten some attention because we put in mass market this time.

Because of comments raised by the Senator from Arizona and several of his colleagues, we have a provision in here that provides for some Presidential enhanced powers that trump all of that. We hope the President won't trump all of that. We hope the President will work to have some multilateral controls over these foreign availability items instead of just the unilateral system that we are working now. ''Unilateral'' means we are letting the rest of the world sell this stuff to anybody they want. ''Multilateral'' means we work together to make sure anybody who makes that item doesn't sell it to the bad guys.

We have to have the multilateral control. Unilateral doesn't work. Unless we put the foreign availability in there with a suggestion—and it becomes a suggestion because of the paragraph we put in at your suggestion with the Presidential enhanced powers—it is only a suggestion because the President can trump that, but hopefully he will work with these other countries and see, if a product that ought to be controlled is made in a foreign country, if we can get the foreign country to agree on who the bad guys are and agree they will not sell it to them.

I appreciate the Senator's suggestion on that. I think it is the most dramatic change that is in the entire bill.

On the jurisdictional question, the 1979 act was written by the Banking Committee. It was their jurisdiction back then. It has been advanced a number of times since then, each time by the Banking Committee.

Of course, everybody recognizes the world is considerably different now than it was in 1979. We do not have some of the same capability because COCOM, which was a multilateral agreement, no longer exists. It is now a voluntary agreement instead of an enforced agreement.

Throughout that whole uncertain time from 1979 until the Iron Curtain came down, the Banking Committee held the jurisdiction over export controls—not arms controls but export controls. Under the committee's oversight, the EAA and its predecessor, the Export Control Act, served as the key export control authority throughout the cold war and I think significantly contributed to its demise.

In fact, the Banking Committee has long had broad national security jurisdiction which has been rivaled by few other committees. Among the laws within its jurisdiction are the Trading with the Enemy Act, the International Emergency Economic Powers Act, the Defense Production Act, the Exon-Florio amendment, the Iran and Libya Sanctions Act, the Export Administration Act.

Rule XXV of the Standing Rules of the Senate makes clear that the Banking Committee has sole jurisdiction over dual-use export controls. Paragraph (d)(1) states explicitly that ''all proposed legislation, messages, petitions, memorials, and other matters relating to'' export controls shall be referred to the Banking Committee. Nowhere else in the rules is there any mention of export controls with regard to any other committee.

The Banking Committee's jurisdiction over export controls is fully authorized and appropriate. That is why we have been doing the work on this bill.

The act has expired a number of times. When it expires, the only action that can be taken is an Executive order

by the President under the International Emergency Economic Powers Act. That just does not cut it, and I think everybody agrees that does not cut it. We need to do something a little more dramatic than that.

We can go back to that act of 1979, but pretty much everybody agrees that is inadequate at this point in time and that there should be some differences made. There have been a number of studies done on that—one of them was quoted yesterday—that Secretary Rumsfeld participated in before he became the Secretary.

Yesterday we presented a letter showing that Secretary Rumsfeld thinks this bill is an improved version of the 1979 act and will solve the problems about which we have been talking. There are things that need to be done in addition to this.

I do think continual review of our export policy is necessary. I appreciate the suggestion of the blue ribbon panel. It has some capability to take a look at this in the interim while we operate under this new act so we have something substantial in place that will protect us beyond an Executive order or even beyond the extension of the 1979 act. I will have additional comments later. I did want to clear up those things because we debated them a bit yesterday. There is some foreign availability, but we have a Presidential trump done at the Senator's suggestion and, again, a number of other changes.

I yield the floor.

The PRESIDING OFFICER. Who seeks recognition? The Senator from Tennessee.

Mr. THOMPSON. Mr. President, I will take a couple of minutes, if I may, to make brief remarks in response to my friend's statements.

Foreign availability, one might say, was in the 1979 act, but foreign availability has been greatly expanded in this act. In the 1979 act, foreign availability was allowed to be considered as one of several factors in determining whether or not to issue a license. That is perfectly appropriate.

In the current legislation, foreign availability is set up as a total distinct category of items, whereby if there is foreign availability, it is totally decontrolled as determined by the Department of Commerce. That is a major difference.

Obviously, the proponents of this bill are going to prevail on the notion that this is a good idea, but let's not deceive ourselves into thinking we are just continuing on the 1979 policy. We are greatly expanding the 1979 policy on foreign availability.

Secondly, I had not mentioned anything on jurisdiction. Apparently my friend from Arizona did and Senator ENZI just did. There is no question that the Banking Committee has jurisdiction. Since the subject has been brought up, I find it somewhat odd that we as a body have decided to take legislation whose purpose is to restrict the export of items that would contribute to the military potential of countries so as to prove detrimental to the national security of the United States, and legislation designed to stem the proliferation of weapons of mass destruction and place that in the Banking Committee. We have done it. There is no question about it.

I find that kind of odd. The House did not do it. It is not in the Banking Committee on the House side, but it is in the Senate. I do not know whether anybody wants to take a look at that. They are welcome to, and it will be a fruitless exercise. But since the subject has been brought up, I find it somewhat odd that we would choose to take legislation designed to protect our country from proliferation of weapons of mass destruction and place that jurisdiction in the Banking Committee.

I yield the floor.

The PRESIDING OFFICER. Who seeks time? The Senator from Maryland.

Mr. SARBANES. Mr. President, I know the able Senator from Utah has been waiting to speak. If he will indulge me a couple minutes, I want to get something into the RECORD in light of the comments that were made by the Senator from Arizona.

One of the difficulties I am having, as I hear the critics of this bill outline their concerns, I frequently find myself sharing their concerns but then not understanding why they fail to perceive the bill addresses their concerns. In other words, we have tried to cover this matter.

The Senator from Arizona has spent a good deal of time talking about foreign availability but, in fact, the legislation specifically provides a whole procedure whereby the President can set aside a foreign availability status determination. That is in section 212. There is a detailed process by which he can set that aside.

Furthermore, and much more importantly in a sense, in response to some of the points that were raised, we give the President in section 201(d) enhanced control authority.

Let me read that authority:

> Notwithstanding any other provisions of this title, the President may determine that applying the provisions of section 204 or 211—

And 211 is the foreign availability mass marketing section—

> with respect to any item on the National Security Control List would constitute a significant threat to the national security of the United States and that such item requires enhanced control. If the President determines that enhanced control should apply to such item, the item may be excluded from the provisions of section 204, section 211, or both, until such time as the President shall determine that such enhanced control should no longer apply to such item.

No wonder the administration is supportive with that kind of blanket authority placed in the hands of the President. I wanted to underscore that.

The other point was raised about ascertaining end users.

On page 295 of the legislation, I am going to take a moment to read the provisions because the Secretary shall target postshipment verification to exports involving the greatest risk to national security. Refusal to allow postshipment verification, which the Senator from Arizona was just talking about, if an end user refuses to allow postshipment verification of a controlled item, the Secretary shall deny a license for the export of any controlled item to such end user until such postshipment verification occurs.

Let me state that section again. If an end user refuses to allow postshipment verification of a controlled item, the Secretary shall deny a license for the export of any controlled item to such end user until such postshipment verification occurs.

Furthermore, the point was raised, suppose the country refuses. Again, if the country in which the end user is located refuses to allow postshipment verification of a controlled item, the Secretary may deny a license for the export of that item or any substantially identical or directly competitive item or class of items to all end users in that country until such postshipment verification is allowed.

So the problem was raised, but in my view the bill clearly addresses the problem. Furthermore, the bill goes on to say on this specific issue—I could do a similar exercise with other points that were made or issues that were raised, but I am not going to take the time to do that, and the Senator from Utah is being very patient and generous in allowing me to proceed.

Let me just close with again discussing the end-use verification because we recognize it is an important challenge, and we need to deal with it. We are not contending it does not need to be addressed. We are simply asserting there are ways we have addressed it in the bill, and we think these ways of addressing it deal with the problem.

End-use verification authorization: There is authorized to be appropriated for the Department of Commerce $4.5 million and such sums as may be necessary to hire 10 additional overseas investigators to be posted in the People's Republic of China, the Russian Federation, the Hong Kong Special Administrative Region, the Republic of India, Singapore, Egypt, and Taiwan, or any other place the Secretary deems appropriate for the purpose of verifying the end use of high-risk, dual-use technology.

Then there is a provision for a report to the Congress from the Secretary on the effectiveness of the end-user verification activities.

There is a further provision, in addition to the authorization provided in paragraph 1—that is, the $4.5 million I just mentioned—there is authorized to be appropriated for the Department of Commerce $5 million to enhance this program for verifying the end use of items subject to controls under this act. So there is an additional $10 million we are putting into this specific purpose.

Mr. THOMPSON. Will the Senator yield for a question?

Mr. SARBANES. Yes.

Mr. THOMPSON. Will the Senator agree the issue is whether or not it is good policy to require the Secretary to cut off an end user, if postshipment verification is not allowed, but would give the Secretary discretion to cut off or not cut off a country that denies postshipment verification? It seems that is the issue.

The point my friend from Arizona was making was in some cases you have a country, such as China, where we have a situation with them where we request postshipment verifications for various sites, and they agree to a few and remain silent on the rest. They never say no; they just never say yes. This is a country decision.

Under the legislation, the Secretary does have the discretion, and I can see an argument for giving him discretion, but I can also see a very good argument, and more persuasive, that as it makes good policy sense to require the Secretary to cut off, as a matter of national policy, an end user if they behave in such a way, that the same logic would make it good policy to cut off a country if they are, in fact, calling the shots, as is often the case.

Mr. SARBANES. There is some weight to the point the Senator is making, but it seems to me cutting off the country has a broad range of implications and consequences. Those have to be taken into consideration and, therefore, giving the Secretary a ''may'' authority rather than a ''shall'' requirement probably makes sense in that instance. The counterargument can obviously be made that then you may confront a situation in which, because of the host of considerations that are involved, you do not want to actually exercise the authority, but the statute would require you to do so.

The way it is worded, the authority is given, it is there to be exercised, but exercising is not compelled. We came down on that side of it. We are trying to give authority to the executive branch but give them a certain amount of flexibility to deal with the problem.

The Senator himself yesterday referred to the unintended consequences of consideration. As I commented yesterday, that was a very apt perception and, again, we are trying to deal potentially with what might be an unintended consequence.

Mr. President, the Senator from Utah has been extremely generous, and I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland yields the floor. The Senator from Utah is recognized.

Mr. BENNETT. Mr. President, I thank the Chair and I thank my colleagues for an illuminating debate. With some trepidation, I am going to take a page out of the book of the senior Senator from West Virginia and talk about Roman history for a moment because I think it is appropriate in this circumstance.

The Roman Empire was the dominant military power for many centuries, and it was the dominant military power for two reasons: one was technology and the other was training.

In order to become a Roman legionnaire, I understand it took 14 years of training to learn the technology. Now, it may sound strange in today's world to call ''technology'' what the Romans used in their military, but the Romans carefully studied the art of war and came up with a technology that was new and unique in their time.

They had a large shield with which they could protect themselves against the initial blow of the enemy, and then they devised a short sword which could go around the shield and into the back of the soldier with whom they were involved in close combat. They found the short sword was technologically better than the long sword, and the combination of training with the shield and the short sword gave the Roman legions military dominance over all the world.

Why is that relevant? We are talking about technology. We are not talking about training. We are not talking about the ability of the American military and the American planners to use the available technology better than other people can use it. It is a point which must be made as we go through this debate because we are having the debate as if the technology by itself constitutes military superiority, as if a single export of a single item of technology to a country that wishes us ill would automatically and immediately change the military balance between us and that country. That simply is not true.

The American military is not at risk because of the potential export of computing power from American firms. The American military is as powerful as it is because of the combination of the technology that it employs plus the strategic expertise, the military doctrine and the training and implementing of that doctrine that goes on in the American military and that requires years to implement, just as it did back in the days of the Roman Empire and the training of a legionnaire.

The barbarians in Roman times could easily duplicate a short sword. That was technology that they could reproduce in their own foundries. They didn't quite know how to use it. They didn't know how to use it in conjunction with the shield. The possession of the physical attributes of the shield and the sword did not create a military that could attack and destroy the Roman legions.

The same is true of computer power today. The mere possession of computer power by a nation that wishes us ill does not automatically mean they have the power to take on the American military establishment and defeat it. The other factor here that is different from the Romans that we have to focus on has to do with the speed with which technology is changing. The Romans dominated the world for centuries with the shield and the short sword. But the Senator from Arizona has bemoaned the fact that computer power that would have been improper, indeed illegal, to export just 3 years ago, is today being exported all over the world. Three years constitutes two cycles in what is known as Moore's law. Computing power doubles every 18 months. That means that which was considered to be a supercomputer just 3 years ago has been replaced in the normal course of industrial technology by a computer that has doubled and then doubled again, four times as powerful, so that which is now being allowed to be exported without controls, which would have been controlled 3 years ago, is not only being exported, it is obsolete. Nobody wants it, except in a way I will describe in just a minute.

This is the rate of the marketplace in which we are living today. It is not slowing down. If anything, it is accelerating.

I quote from President Bush: The existing export controls forbid the sales abroad of computers with more than a certain amount of computing power. With computer power doubling every 18 months, these controls have the shelf life of sliced bread. They don't work.

It is interesting the most powerful computer available now in the standard marketplace—and even this statement is now obsolete; it was true maybe 6 or 9 months ago—the most powerful computer available to the general public came from Japan, not from America, and was available in a toy, PlayStation 2. The computing power of PlayStation 2 was sufficient to drive the entire missile control system of the Chinese military as it existed at the time of the Cox report.

Are we going to say we would prohibit American firms from exporting computers that have the same power as the toy PlayStation 2, in an effort to deny that ability to the Chinese, when they can walk into Toys R Us, anywhere in the world, and pick it up for a few hundred dollars.

That is what is happening in this world of technology. We turn our backs to that reality if we say somehow we must prevent the Americans from exporting this kind of thing even though the foreigners are producing it and selling it all over the world.

John Hamre, the Deputy Secretary of Defense, said to me in a conversation about this, toward the end of his term with the Department of Defense, and I am paraphrasing: My realization that we are on the wrong side of this issue came when it suddenly occurred to me that if we continue to prevent Americans from being in the world market, we are hastening the day when the American military will have to go to foreign suppliers for the latest technology because American suppliers have been damaged.

The Senator from Arizona said we must not arm our enemies or that our enemies should not be armed by the United States. I say we should not get

ourselves into a position where the United States must go to foreign sources for the technology it needs to arm itself.

But if we say to American manufacturers, you cannot play in the world market except on a time-delayed basis, you cannot compete with companies in Germany, Britain, Japan, and, yes, China because there are computer manufacturers that are making machines with high levels of MTOPS in China trying to get into the international market—if we say to the Americans, you cannot compete in the international market with these foreign firms except with a delayed time fuse created by the government, we are saying, ultimately, that the leadership of technology will go from the United States overseas, and the American military will be faced with a very difficult situation, a very serious Hobson's choice. They will have to decide either we use American technology that is behind the curve because the American firms have been damaged by their inability to compete in the international marketplace and thereby to sell in a larger marketplace and thereby to cut their costs by virtue of increased sales or we have to go overseas to buy that technology.

That is not a choice I want the Secretary of Defense 5 or 10 years from now to have to make. I want the Secretary of Defense 5 to 10 years from now to be in the position he is now, to say the leading technology sources are American and that is where I will go to buy.

The days are over when American technology companies manufacture solely for the Defense Department. They manufacture for dual use everywhere. I remember a time when the telephone system in the Pentagon was completely secure because it was run entirely by the Defense Department. Those days are over. When the Secretary of Defense picks up the telephone now he is connected to Verizon. Why is that the case? Because Verizon has developed better technology using the marketplace of both the military and the private sector. It is more reliable than the old defense system was, and it is cheaper.

When the Defense Department goes out to buy computer chips, they don't buy them from a source solely dedicated to defense contracting. That was the norm in the 1950s and the 1960s. I remember giant corporations that produced nothing but defense technology. They did all of their research for the Defense Department. They had only one customer and that was the Defense Department and everything was focused there. It was also very expensive.

Now when they develop a new chip or a new technology they offer it to the Defense Department the same time they offer it in the civilian market. It is the profits they make in the civilian market that subsidize the work they do for the defense market, bringing costs down for everybody, and increasing the technical ability of the products they make.

If we say to them, artificially, you cannot sell these products anywhere but in the United States, even though your principle competitors in the borderless economies of the world are selling their products everywhere else, as well as in the United States, we are handicapping these American firms to a point that will ultimately become a national security issue for the United States, that will ultimately take us to the situation that Secretary Hamre was worried about where the Defense Department will have to choose between American manufacturers forced to be behind the curve internationally or foreign manufacturers located offshore.

We may not like this situation but that is where we are and we are not going to go back. The borderless economy is a reality of the future. It cannot be turned back. We have to accept this new reality and say the best national security step we can take is to keep American technology firms absolutely in the forefront, and the best way to keep them in the forefront is to give them the opportunity to compete in the largest possible market that they can.

That is why this bill is so important. That is why this bill has significant national security implications that cannot be ignored. But, once again, let us remember as we get concerned about the military applications of this technology in other countries, that the American military is as strong as it is not solely because of its technology but because of the entire structure of technology, strategy, and training that has been built around it.

There are others who recognize that everything is changing in the way that I have described. We have the letter from Secretary Powell, from Secretary Rumsfeld, as well as Secretary Evans, all three of them saying this is the new reality and endorsing the bill.

But let me describe how the new reality comes along to make these past controls obsolete. This information is available everywhere in the world. Once again, it is a borderless economy. We cannot keep it secret. This is published in Scientific American, an article of August of 2000. It is called ''The Do-It-Yourself Supercomputer.''

> Scientists have found a cheaper way to solve tremendously difficult computational problems: connect ordinary PCs so that they can work together.

It is a wonderful story. The authors of the article describe how they created what they called the stone soupercomputer, only they spelled it S-O-U-P-E-R, after the old fable about stone soup. We all remember hearing that as children: two fellows come to town and they are going to have a big bowl of soup, and they get a big caldron, put water in it and then put stones in it. The villagers gather around and ask: How are you going to get soup out of stones?

Oh, they say, this is wonderful. We will have the most wonderful soup in the world. Do you want to contribute something to it?

Someone says: Is it really going to be that good?

Oh, yes. We'll give you some of it.

So someone puts in a little carrot to see if that will help the stone soup. And someone says I have a little bit of beef that I can put in. And at the end you have the wonderful soup that, frankly, didn't cost the makers of the soup anything.

They talk about the stone soupercomputer because they were faced with a computing challenge that would require traditional supercomputers and they could not afford a supercomputer. So they thought, what if we took existing computers and linked them together, like the villagers bringing their various vegetables and linking them together? Could we create a supercomputer? If I can quote from the article:

> In 1996 two of us (Hargrove and Hoffman) encountered such a problem in our work at Oak Ridge National Laboratory in Tennessee. We were trying to draw a national map of ecoregions, which are defined by environmental conditions: All areas with the same climate, landforms and soil characteristics fall into the same ecoregion. To create a high resolution map of the continental United States, we divided the country into 7.8 million square cells, each with an area of 1 square kilometer. For each cell we had to consider as many as 25 variables, ranging from average monthly precipitation to the nitrogen content of the soil. A single PC or work station could not accomplish the task. We needed a parallel-processing supercomputer—and one that we could afford.

So there is the problem. It is the kind of daunting problem that we have learned to solve with computers. What did they do? Going back to the article:

> Our solution was to construct a computing cluster—

If I can interpolate, listen very carefully to what they used here, in view of the comments of the Senator from Arizona about the necessity of quality.

Back to the quote:

> . . . using obsolete PCs . . . that would otherwise be discarded. Dubbed the Stone SouperComputer because it was built essentially at no cost, our cluster of PCs was powerful enough to produce ecoregion region maps of unprecedented detail. Other research groups have devised even more capable clusters that rival the performance of the world's best supercomputers at a mere fraction of their cost.

So here is a situation where they not only used PCs rather than a supercomputer, they used PCs that were obsolete, that would otherwise have been discarded. But they were able to string them together in such a way as to duplicate the power of the supercomputer.

I ask unanimous consent the entire article be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. BENNETT. How would you feel if you were the manufacturer of a computer that could compete internationally with the best the Japanese, the Chinese, the Germans, the Dutch or the British could offer and you were told: No, you cannot export that until this long regime of analysis has gone on because it might be used to duplicate the outcome of a supercomputer, and you saw that people were using obsolete computers to produce the same result?

The reality is, we find ourselves in an age that, as recently as 5 years ago, and certainly as recently as 10 years ago, we could never have imagined.

This bill before us is an attempt to bring the law into some kind of congruity with reality and say we have to make the opportunity for American computer and high-tech firms to compete in the world marketplace and thereby prosper as friendly as possible.

We have a national security obligation to see to it that the American firms retain their lead, the lead that has been established at great expense and great effort by American research firms, by American universities, by the inventiveness of American entrepreneurs and American programmers. We must not deny them the opportunity to compete in the world market on the same basis as every other country's entrepreneurs can compete because, if we do, we run the risk of having them fall behind to the point that America will ultimately end up being as dependent on foreign technology as we are currently dependent on foreign oil.

That is not something we want to have happen. That is something that has been driving me, at least, in my analysis and sponsorship of this kind of effort.

I congratulate my friend from Wyoming, Senator ENZI, for the leadership he has taken in the Banking Committee to pull together the concepts that are involved in this into a piece of legislation that will do the job.

I have no doubt that we are going to have to visit this again, maybe within 3, 5, certainly 10 years. Because the technological landscape is going to change just as dramatically in the next 10 as it has in the last 10. But I listen to those who are opposed to this bill recite circumstances that are 3 years old, 5 years old, 8 years old. I do not challenge their motives, their patriotism, or their determination to do the right thing. They are as determined to do the right thing as I hope I am. But I do think that the world is changing so rapidly around us and this portion of the economy is changing so rapidly that we must recognize that and respond appropriately and accordingly.

Finally, in the report from the General Accounting Office that came in December of 2000, which was stimulated by the concerns of the Senator from Tennessee, with whom I worked to see that the GAO would give us this report, we read the following:

The current system of controlling the export of individual machines is ineffective in limiting countries of concern from obtaining high performance computing capabilities for military applications. In addition, . . . using MTOPS to establish export control thresholds is outdated and no longer a valid means for controlling computing capabilities.

That summarizes my position.

We are ineffective with the controls that exist now in limiting rogue countries from getting the technologies they would need. Our security is dependent not on this ineffective kind of control; our security is dependent upon the overall expertise of the American military, which, as the Roman legions, is dependent on training and strategy every bit as much as the technology they have.

For that reason, I will support this bill as it stands and resist amendments to it. I appreciate the efforts on the part of the Senator from Wyoming and the Senator from Maryland as they work to see that this bill becomes law.

I yield the floor.

EXHIBIT 1

[From Scientific American, Aug. 2001]

THE DO-IT-YOURSELF SUPERCOMPUTER

SCIENTISTS HAVE FOUND A CHEAPER WAY TO SOLVE TREMENDOUSLY DIFFICULT COMPUTATIONAL PROBLEMS: CONNECT ORDINARY PCS SO THAT THEY CAN WORK TOGETHER

(By William W. Hargrove, Forrest M. Hoffman and Thomas Sterling)

In the well-known stone soup fable, a wandering soldier stops at a poor village and says he will make soup by boiling a cauldron of water containing only a shiny stone. The townspeople are skeptical at first but soon bring small offerings: a head of cabbage, a bunch of carrots, a bit of beef. In the end, the cauldron is filled with enough hearty soup to feed everyone. The moral: cooperation can produce significant achievements, even from meager, seemingly insignificant contributions.

Researchers are now using a similar cooperative strategy to build supercomputers, the powerful machines that can perform billions of calculations in a second. Most conventional supercomputers employ parallel processing: they contain arrays of ultrafast microprocessors that work in tandem to solve complex problems such as forecasting the weather or simulating a nuclear explosion. Made by IBM, Cray and other computer vendors, the machines typically cost tens of millions of dollars—far too much for a research team with a modest budget. So over the past few years, scientists at national laboratories and universities have learned how to construct their own supercomputers by linking inexpensive PCs and writing software that allows these ordinary computers to tackle extraordinary problems.

In 1996 two of us (Hargrove and Hoffman) encountered such a problem in our work at Oak Ridge National Laboratory (ORNL) in Tennessee. We were trying to draw a national map of ecoregions, which are defined by environmental conditions: all areas with the same climate, landforms and soil characteristics fall into the same ecoregion. To create a high-resolution map of the continental U.S., we divided the country into 7.8 million square cells, each with an area of one square kilometer. For each cell we had to consider as many as 25 variables, ranging from average monthly precipitation to the nitrogen content of the soil. A single PC or workstation could not accomplish the task. We needed a parallel-processing supercomputer—and one that we could afford!

Our solution was to construct a computing cluster using obsolete PCs that ORNL would have otherwise discarded. Dubbed the Stone SouperComputer because it was build essentially at no cost, our cluster of PCs was powerful enough to produce ecoregion maps of unprecedented detail. Other research groups have devised even more capable clusters that rival the performance of the world's best supercomputers at a mere fraction of their cost. This advantageous price-to-performance ratio has already attracted the attention of some corporations, which plan to use the clusters for such complex tasks as deciphering the human genome. In fact, the cluster concept promises to revolutionize the computing field by offering tremendous processing power to any research group, school or business that wants it.

BEOWULF AND GRENDEL

The notion of linking computers together is not new. In the 1950s and 1960s the U.S. Air Force established a network of vacuum-tube computers called SAGE to guard against a Soviet nuclear attack. In the mid-1980s Digital Equipment Corporation coined the term ''cluster'' when it integrated its mid-range VAX minicomputers into larger systems. Networks of workstations—generally less powerful than minicomputers but faster than PCs—soon became common at research institutions. By the early 1990s scientists began to consider building clusters of PCs, partly because their mass-produced microprocessors had become so inexpensive. What made the idea even more appealing was the falling cost of Ethernet, the dominant technology for connecting computers in local-area networks.

Advances in software also paved the way for PC clusters. In the 1980s Unix emerged as the dominant operating system for scientific and technical computing. Unfortunately, the operating systems for PCs lacked the power and flexibility of Unix. But in 1991 Finnish college student Linus Torvalds created Linux, a Unix-like operating system that ran on a PC. Torvalds made Linux available free of charge on the Internet, and soon hundreds of programmers began contributing improvements. Now wildly popular as an operating system for stand-alone computers, Linux is also ideal for clustered PCs.

The first PC cluster was born in 1994 at the NASA Goddard Space Flight Center. NASA had been searching for a cheaper way to solve the knotty computational problems typically encountered in earth and space science. The space agency needed a machine that could achieve one gigaflops—that is, perform a billion floating-point operations per second. (A floating-point operation is equivalent to a simple calculation such as addition or multiplication.) At the time, however, commercial supercomputers with that level of performance cost about $1 million, which was too expensive to be dedicated to a single group of researchers.

One of us (Sterling) decided to pursue the then radical concept of building a computing cluster from PCs. Sterling and his Goddard colleague Donald J. Becker connected 16 PCs, each containing an Intel 486 microprocessor, using Linux and a standard Ethernet network. For scientific applications, the PC cluster delivered sustained performance of 70 megaflops—that is, 70 million floating-point operations per second. Though modest by today's standards, this speed was not much lower than that of some smaller commercial supercomputers available at the time. And the cluster was built for only $40,000, or about one tenth the price of a comparable commercial machine in 1994.

NASA researchers named their cluster Beowulf, after the lean, mean hero of medieval legend who defeated the giant monster Grendel by ripping off one of the creature's arms. Since then, the name has been widely

adopted to refer to any low-cost cluster constructed from commercially available PCs. In 1996 two successors to the original Beowulf cluster appeared: Hyglac (built by researchers at the California Institute of Technology and the Jet Propulsion Laboratory) and Loki (constructed at Los Alamos National Laboratory). Each cluster integrated 16 Intel Pentium Pro microprocessors and showed sustained performance of over one gigaflops at a cost of less than $50,000, thus satisfying NASA's original goal.

The Beowulf approach seemed to be the perfect computational solution to our problem of mapping the ecoregions of the U.S. A single workstation could handle the data for only a few states at most, and we couldn't assign different regions of the country to separate workstations—the environmental data for every section of the country had to be compared and processed simultaneously. In other words, we needed a parallel-processing system. So in 1996 we wrote a proposal to buy 64 new PCs containing Pentium II microprocessors and construct a Beowulf-class supercomputer. Alas, this idea sounded implausible to the reviewers at ORNL, who turned down our proposal.

Undeterred, we devised an alternative plan. We knew that obsolete PCs at the U.S. Department of Energy complex at Oak Ridge were frequently replaced with newer models. The old PCs were advertised on an internal Web site and auctioned off as surplus equipment. A quick check revealed hundreds of outdated computers waiting to be discarded this way. Perhaps we could build our Beowulf cluster from machines that we could collect and recycle free of charge. We commandeered a room at ORNL that had previously housed an ancient mainframe computer. Then we began collecting surplus PCs to create the Stone SouperComputer.

A DIGITAL CHOP SHOP

The strategy behind parallel computing is ''divide and conquer.'' A parallel-processing system divides a complex problem into smaller component tasks. The tasks are then assigned to the system's nodes—for example, the PCs in a Beowulf cluster—which tackle the components simultaneously. The efficiency of parallel processing depends largely on the nature of the problem. An important consideration is how often the nodes must communicate to coordinate their work and to share intermediate results. Some problems must be divided into myraid minuscule tasks; because these fine-grained problems require frequent internode communication, they are not well suited for parallel processing. Coarse-grained problems, in contrast, can be divided into relatively large chunks. These problems do not require much communication among the nodes and therefore can be solved very quickly by parallel-processing systems.

Anyone building a Beowulf cluster must make several decisions in designing the system. To connect the PCs, researchers can use either standard Ethernet networks or faster, specialized networks, such as Myrinet. Our lack of a budget dictated that we use Ethernet, which is free. We chose one PC to be the front-end node of the cluster and installed two Ethernet cards into the machine. One card was for communicating with outside users, and the other was for talking with the rest of the nodes, which would be linked in their own private network. The PCs coordinate their tasks by sending messages to one another. The two most popular message-passing libraries are message-passing interface (MPI) and parallel virtual machine (PVM), which are both available at no cost on the Internet. We use both systems in the Stone SouperComputer.

Many Beowulf clusters are homogeneous, with all the PCs containing identical components and microprocessors. This uniformity simplifies the management and use of the cluster but is not an absolute requirement. Our Stone SouperComputer would have a mix of processor types and speeds because we intended to use whatever surplus equipment we could find. We began with PCs containing Intel 486 processors but later added only Pentium-based machines with at least 32 megabytes of hard-disk storage.

It was rare that machines met our minimum criteria on arrival; usually we had to combine the best components from several PCs. We set up the digital equivalent of an automobile thief's chop shop for converting surplus computers into nodes for our cluster. Whenever we opened a machine, we felt the same anticipation that a child feels when opening a birthday present: Would the computer have a big disk, lots of memory or (best of all) an upgraded motherboard donated to us by accident? Often all we found was a tired old veteran with a fan choked with dust.

Our room at Oak Ridge turned into a morgue filled with the picked-over carcasses of dead PCs. Once we opened a machine, we recorded its contents on a ''toe tag'' to facilitate the extraction of its parts later on. We developed favorite and least favorite brands, models and cases and became adept at thwarting passwords left by previous owners. On average, we had to collect and process about five PCs to make one good node.

As each new node joined the cluster, we loaded the Linux operating system onto the machine. We soon figured out how to eliminate the need to install a keyboard or monitor for each node. We created mobile ''crash carts'' that could be wheeled over and plugged into an ailing node to determine what was wrong with it. Eventually someone who wanted space in our room bought us shelves to consolidate our collection of hardware. The Stone SouperComputer ran its first code in early 1997, and by May 2001 it contained 133 nodes, including 75 PCs with Intel 486 microprocessors, 53 faster Pentium-based machines and five still faster Alpha workstations, made by Compaq.

Upgrades to the Stone SouperComputer are straightforward: we replace the slowest nodes first. Each node runs a simple speed test every hour as part of the cluster's routine housekeeping tasks. The ranking of the nodes by speed helps us to fine-tune our cluster. Unlike commercial machines, the performance of the stone SouperComputer continually improves, because we have an endless supply of free upgrades.

PARALLEL PROBLEM SOLVING

Parallel programming requires skill and creativity and may be more challenging than assembling the hardware of a Beowulf system. The most common model for programming Beowulf clusters is a master-slave arrangement. In this model, one node acts as the master, directing the computations performed by one or more tiers of slave nodes. We run the same software on all the machines in the Stone SouperComputer, with separate sections of code devoted to the master and slave nodes. Each microprocessor in the cluster executes only the appropriate section. Programming errors can have dramatic effects, resulting in a digital train wreck as the crash of one node derails the others. Sorting through the wreckage to find the error can be difficult.

Another challenge is balancing the processing workload among the cluster's PCs. Because the Stone SouperComputer contains a variety of microprocessors with very different speeds, we cannot divide the workload evenly among the nodes: if we did so, the faster machines would sit idle for long periods as they waited for the slower machines to finish processing. Instead we developed a programming algorithm that allows the master node to send more data to the faster slave nodes as they complete their tasks. In this load-balancing arrangement, the faster PCs do most of the work, but the slower machines still contribute to the system's performance.

Our first step in solving the ecoregion mapping problem was to organize the enormous amount of data—the 25 environmental characteristics of the 7.8 million cells of the continental U.S. We created a 25-dimensional data space in which each dimension represented one of the variables (average temperature, precipitiation, soil characteristics and so on). Then we identified each cell with the appropriate point in the data space. Two points close to each other in this data space have, by definition, similar characteristics and thus are classified in the same ecoregion. Geographic proximity is not a factor in this kind of classification; for example, if two mountaintops have very similar environments, their points in the data space are very close to each other, even if the mountaintops are actually thousands of miles apart.

Once we organized the data, we had to specify the number of ecoregions that would be shown on the national map. The cluster of PCs gives each ecoregion an initial ''seed position'' in the data space. For each of the 7.8 million data points, the system determines the closest seed position and assigns the point to the corresponding ecoregion. Then the cluster finds the centroid for each ecoregion—the average position of all the points assigned to the region. This centroid replaces the seed position as the defining point for the ecoregion. The cluster then repeats the procedure, reassigning the data points to ecoregions depending on their distances from the centroids. At the end of each iteration, new centroid positions are calculated for each ecoregion. The process continues until fewer than a specified number of data points change their ecoregion assignments. Then the classification is complete.

The mapping task is well suited for parallel processing because different nodes in the cluster can work independently on subsets of the 7.8 million data points. After each iteration the slave nodes send the results of their calculations to the master node, which averages the numbers from all the subsets to determine the new centroid positions for each ecoregion. The master node then sends this information back to the slave nodes for the next round of calculations. Parallel processing is also useful for selecting the best seed positions for the ecoregions at the very beginning of the procedure. We devised an algorithm that allows the nodes in the Stone SouperComputer to determine collectively the most widely dispersed data points, which are then chosen as the seed positions. If the cluster starts with well-dispersed seed positions, fewer iterations are needed to map the ecoregions.

The result of all our work was a series of maps of the continental U.S. showing each ecoregion in a different color. We produced maps showing the country divided into as few as four ecoregions and as many as 5,000. The maps with fewer ecoregions divided the country into recognizable zones—for example, the Rocky Mountain states and the desert Southwest. In contrast, the maps with thousands of ecoregions are far more complex than any previous classification of the country's environments. Because many plants and animals live in only one or two ecoregions, our maps may be useful to ecologists who study endangered species.

In our first maps the colors of the ecoregions were randomly assigned, but we later produced maps in which the colors of

the ecoregions reflect the similarly of their respective environments. We statistically combined nine of the environmental variables into three composite characteristics, which we represented on the map with varying levels of red, green and blue. When the map is drawn this way, it shows graduations of color instead of sharp borders: the lush Southeast is mostly green, the cold Northeast is mainly blue, and the arid West is primarily red.

Moreover, the Stone SouperComputer was able to show how the ecoregions in the U.S. would shift if there were nationwide changes in environmental conditions as a result of global warming. Using two projected climate scenarios developed by other research groups, we compared the current ecoregion map with the maps predicted for the year 2099. According to these projections, by the end of this century the environment in Pittsburgh will be more like that of present-day Atlanta, and conditions in Minneapolis will resemble those in present-day St. Louis. [see Stone SouperComputer's Global Warming Forecast]

THE FUTURE OF CLUSTERS

The traditional measure of supercomputer performance is benchmark speed: how fast the system runs a standard program. As scientists, however, we prefer to focus on how well the system can handle practical applications. To evaluate the Stone SouperComputer, we fed the same ecoregion mapping problem to ORNL's Intel Paragon supercomputer shortly before it was retired. At one time, this machine was the laboratory's fastest, with a peak performance of 150 gigaflops. On a per-processor basis, the run time on the Paragon was essentially the same as that on the Stone Souper- Computer. We have never officially clocked our cluster (we are loath to steal computing cycles from real work), but the system has a theoretical peak performance of about 1.2 gigaflops. Ingenuity in parallel algorithm design is more important than raw speed or capacity: in this young science, David and Goliath (or Beowulf and Grendel!) still compete on a level playing field.

The Beowulf trend has accelerated since we built the Stone SouperComputer. New clusters with exotic names—Grendel, Naegling, Megalon, Brahma, Avalon, Medusa and the Hive, to mention just a few—have steadily raised the performance curve by delivering higher speeds at lower costs. As of last November, 28 clusters of PCs, workstations or servers were on the list of the world's 500 fastest computers. The LosLobos cluster at the University of New Mexico has 512 Intel Pentium III processors and is the 80th-fastest system in the world, with a performance of 237 gigaflops. The Cplant cluster at Sandia National Laboratories has 580 Compaq Alpha processors and is ranked 84th. The National Science Foundation and the U.S. Department of Energy are planning to build even more advanced clusters that could operate in the teraflops range (one trillion floating-point operations per second), rivaling the speed of the fastest supercomputers on the planet.

Beowulf systems are also muscling their way into the corporate world. Major computer vendors are now selling clusters to businesses with large computational needs. IBM, for instance, is building a cluster of 1,250 servers for NuTec Sciences, a biotechnology firm that plans to use the system to identify disease-causing genes. An equally important trend is the development of networks of PCs that contribute their processing power to a collective task. An example is SETI@home, a project launched by researchers at the University of California at Berkeley who are analyzing deep-space radio signals for signs of intelligent life. SETI@home sends chunks of data over the Internet to more than three million PCs, which process the radio-signal data in their idle time. Some experts in the computer industry predict that researchers will eventually be able to tap into a ''computational grid'' that will work like a power grid: users will be able to obtain processing power just as easily as they now get electricity.

Above all, the Beowulf concept is an empowering force. It wrests high-level computing away from the privileged few and makes low-cost parallel-processing systems available to those with modest resources. Research groups, high schools, colleges or small businesses can build or buy their own Beowulf clusters, realizing the promise of a supercomputer in every basement. Should you decide to join the parallel-processing proletariat, please contact us through our Web site *(http://extremelinux.esd.ornl.gov/)* and tell us about your Beowulf-building experiences. We have found the Stone Soup to be hearty indeed.

The PRESIDING OFFICER (Mrs. LINCOLN). The Senator from Tennessee.

Mr. THOMPSON. Madam President, let me make one thing clear. Those of us who are concerned about certain provisions of this legislation are not denying anyone the right to export. Those of us who have concerns about the direction in which we are going are not advocating that we in any way lessen the overall quantity of our exports in this country. The Senator from Utah very effectively constructed an elaborate straw man and has now beaten him to pieces.

We cannot take ourselves out of the world market. We cannot allow our exporters, the people who are producing high technology in this country, to be frozen out of the market and become insular. No one is advocating that. That is not the case now, and that would not be the case of every amendment we thought would be a good one and which passed.

The people who are advocating this legislation tell us—I am not sure these figures are precisely accurate—that something like 98 percent of all of these export applications are approved. It is not as if we are holding up anything, except in rare circumstances where there are national security considerations. The problem is not that our exporters are being frozen out of the market or that in some way they are victims of 19th century thinking; it is that they don't want to have to wait a few days to get a license.

We are not saying we need to shut down computer exports or even supercomputer exports. We are just saying that before they go out the door, somebody ought to take a look at it and make sure it is a good idea in terms of the nature of the equipment that is being sent, in terms of the end user, or in terms of the potential use of the entity to which it is being shipped.

This is not a matter of export versus nonexport or export opposition. As I say, the overwhelming number of applications have been approved, or will be approved, under any circumstance. The question is, Does the Department of Commerce predetermine broad categories of things that might prove to be dangerous without even going through a licensing process where somebody can take a look at it? That is what this is all about.

We heard yesterday in broad categories of items that I think the average time it took before the approval was made was 13 days. I have read otherwise where there are categories of items that required 40 days for the process to go through. I am sure the exporters would rather not wait 24 hours. But we are talking about matters of national security.

Why do we even have an export law? If in fact everything is out the door, the genie is totally out of the bottle, and we don't even need licenses for anything to anybody, why do we still restrict exports to Iraq? Why do we still restrict exports to Iran and Libya and North Korea? Wouldn't that be the logical conclusion of the position that everything is out there now and no one can restrict anything?

Our policy has been, and still is, and will be I think implicit based on the supposition and the assumption that in some ways, for some things, to some end users, we should and we must and we can exercise some degree of control. The question is, Where do you draw the line? You don't do it foolishly. You don't try to control things that are uncontrollable. You don't try to control things to your friends the way you would someone who is a potential enemy. But surely we are not saying that there is no degree of control, and no degree of supervision, where we ought to have somebody in our Government take a look at it for national security purposes. Otherwise, why have any restrictions to Saddam Hussein if he can go next door and get the same thing from somebody else? The answer is because we know that is not true. What this is all about is we have some exporters who are in business and who need to be in business. We are all for them. They don't want to have to go through a licensing process. That is what this is all about.

I think it is true that the key to our success in the future is not going to be totally reliant on some kind of export control. The more important part is going to be our ability, as they say in the business, to run faster. We must keep our technology at a level that outstrips all the rest. We should stay ahead. In order to do that, we need vibrant industries. I agree with all of that. But it doesn't totally answer the question. The rest of the question is whether or not we are doing what we need to do to help others run faster in significant ways.

Pick a country of concern—a country that is on the upswing economically, a country that is rapidly building up their military, a country that has already been known to use our technology for its military purposes. Is it wise policy to have no consideration for how rapidly they may be able to use our technology for their purposes? I am

not saying that is an easy question. Do you slow them down by an hour or do you slow them down by a year?

Those are important answers that I don't have. It would depend on the circumstances that would hopefully be considered by our Government when a license is on the table and people are sitting around the table asking, Is this a good idea or not?

Under this bill, if they are foreign available as determined by a technician over in the Department of Commerce, or if they are mass-marketed under the same determination, you don't have to go through that process; I don't have to wait for 13 days, or the 40 days, or in some cases longer, I am sure, but an average of numbers that we have used here. That is the question.

It is true that nowadays you can cluster computers to boost the MTOPS power. I, for one, have changed my view somewhat about the efficacy of regulating, controlling computers based on MTOPS. The GAO report also said there are possible other ways of controlling computing power that might be questionable, that have never been explored, and that have never been tried. And goodness knows, there is no one outside of Government who has any motivation to explore or try those other methods.

They also demonstrated that while you can cluster computers to reach high MTOPS levels, those clustered computers cannot be used in the same way that another, shall we say, unclustered computer could be used with the same MTOPS level. If you want to use a clustered computer situation for research, or something like that, it is perfectly suitable. If you want to use it for military purposes, it is much more questionable.

So these are complex issues that have complex answers. And I don't think anybody has all the answers. But we do know that technology is expanding, it is more accessible. That is not the issue; everyone understands that. But I hope everything we are doing—and the purpose of this legislation; it is in the bill —is premised on the notion that we can, by legislation, do something to assist in curbing the proliferation of weapons of mass destruction. That is what this is all about. If we do not believe we can do that, if technology is such and the world has changed as such that we can have no control over anything at any time for any period of appreciable time, then we might as well do away with the legislation altogether.

Our legislation, our policy, is premised on the contrary. So it is not black and white. It is: Where is the balance? And who decides? That is the issue. Where is the balance between, we can't do anything, so let's eat, drink, and be happy, and make our money while we are arming our adversaries, or that we need to build a wall around the country and not give anything out? Where is the balance? And who decides?

Well, we have decided, so far, in this country that the people whose business it is to promote commerce essentially decide. In some ways, in some instances, they have to get the approval of or consult with others, but in many important respects we have decided—I think mistakenly in this legislation and as a matter of policy—that the Department of Commerce makes these important national security decisions.

Now we are going to be deciding, when we pass this bill, that the Department of Commerce will not even get to take a look at things that have been deemed to be mass marketed or foreign available. So be it. But let's not fool ourselves into thinking that this is an all-or-nothing situation or that someone is suggesting that we not export computers or that we isolate ourselves in that regard or that we blind ourselves to the technology revolution. That is not the case at all. We are just trying to reach some kind of a reasonable, measured way in which we can do what is doable.

My basic problem with all this is that we do not know to what extent we may be making a mistake. We do not know to what extent some of this is controllable, as the GAO has pointed out. The GAO listed in its report, I think, about a dozen potential ways supercomputers can be limited in ways that other people did not have them and also pointed out that they have not been tried, they have not been attempted.

Our law required, in the 1998 Defense authorization bill, that there be a national security assessment, as we were in the process of totally decontrolling computers. I would not cite the Clinton administration as having good policy in that regard, but I must confess, this administration is picking up where the Clinton administration left off in that respect. The law required that we have a national security assessment. It has never been done.

So I have one opinion and my colleagues—a clear majority of them—have another opinion about the effect of what we are doing with this legislation, but the fact of the matter is, nobody knows. And that concerns me. It concerns me greatly because it is going to be some time now before we know the effect of this. We should have been studying this issue. We should have had a blue ribbon commission. We should have had a group of objective people who are unaffiliated with people who are in the export business—which is hard to come by on this subject, by the way—to make an objective assessment.

I am hoping before this debate is over with we can, at least after the fact, move in that direction. I may be wrong about some of my concerns, but I can afford to be wrong. As to those who say there is no problem, we cannot afford for them to be wrong because that would mean matters of national security would be implicated.

So I am hopeful we will be able to move in that direction, the direction of really doing an objective assessment as to where this balance is and to who ought to be making the decisions.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Madam President, I thank my colleague from Tennessee for his concern and his consideration and, again, for all of the effort he has put into this bill. He has been responsible, along with several others, for a number of the changes that have been made in this bill.

But there are a couple of things I need to emphasize based on the comments he just made. One of them is in relation to the comment that there should have been somebody studying the issue. There have been people studying the issue. There have been a lot of people studying the issue, not to mention all of the Senate and House hearings that have been held, particularly since 1994.

When the Export Administration Act expired, we began a study. And one of the things this town is not short on is documentation. We document everything. That gives you a chance to go back and look at what everybody thought in the history of this country, but particularly on the history of this issue. It was an opportunity to go back and see what kinds of problems there were and what the pitfalls were that kept the reauthorization from happening again, what kept the updates from happening. We have been very close, throughout this whole process, of having it happen again.

We talked about balance. One of the balance things that happens in this bill is that the Department of Defense, the Department of State, and the intelligence community get a greater say through this bill than they had under the Export Act of 1979, that got reapproved through 1994. There is more balance in this bill if you want Defense, State, and intelligence to have more of a say. They have more say under this bill than they had before.

There is a continuation of a lot of the things they had before, but that is because they all agreed on them. But what we have is an endorsement from State and Defense on this particular bill saying this is a better situation than what we are operating under now. So we are trying to get that done.

In relation to the applications, actually, 99.4 percent of the applications get approved, only .6 percent get denied. So what does that tell you? A thing that it does not exactly say is that on the 99.4 percent that get approved, a lot of those have conditions. What this committee gets to do is put conditions on the application. But there is still a vast number that are readily approved.

Why are we making the licensing application folks take all of their time on items that will be approved that are routinely, regularly approved at the present time? Without this bill, we are forcing them to concentrate the bulk

of their effort—probably about 90 percent of their time—on items that do not need to be considered, where all of these agencies say: This is an automatic for us, but there is no way for us to kick this automatic out of the process. We have to spend the bulk of our time working on things that are absolutely routine. Wouldn't it be nice if we could concentrate on the 10 percent of the things that really need some conditions, that really need some concentration, that perhaps need to be denied?

During this process, I had an enforcement officer on exports assigned to my office because I wanted a greater understanding of how the enforcement process worked. That includes the postshipment verifications. I have had people assigned to my office who worked with the applications, and we went to the different agencies to see how they participated, how they wanted to be able to participate, and whether their rights and abilities were being stomped on by the old process.

I think we have arrived at a bill that the agencies agree they have a say and that they can do a better job of enforcing those things that need to be enforced.

Senator KYL mentioned there were some arms control problems, probably a nuclear gun. That sounds like arms control which is not export control. Maybe somebody was trying to fudge it in there.

I have to mention that there is a very small provision in this bill—actually a big provision—where we provide additional resources to people doing the enforcement. One of the specific things we put in there is some training for freight forwarders. These are the people who look at those 30-foot long cylinders and say: What the heck is in here; could it be something damaging to the United States? That is going to be some enforcement that we haven't had before that will help solve the situation.

When we are talking about who ought to be looking at these things, we are assuming that we ought to be looking at them from the worst possible standpoint. That is probably true. So maybe what we ought to have is the IRS auditors checking the capability on all of these licenses.

The reason Commerce gets the main say in this situation is that we are talking about commerce. We are talking about the economy and what we export. The Department of Defense and the Department of State handle the arms export. That is the really dangerous stuff. There is some stuff that can be dangerous. There is always a secondary use for anything. You can pick up a brick and you can hit somebody over the head. That makes it a weapon. But it is primarily a brick.

The factory that designed that brick probably used a computer to design the factory, but that doesn't make them an arms designer. That makes them a computer designing brick factory.

One of the reasons that Commerce has the main control is that it is commerce, and it is kind of the old story: If all you have is a hammer, everything looks like a nail. If you give it to Defense, then it all looks like weapons. Commerce gets to have a say in this, but with this bill we give greater authority to Defense, State, and the intelligence community.

We are not just talking about computers in this legislation. We are talking about a lot of small companies in this country that could compete more effectively if they could get contracts more readily. During that process of getting the 99.4 percent licensure, people lose contracts or they are not asked to participate in a bigger contract at all. From Wyoming, I have some of those folks.

There is an outfit called Hi Q technology. They make tachometers. I love this little success story. This guy used to have the parts manufactured in Taiwan and the parts assembled in Taiwan. He said: Wait a minute. Wyoming has some great folks who could put these things together. I bet they could put them together more carefully, make a better machine that would have less errors than the Taiwanese. So he started to have the parts shipped back to the United States and made in Powell, WY. He now makes the best tachometers in the world and ships them around the world in competition with Taiwan.

Do you know what he is going to do next? He is going to start having the parts manufactured in Powell, WY, too, because he can do that better with American labor. He can compete on the world market.

Now he can't, if every tachometer has to go through this licensing process. You can buy tachometers all over the world. You can't buy as good a quality tachometer as he has, but you can buy them anywhere in the world. They would like to have his, and he would like to sell them. If this licensing process stops him, he can't do that.

We have a another fellow in Cody, WY, who invented a chest seal. If you get your chest punctured, if you get shot, fall on rebar or something like that, your lung will collapse unless somebody puts, in the old method, a credit card over it, which allows you, when you inhale, to inflate your lungs. Then they take it off when you exhale and it allows the blood and other stuff to come out. A Navy SEAL who now lives in Cody, WY, thought he could improve on that system.

He came up with a chest seal that is a Band-Aid about that big. You wipe off the chest and you apply the Band-Aid. The secret is right in the middle of it there is a thing that looks like the end of a balloon. When you breathe in, it pinches shut. When you breathe out, everything comes out. That is in military kits around the world now. It has saved a lot of lives on farms, ranches, and a lot of other places.

Sun screens and planes: There is a guy in Wyoming who figured out if these things work in cars, maybe they would work in planes. And he started putting them in planes, specialized for the windows and stuff. During Desert Storm, one of our big problems was a recognition that instruments in Saudi Arabia in the planes were being damaged by the intense heat. Somebody said: Wait a minute, I know this guy in Wyoming. He makes this simple stuff that goes inside planes and keeps all of the instruments from deteriorating. And it saves about $16,000 a year per airplane. It is used militarily, but it is not a military piece of equipment. It can be duplicated other places in the world. He kind of has the corner on the market, like Kleenex, because he thought of it and he does it better.

If he is prohibited from selling this, except to the military of the United States, he can't be in business or he would have to sell it for a lot more.

Another guy, in Sheridan, WY, a guy who has the Big Horn Valve Company, found a new way to do valves so that you don't have to have a T that will leak. It is always internal. The valve twists half a turn and shuts off. Any area in between gives some capability. How is it used? NASA uses part of this now. It is a disconnect on a missile. They can keep the fuel going into the missile the last possible moment. When that missile takes off, the valve separates and closes. Refineries use it because it doesn't leak like the old-fashioned valves.

Again, if he has to go through this licensing process, he can lose his international opportunity.

The times are changing, and I have to say, it is the young people who are changing it. Eight years ago my son was at South Dakota School of Mines. He played a little basketball there. And after the basketball game, I went back to his dorm to pick something up. By the time we had driven halfway across South Dakota to get back to his dorm, it was about 3 in the morning. We went into the dorm; the lights were on everywhere. There were kids, young engineers, taking computers apart. They were borrowing pieces of computers from each other, and they were making supercomputers. That was 8 years ago.

I have no idea what they are up to now, but I did read that these computers' best activity is math. The first thing they will do, because it is the best activity, is solve math problems. One of the new Internet problems this last week was people feeding math problems into the system and all of the computers concentrated on that. And the messages would not go through.

It is technology. We have to keep the technology going. I apologize for running over here in my excitement of being able to share a few Wyoming examples with everybody. I did that. I did want to emphasize why it is important that we streamline the licensing process, not to the point where it hurts our national security but where we can include some things that will enhance the national security by allowing some concentration.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 p.m. having arrived, the Senate will stand in recess until 2:15 p.m.

Thereupon, at 12:39 p.m., the Senate recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. REID).

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. I ask unanimous consent that I be allowed to proceed as in morning business for 6 minutes.

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

NORTHERN IRELAND

Mr. LEAHY. Mr. President, I want to discuss the most recent situation in Northern Ireland. All too often, I usually speak on the floor of the Senate about this issue after a bombing or bloody conflict between Republicans and Unionists. This time, however, I wish to address a situation that really has the potential to scar Northern Ireland more than any single bullet.

We have seen in our own country schoolchildren returning to classes this week. In Northern Ireland, schoolchildren are returning also. But, unfortunately, the week has been horrific for students at the Holy Cross Girls Primary School in Belfast. The students and their parents have faced a gauntlet of protesters on their way to school, many of whom pelted the girls with stones and spit at them.

Earlier today, a bomb went off addressed toward the schoolchildren. When I turn on the television and see pictures of these little girls, 6 and 7, 8 years old, crying in terror, being shielded by their mothers—what is their crime and sin? They are going to school. If there is ever anything that can help that troubled part of the world, it would be to improve the education of the young people and then allow them to go on to get jobs.

According to the press reports, the girls who attend this Catholic school have walked peacefully to and from their classes through a predominantly Protestant neighborhood for 30 years. Tragically, these children have been targeted to escalate already high tensions between Unionists and Republicans.

After more than three decades of violence in Northern Ireland committed by parties on both sides of the issue—and both sides are certainly responsible for violence—we sometimes become a bit callous about events in this conflict. But this latest situation of targeting children is truly reprehensible because it threatens to scar these children permanently.

The tragic situation at Holy Cross School has the potential to undermine any peace agreement that may be reached in the future. Negotiations will continue this month on resuming the Northern Ireland assembly and further implementation of the Good Friday peace agreement. These efforts will be for naught if the children of Belfast, whether they are Catholic or Protestant, grow up in an environment where they think hatred and division are a way of life.

Let me take a moment to say, as I have in the past, that I have called upon Republicans and Unionists to abide by the Good Friday agreement. For those of us who have been involved in Northern Ireland over the years, we know that the hatred runs deep and the solutions are going to be complex. That is why I proudly support the U.S. commitment to the International Fund for Ireland. The Fund has promoted economic development in Northern Ireland across factional lines. I have supported it because the projects sponsored by IFI have been projects where Protestants and Catholics work side by side.

The situation at Holy Cross School is dangerous because it threatens to remove the most important characteristic that the Irish are blessed with, and that is hope.

I condemn efforts by people who are trying to take that hope away from these children and instill them with fear and hatred. That will simply perpetuate this conflict for years to come.

I recall going to Northern Ireland on President Clinton's last visit there. I had a police officer assigned to me in Belfast. He said to me: ''Your President is a great man.'' I asked him why he said that. He said that before President Clinton came to Northern Ireland, the officer could not speak to somebody of the other faith. He told me which faith he belonged to but that is irrelevant since this was a statement that could have been made by either a Protestant or a Catholic.

He said: ''Prior to that visit, I could not speak to someone of the other faith, but now I can work with them, I can be friends with them.'' He added: ''The greatness of what your President has done and what the involvement of your country has been is that I no longer have to teach my children to hate.''

Think of that. He was saying that prior to these efforts at a peace agreement, prior to the involvement of the United States and people such as Senator Mitchell and others, he felt that it was his duty to teach his children to hate. Unfortunately, this could have been heard on either side, but now he said he no longer had to do that.

I want to think that is the feeling of most people in Northern Ireland, Protestant or Catholic. But I despair when I see the pictures of these little children going to school. These girls are 6, 7, and 8 years old. Look at the terror in their faces. They are wondering what is going on.

Frankly, it brings back chilling memories of when I was in my teens and seeing the pictures in parts of our country where terrified African-American schoolchildren were being escorted to school by marshals. Here are Irish children being escorted to school by the security forces.

There will not be peace in Northern Ireland, there will not be a promise for Northern Ireland until this sort of thing stops.

I commend the authorities who are protecting these children and pursing the persons who threw the bomb. We can use law enforcement to stop the violence in the short term. In the long term people must look into their own souls and practice the religious principles that they espouse. They must practice these principles not only for themselves but for those who may not carry the same religion.

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

The PRESIDING OFFICER (Mr. BAYH). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent to speak as if in morning business.

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

MISSILE DEFENSE

Mr. INHOFE. Mr. President, as we are waiting for some things to happen right now, I am very distressed about some of the things we are hearing about a concerted effort to stop our missile defense language we have proposed for this year that the President has been very outspoken on, a recognition that we are in a very threatened position.

I think it is kind of a shock to many American people when they find out, and I say find out, not hear but find out, that we are in the most threatened position we have been in as a nation perhaps in the history of this country.

I can remember saying this back in 1995, and finally we had the Director of Central Intelligence about 2 years ago say that, in fact, we are in the most threatened position we have been in as a nation.

There is a current movie that people have gone to. I happened to see it on an airplane the other day. It is called ''Thirteen Days.'' It is a story about the Cuban missile crisis of 1962, and some of us are old enough to remember the hysteria that hit the streets in the United States. People were going to the supermarkets and stocking up on things. They were digging storm shelters and telling their friends: Do not come to our house because we are digging a storm shelter. It was panic, and it was panic because they woke up one morning and found out there were Soviet missiles on the island of Cuba aimed at American cities, and that we

had no defense against those incoming missiles.

Those were medium-range missiles that could have hit any American city in the continental America other than Seattle. So it is understandable people were panicked about it.

Yet if you saw this movie, one of the alternatives was to take 20 minutes and go down and wipe out the island of Cuba. That was one alternative, and that is why we say and I say that the threat facing America is greater today than it was then, because of those missiles that are currently targeting American cities. And this is not something that is up for debate, it is not something that anyone is going to challenge, because it was classified material until one of the newspapers was able to get some information here about 2 years ago, and, yes, at that time they said at least 18 American cities were targeted by missiles from China.

It goes without saying and everybody knows that virtually every country has weapons of mass destruction, either biological, chemical, or nuclear. The thing they do not have, at least up until recently, is a missile to deliver those weapons. Now it is a different story. We know for a fact that North Korea, Russia, and China have missiles that will reach the United States of America.

Let me be real specific. If the Chinese were to deploy a missile from somewhere around Beijing, it would take 35 minutes to get here, and during that 35 minutes we have absolutely nothing in our arsenal to knock down that missile, zero. We are naked. It is hard to explain the devastation that can take place by an incoming nuclear missile.

I come from the State of Oklahoma. In Oklahoma, we had the most devastating domestic terrorist attack in the history of this country. That was when the Murrah Federal Office Building explosion occurred. That was devastating, and 168 people lost their lives. I was there just a few minutes after it happened, and I can remember the parts of the bodies that were stuck to the walls of the building that was still smoking. It was still insecure when all of these firemen who had volunteered came all the way from as far away as Maryland to help to try to go in and secure the building, to try to find the bodies. Many bodies were never found.

That was a terrible explosion, and yet the smallest nuclear warhead known to man is 1,000 times that explosive power. So think about what that could do relative to the disaster that took place in Oklahoma a few years ago.

Now we are faced with this threat. I would like to think that is the only problem, but there are other problems. We are at one-half the force strength of 1991. How many people know that? Is that debatable? I am talking one-half Army divisions, one-half tactical air wings, one-half of the ships—down from 600 to 300 ships. It is usually reassuring to people, thinking that although we are at one-half strength, we have the best military personnel, we have the best of equipment, the most modern equipment. That is not true anymore.

We had a hearing the other day before all the Chiefs. There was a friend of mine in the audience named Charles Sublett, a hero in Vietnam, flying F–4s and F–100s while the Navy was flying A–6s and A–4s. I identified him as a hero. He stood up. I said: Let me ask you this question—and a lot of people differ as to the war in Vietnam; there is a difference of opinion Americans have—was it true every piece of equipment you had was better than that which any potential adversary had? He said: Absolutely.

Today that is not true. The best air-to-air missile we have is the F–14. It is not as good as the SU–27 now manufactured on the open market and bought by the Russians and Chinese, and the best we have for air-to-ground capability is the F–16 and still their SU–30 is better.

I asked the same question of the generals testifying. They said that is true in terms of the range and the maneuverability. Our pilots are better, but the equipment is not as good. The same is true with artillery capability. The Paladin is outgunned in terms of range and fire by almost everything our potential adversaries have. It is not just that we do not have a missile defense in this country when the threat is every bit as real as 1962 when everybody panicked. We have a real job in trying to do an adequate job defending this country with the defense authorization bill that will be forthcoming.

Tonight we have our first meeting. We had subcommittee meetings today, and tonight we have our first meeting. I hope this does not end up being a partisan bill. People recognize defending America has to be the No. 1 priority.

EXPORT ADMINISTRATION ACT OF 2001—Continued

Mr. INHOFE. Mr. President, on the bill before the Senate, it is my understanding some people are trying to work out an agreement, but I rise in opposition to the Export Administration Act. A lot of people state the purpose of this bill is to protect the national security. We are kidding ourselves. The real objective of those who wrote this bill and who actively support it is to promote trade and transfers of the very dual-use high technologies which, in the wrong hands, pose a serious threat to national security. Their emphasis is such liberalized trade will be good for the economy, but we have to ask: At what price?

This debate does not occur in a vacuum. We have the record of the last 8 years when we had an administration which deliberately ignored and undermined our Nation's cold war system of export controls designed to protect national security. Their attitude was that the cold war was over so there was no real threat out there. Why worry about technology transfers? Why worry about rogue state missile systems and weapons programs? This flies in the face of everything that is logical.

We have had very serious problems in hearing things taking place in China. During the elections in Taiwan when there was a notion we might go in there and try to intervene, they were trying to intimidate the elections by firing missiles in the Taiwan Straits. Later on the second highest ranking Chinese military officer said: We are not concerned about America coming to the aid of Taipei because they would rather defend Los Angeles.

Then we had the Defense Minister of China saying, war with America is inevitable, which he has repeated 3 times, once in the last 8 months. We have a serious problem out there and we have to recognize that.

My fear is a lot of this technology is going to go to countries such as China, and specifically China.

I will review the actions of the Clinton administration. The first thing they did in 1994, shortly after taking office, they ended COCOM, the Coordinating Committee on Multinational Export Controls. This was put together so we and our allies could all agree not to export high technology that could get in the hands of the wrong people. That system was set in place, and in 1994 the administration ended that.

The administration, shortly after that in 1996, took control of the authority on export licenses out of the hands of the State Department and put it in the Commerce Department. Later they recognized it was wrong, the public recognized it, and after the Cox report they moved it back to the State Department.

The granting of waivers for missile defense technologies—we all remember the significant problem we had when the administration signed a waiver to allow China to have the guidance technology produced by the Loral Corporation, owned by the Hughes Corporation, that allow the Chinese to have the guided-missile technology that gave them more control over where the missiles might go, even if one might be coming toward the United States. They allowed transfer of high-performance computers, which ended up helping improve Chinese military systems.

The theft of our nuclear secrets, at that time we had 16 nuclear compromises. Eight were before the last administration; eight were during the Clinton administration. We discovered that of the eight before the Clinton administration, one went back as far as the Carter administration, which was discovered by this country when a walk-in informant came to a CIA office with the documentation that China had that information from those other compromises from the previous administration. Yet it was covered up until the Cox report came out 4 years later and we realized China had virtually everything.

The main thing that concerns me is we have a threat out there today. We have been guilty of allowing our nuclear secrets to get into the hands of the wrong people. Until this is under control, I think it would be premature, in my opinion, to pass, to implement those changes recommended in the Export Administration Act under consideration today.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, we have been here now since 2:15. Senator LEAHY spoke in morning business about Northern Ireland, which was very lucid and understandable. I appreciate his remarks. We had the Senator from Oklahoma, Mr. INHOFE, talk for 5 minutes or so about this bill directly and indirectly. We have a few people who oppose this legislation, but they literally are holding up not only what is going on in the Senate but what we need to do for this country.

We have eight appropriations bills that need to be passed. We could be working on those. We have the education bill and some things we still need to finalize. We have conference reports. We have lots of things that need to be done. There is a hue and cry that we need to get to the Defense bill. We need to do Defense appropriations. We can't do that until we do the Defense authorization bill.

I hope everyone understands that one of the alternatives available on this bill and any other bill is we can move to third reading. We could do that right now. We, of course, will not do that. I will confer with Senator SARBANES. I hope Senator ENZI, who has been managing this bill for the last 2 days, will confer with the ranking member of the Banking Committee, Senator GRAMM, to see if we can get permission to do that. We really want to move forward on this.

I see the chairman of the committee here who has worked so diligently on this bill. I say to my friend from Maryland that we are getting requests now for morning business that are totally unrelated to this legislation. We have been here all this afternoon. We had some very good statements this morning on the bill. It is important that Members have an opportunity to speak on the bill. Here we are, doing nothing, with so many things left to do.

I say to my friend from Maryland who is so ably managing this bill that I think we should be arriving at a point soon, if Members aren't willing to come over and talk about what they want or are not willing to offer amendments, we move to third reading. Certainly there is nothing in the order that would prevent that. Senator DASCHLE said he would not move to cloture under the agreement with Senator THOMPSON, and he will stick to that. But that doesn't mean we do nothing all day Wednesday, Thursday, and Friday.

I know the Senator from Maryland is trying to work out a compromise. All I am saying is that I hope before we have an afternoon of morning business we decide whether or not we are going to be able to complete this legislation.

Mr. SARBANES. Mr. President, first of all, I don't think we should go to morning business. I think we should stay on the bill even if there is a period of time when we are in a quorum call.

Second, I say to my colleagues who are listening that if anyone has any statement they want to make, they had better get over and do it because we are working on an amendment which is sort of being cleared downtown. If we can get clearance on that and an accommodation, I hope we can then adopt that amendment, probably have some colloquy, do a managers' amendment, and go to the third reading of the bill and finish this bill. That would be our objective.

So if we start moving that way, and people who have not been around and have not been engaged in the process then want to make a statement, or maybe all of a sudden appear from somewhere and offer an amendment, we are going to say: Where have you been? We have been biding our time and waiting and wanting to move ahead, and so forth and so on, and you were not here.

But at the moment we need to get the clearance on this amendment we are working on. We think that is in the works. That is the best I can say to the majority whip on that score.

The PRESIDING OFFICER (Mr. CARPER). The Senator from Arizona.

Mr. KYL. Mr. President, I concur in the admonition of the chairman and the manager on the Republican side that Members who have something to say should come down and speak because as we speak there are some discussions going on about some possible amendments that would move us much closer toward a time when the bill could be completed. In fact, some of us are meeting at 3:30 to try to resolve some issues that are pending right now. So I join in the comment made that people who wish to speak to the bill should do so as soon as possible.

I will take this opportunity to highlight some of the issues, a couple of which might be the subject of a potential agreement that would be added to the bill and that might help to move it along to completion.

As I said in my other remarks, there are some concerns about the way current agreements have been enforced or have not been enforced with respect to dual-technology items that have been sent to these countries. There is a provision in the bill that enables the United States to come down hard on a company which receives an item that is supposed to be used for commercial purposes—for research or university purposes, something such as that—and then in turn transfers that item to some kind of defense program that is unauthorized in the license.

Just to use a purely hypothetical example, I said there might be some nuclear generation facility component which is sent to help build a nuclear generating plant, but the end user, instead of being that commercial reactor facility, sends it over to some defense plant, which then uses it in their nuclear program for weaponry. That would be a good example of an improper application of one of these dual-use items where the license had been granted for shipment for one purpose but it turns out to have been used for another.

We have a postshipment verification requirement ordinarily. That means we have somebody who goes over and makes sure the item was used in the way and in the place they said it was going to be used. The problem is, in the past we have found those postverification shipment procedures are not followed all the time. Indeed, a lot of the time they are not followed, and there is not much the United States can do about it.

I quoted the statistics earlier today—I am not sure I have them here—but the fact is, with respect to satellites, the United States has an agreement with China that was entered into in 1998 that provides some degree of postshipment verification that the satellite is being used where it is supposed to be used, and so on, but it turns out less than a fourth of the required verifications have been permitted. They have been delayed. There have been requests by the Chinese Government: Let us do the inspection rather than have you do it—this kind of thing.

Clearly, if we are going to have a liberalization of our export control policy, and we are going to be granting more licenses to permit the shipment of dual-technology items which could be put to military use, and we are willing to say, look, if you will put it to commercial use, OK, but we don't want you to put it to military use, and we want to have somebody check that after the fact to make sure that is correct, if we are going to do that procedure, we have to make sure it works, and there has to be some penalty for those who violate it.

The bill has a penalty if it is a company that violates the procedure, but there is no provision to deal with a country that violates it. So one of the proposals that is under active consideration right now as a possible amendment that could be agreed to would make a minor change, but it would have a major effect.

In reference to the subsection on page 296 of the bill, the first seven lines in this case would read: If the country in which the end-user is located refuses

to allow post-shipment verification of a controlled item, the Secretary—meaning the Secretary of Commerce—may deny a license for the export of any other controlled item until such post-shipment verification is allowed.

It is very straightforward. It is not mandatory, so there is nothing that makes the Secretary of Commerce do this. But at least the Secretary would have an ability to say to a country, such as China, for example: Look, you have not allowed us to inspect the ultimate user of the last three items we sent you, so we are not going to approve any more licenses—at least of products A, B, and C—until you allow that. That might be one way to help get this provision of postshipment verification enforced.

So that is one of the ideas we have. As I say, it is one that is being discussed right now. It is one on which possibly there could be some agreement. We hope so. If so, I think that will advance the time that we can get the bill resolved.

Another question has to do with this matter of a product that is available in foreign markets. The concept of the proponents of the bill is if a product is available in a foreign market, then the cat is already out of the bag; we might as well let American companies compete for that business, too.

I raised a lot of questions this morning about how that really works. But leaving that aside, at least one very modest addition which certainly would help somewhat would be to ensure that not only are the items comparable in the sense that if you can buy this particular kind of computer in country A, then why restrict American companies from selling the same kind of computer?—that what we would want to do is ensure that we are talking about computers of comparable quality, not just that they are sold for roughly the same price, not just that they have roughly the same capacity, but that they are truly of the same quality.

The reason for that is most people would like to buy American products because of their quality. It is not enough to say you can buy a similar computer three other places in the world if you are not ready to establish that the computer you are talking about in those three other places is of comparable quality to the U.S. computer. It does not matter if it has the same capacity and if it costs roughly the same; if it is not as good, if it does not have the same quality, then it would not be a comparable item. We just want to make sure when we are talking about foreign availability we really mean the same basic kind of product is available in those foreign countries.

To give you an illustration, you can buy two different cars that go just as fast. One goes just as fast as the other one. One has just as much acceleration as the other one. The air-conditioner is just as good. And it costs about the same amount of money. But what you might find if you read Consumer Reports is the first car will last you about 20,000 miles and then it becomes a piece of junk, whereas the second car has much better quality. It has a 50,000-mile warranty. It has a great service record. The company will always take care of it if there is something wrong, and so on.

That is just a hypothetical example. But I think if we are going to say we are going to permit the export of items as long as they are available anywhere else in the world, even though they are products we would just as soon not fall into the hands of the wrong countries, if we are going to go that way, we have to make sure we are at least talking about goods that have comparable quality. I think the addition of some language in that regard would be very useful.

Another idea that has been discussed—and there are others who, frankly, would be better able to discuss this than I because it has been their idea—is to have some kind of commission, a blue ribbon commission that would evaluate the success of this new regime after it has been put into place.

Nobody knows for sure how this is going to work. I think almost everybody would concede we are in unchartered territory, that the stakes are enormous, and that what we do not want to do is find out 5 years down the road that something we put in place—locked into place in statutory form—is actually permitting the rogue countries of the world to acquire a lot of equipment or technology that we would rather not have fall into their hands simply because we were not careful enough in writing the legislation.

I don't think most of us are smart enough to predict that far in the future exactly how we want do all of this. The notion has been that it would be good to have in place some kind of a blue ribbon commission which could be appointed in the not-too-distant future to examine how this is working and to make recommendations to the President and to the Congress on how to make improvements in that. We can talk about the details of how the commission is appointed and when it reports and all those kinds of things. This kind of idea is a good idea, and it would be useful to have that incorporated into the legislation as well.

I believe there will be some kind of agreement on this. I think the parties are talking. Everybody recognizes the value, the utility of that.

A fourth area I will mention is that in the past the Department of Commerce has added items and subtracted items to the so-called controlled commodity list. It has done so under its own rules and regulations which could in fact and maybe does involve some consultation with other departments of government. It is a little unclear exactly how the process works. In the past, the Department of Commerce has been the department in charge. I believe the list is some 2,400 items controlled right now.

Part of the theory of the legislation is that some of those items would be taken off the controlled list so that a party wishing to export them would not have to come to the U.S. Government and obtain a license for the export of that item. That is probably appropriate with respect to many of these controlled items. Still we have to be careful that we are not taking items off the list which could in fact be used by a hostile country against the interests of the United States.

Given the fact that the Department of Commerce has as its mission trade promotion, it is not exactly evident that that department is in the best position to judge whether or not an item should stay on the list. Obviously, it at least ought to be talking to the intelligence community, the Defense Department, the State Department, the Department of Energy, and so on. We want to have at least some recognition of the fact that as this is going to be administered in the future, the Department of Commerce will, to an extent appropriate, call upon the advice and counsel of these other departments in seeking to make determinations with respect to what items are on that control list or not.

It may be that this is a matter the administration needs to think about and figure out how they want to handle. For my own part, I have, as I have said before, the utmost confidence in this administration and Secretary Don Evans and the other people who would be making the decisions. As a matter of fact, my only beef with Don Evans, the Secretary of Commerce, is that he hired away my chief of staff when he was confirmed. We have a great relationship. I have total confidence in him and in the people in his department. I believe they will, in fact, call upon the expertise of other people in government who may be in a better position to judge with respect to a particular item.

They will have a lot of cross pressures, too. They will have folks in industry pushing them to decontrol as much as possible because obviously it is more costly and more difficult to export an item if you have to go get a license for the export than if you don't have to worry about that.

Given these cross pressures, we would at least like to get some kind of commitment from the administration that it is going to look at this and try to find a way to ensure that the other departments of government are brought into the process as appropriate.

There may be some other things, as the administration has indicated to us, that should be the subject of a subsequent Executive order to implement the legislation. Obviously, we will be interested in working with the administration on what some of those items might be as well. Some of them might be able to correct some of the problems I identified this morning and that some others have as well. We will be expressing that to the administration again. I

am sure they will respond with an appropriate response.

These are the kinds of items we are talking about now as possibly being resolved by some kind of amendment or series of amendments that could get us to a conclusion on this legislation. Since it is very evident from the standpoint of those of us who have concerns about it that in the end legislation is going to pass and we have no desire to delay or to stall it, we are not going to win very many amendments that we propose. Notwithstanding the fact we are very serious and concerned about it, there is no point in us taking up the Senate's time or persisting in a matter on which we are not likely to succeed, especially if, as has been conveyed to us, a few changes might be possible to be agreed to here fairly quickly, and then we could move on with the conclusion of the legislation.

That is why I add my comments to those of the Senator from Maryland and suggest that if there are those who would like to come here to make an opening statement about the legislation or to express concerns or support for it or any particular amendment, this would be a good time to do so. I am hopeful that within the next several minutes we will be able to meet and we will be able to confer about some of the things I have talked about and perhaps come to some conclusion. I am sure it is the position of the managers that they would like to move fairly quickly after that, if we are able to do that. Therefore, it would be appropriate to discuss at this time any concerns or other items with respect to this bill people would like to take up.

I had indicated this morning that I would just quickly detail sort of a list of potential amendments in case anybody is interested. These were proposals that were prepared before the legislation was taken up. I don't know how many people are still planning on offering any of these amendments. My own view is that if we are able to achieve consensus on the items I mentioned a moment ago, it will probably be doubtful that these amendments will be adopted. Therefore, people might want to consider dealing with the subjects in some other way. I will just run through them quickly.

One of the problems has to do with deemed exports. Deemed exports are basically transfer of technology, of knowledge, rather than a particular product, but that can, of course, be just as important to a rogue nation in putting together some kind of weapons program or missile program as the export of a particular item. Some of us believe we should deal a little bit more specifically with the matter of deemed exports. Again, that matter might be at least handled for the time being through some communication with the administration, assurance that it intends to deal with the subject in some way.

I talked about the matter of the controlled list and how other departments probably need to have a little more involvement in that than the legislation itself provides. The legislation itself provides no assurance that any other departments will be involved in the listing of items on the controlled list. We think it would be a good idea if there were some assurance that they would be included in the process.

I mentioned the standard of finding for foreign availability. There are quite a few different ideas about how that might be strengthened. I mentioned the one about comparable quality. I hope we can do something on that.

There is a question that we are not going to pursue here—at least I will not pursue—but it could be the subject of an amendment. It is important. I wish we could do something about it. It had to do with taking a little bit of extra time to deal with matters that are particularly complex. The Thompson amendment failed yesterday. There are other ideas about how to deal with that so that the Departments of Defense, State, and Energy, and any other agencies that are involved in a particular license would have enough time to review the license application beyond the limit of 30 days, which is currently provided for.

The Thompson amendment provided an additional potentially 60 days. There are some other potential compromises that could be offered there. I doubt, since the Thompson amendment was defeated, that an amendment on this subject will be offered again.

There is a question about the interagency dispute resolution process, and there have been some proposed changes that could come up as an amendment with respect thereto. This process requires any dispute over a license, application, or a commodity classification to be resolved by the various departments that should be involved and then to forward any disagreement up the chain of command. This is a recommendation of the Cox commission and frankly would strengthen the hand of individual departments in this interagency review process. I am not certain, but I believe the House bill addressed this in some fashion, and it may be that if the House holds to its position and we pass the bill before us today, that issue is going to have to be further visited. At least from my perspective, it would be a wise thing to do.

There is another potential amendment relating to standardization of determination requirements. This is something others have brought up. This is not something that I would bring up. It has to do with the standard for waiving the foreign availability or mass market determinations. I did allude to this in my opening statement—the different standards of serious, significant, or merely a national threat. It may be wise to try to standardize those. Somebody else might bring that up.

There could also be an amendment relating to a reporting requirement for key proliferators, requiring a report on certain items transferred to certain key proliferator countries. This is something that I think would be useful to the Congress as we continue to review how the act is working and, frankly, useful to a blue ribbon commission as well. It is not in the bill at this point. Somebody else may pursue that. Likewise, a license for key proliferators requiring that a license for certain items transferred to certain key proliferators be actually established in the legislation, rather than leaving it up to a question of what is on the control list.

There is also a proposed amendment relating to congressional notification when changes are made in either the particular countries involved or the tiers—as you know, we have tier I, tier II, and tier III countries—or when violations of the Export Administration Act occur. I think, frankly, this would be a useful report, especially if we have a blue ribbon commission. They are going to want to collect this data anyway.

Congress should be aware of the data. It is especially going to be important for countries that may continue to violate the postshipment verification procedures. I think it would be useful to have a congressional notification process. It is not in the bill now. I have not proposed that this be part of a managers' amendment. I wonder if people will consider that. Somebody may want to offer that amendment.

There is also a different version of the blue ribbon commission which I understand might be proposed, and there may be other amendments.

I think that is a list of at least several of the amendments that were being drafted for presentation a little later. Again, many might be obviated by the discussion I had before.

There are a couple of other items that have to do with specific provisions of the bill, such as the 18-month limitation on the Presidential authority to grant a waiver from the foreign availability. That is too restrictive. I would eliminate that.

There is another possibility in that same section for another change. This has to do with the fact that the President can't delegate his authority. You want the President making the ultimate determinations, but you want him making big determinations, not little ones. There are a lot of things in this bill that have to do with particular items that should not go up to the President. He could delegate that easily to one of his secretaries. I don't believe that will be a proposed amendment.

I want to explain to my colleagues that notwithstanding the fact that an item or a concern may not be proposed here in the form of an amendment, that doesn't mean there are not additional concerns we have with the legislation that I hope eventually, between the House and Senate, will be addressed. Much of that was discussed in my opening comments.

That is the list. I hope in the next few minutes we can try to resolve these remaining issues so we can move forward.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Ms. CANTWELL. Mr. President, I rise today in support of Senate bill S. 149, the Export Administration Act of 2001. I am very proud to be an original cosponsor of this bill. I thank the Senator from Wyoming for his tireless efforts in crafting legislation that I believe will move us forward in this area. I am thankful for the leadership of the distinguished chair and the ranking member of the Banking Committee, the Senator from Maryland, and the Senator from Texas, and others who have worked hard to successfully address the issue of export controls in a changing economy.

U.S. competitiveness in the global economy will depend heavily on our ability to foster continued innovation in our technology sector and help domestic companies gain markets overseas.

Mr. President, in my State, technology-based industries are the bulwark of the Washington State economy. They now account for the largest share of employment, business activity, and labor income of any sector in the State's economic base. Roughly 38 percent of all Washington State jobs are tied to the tech sector, and the State's 286,000 tech workers earn wages that are 81 percent above the State average.

This sector is gearing up to be a crucial engine for the future of the U.S. economy, and for Washington State in particular. However, to guide the continued development of this sector, we need to ensure the success of U.S. companies and their exports in the international marketplace. This legilsation streamlines the process by which companies gain approval to export their products to foreign markets. This is important because it is increasingly importer that in today's economy, a company that cannot compete globally will not succeed.

Although the United States currently leads the world in technology, we are not the only technology suppliers and this lead is not guaranteed to last. We sacrifice our position as a global technology and economic leader when we limit U.S. companies' ability to sell their products abroad through a burdensome, unreasonable, and flawed export control system.

Under the current system, companies lose out in the short term through restrictions on direct sales but also in the long term through loss of market share.

The existing process for U.S. companies to acquire export licenses involves a complex application procedure and a Byzantine system of bureaucratic authority spread over four Federal agencies. Getting the license can take a very long time, which compromises the reliability of U.S. suppliers and makes it hard for manufacturers and customers to plan ahead.

Mr. President, S. 149 will go a long way in streamlining the export control process and utlimately strengthening U.S. economic competitiveness by making three major changes:

First, this bill provides a commonsense approach to the reality of the global economy by recognizing that if a certain technology is available on the mass market or made available for sale to multiple buyers, it simply does not make sense to restrict U.S. companies from these commercial opportunities.

Second, this bill streamlines export control licensing by centralizing authority under one agency and streamlining the process. Let me be clear. It does not do anything to reduce the depth of the review process, nor compromise its effectiveness; it simply provides accountability and structure to ensure that decisions are made in a more timely efficient and transparent manner.

Third, this bill removes the antiquated MTOPS standard for categorizing high-speed computers, and allows the President and his security team to develop a control system that is flexible and specifically tailored to keep pace with advances in technological capability.

United States companies operate in a fiercely competitive environment, and we cannot afford to have outdated regulations make that competition even more difficult—especially if these regulations do not effectively meet their objectives.

This is the fundamental flaw of the current control system. Although restrictions disadvantage American companies globally in the name of national security, in practice, they do not effectively enhance our security interests.

I refer to the December GAO report which states:

> The current system of controlling the export of individual machines is ineffective in limiting countries of concern from obtaining high performance computing capabilities for military applications.

This is a crucial point. Especially as we have heard many of our distinguished colleagues in this Chamber characterize this bill as putting business or economic interests over national security interests.

With all due respect to the opponents of this bill, this perceived conflict of economic versus security interests is fundamentally misguided. In fact, this bill helps support our economic interests while enhancing the President's ability to ensure our national security.

And you need not take my word for it. I am joined by leaders of the intelligence community, the Secretary of State, the Secretary of Defense, the National Security Advisor, and President Bush who all agree that these changes will actually strengthen the President's national security authority. Instead of his having to rely on an antiquated system to control security the President will be granted direct authority to intervene in matters where he determines national security is at stake.

This bill helps us focus on those export technologies that constitute true national security threats. And, make no mistake, this bill is not soft on those who break the law. For those firms and individuals who violate the established control laws, this bill authorizes substantially higher criminal and civil penalties that those included in the current system.

We need to establish an export control regime that facilitates our Nation's status as a global economic and technology leader and provides a control system that allows the administration to focus on those exports that do constitute a specific security threat. We must come to realize that these are not competing goals but constitute intertwined objectives. This bill helps to achieve both, and I urge my colleagues to join me in supporting it.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. KYL. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a document entitled ''Talking Points on High Performance Computers,'' which describes some of the difficulties we have encountered in the transfer of high-technology computers to other countries, and which basically says we should be more careful about liberalizing export controls on these items.

There being on objection, the material was ordered to be printed in the RECORD, as follows:

TALKING POINTS ON HIGH PERFORMANCE COMPUTERS

INTRODUCTION

In 1997, in response to growing concerns that foreign entities had illegally acquired U.S.-made high performance computers for military purposes, Congress inserted language into the FY 1998 Defense Authorization Act that was designed to strengthen export controls on such computers.

S. 149 would repeal the sections of that Act requiring prior notification for exports of HPCs above the MTOP threshold to Tier 3 countries (including China), post-shipment verifications for these HPCs, and Congressional notification of an adjustment in MTOP threshold levels. It also contains a provision to repeal the sections that established MTOPS performance levels above which no computers could be sold to certain countries without a license.

CURRENT EXPORT CONTROLS ON HPCS

In January 2001, President Clinton loosened export controls on high performance computers for the sixth time. Under the latest guidelines, computers with a processing speed of less than 85,000 million theoretical operations per seconds (MTOPS) no longer require a license for export to military organizations in Tier 3 countries like China.

The bar requiring firms to notify the Commerce Department of an export was also raised to 85,000 MTOPS—establishing, for the first time, licensing and advanced notification thresholds at the same level. Consequently, the new rules effectively eliminate routine prior U.S. government review of any computer exports below the licensing threshold to Tier 3 countries.

By contrast, in January 2000, computers with processing speeds above 2,000 MTOPS required a license for export to Tier 3 countries—over a 40-fold increase in a 1-year period.

85,000 MTOPS computers are very powerful. As a comparison, in 1997 some of the initial computers developed in the U.S. under the Stockpile Stewardship Program's Accelerated Strategic Computing Initiative (ASCI), called ASCI Red and ASCI Red/1024, had processing speeds of 46,000 and 76,000 MTOPS respectively. These computers were used for 3D modeling and shock physics simulation for nuclear weapons applications.

In March 2001, the General Accounting Office concluded that President Clinton failed to adequately analyze ''military significant uses for computers at the new thresholds and assess the national security impact of such uses.''

For example, in testimony to the Senate Governmental Affairs Committee in March 2001, Susan Westin, Managing Director of the International Affairs and Trade Division at GAO, stated, ''The report does not note that applications for 3-dimensional modeling of armor and anti-armor and 3-dimensional modeling of submarines can be run on computers at about 70,000 MTOPS.

Furthermore, Ms. Westin noted that ''The President's report does not state that computers rated up to 85,000 MTOPS could operate all but four of the 194 militarily significant applications identified in the 1998 Defense- and Commerce-sponsored study.'' (The study to which she referred was one of two studies upon which the report's section on the computer uses of military significance was largely based.)

CONTROLLABILITY OF HIGH PERFORMANCE COMPUTERS

Some cite computer ''clustering'' as making computer controls ineffective. This involves linking several processors together to create a parallel processing system with greater capabilities than the individual processors.

According to Susan Westin's testimony to the Senate Governmental Affairs Committee in March, President Clinton set the licensing control threshold of 85,000 MTOPS based on the availability of clustering technologies projected to be available by the end of 2001.

However, as Ms. Westin noted in her testimony, ''DOD officials, when asked, could not provide evidence to support their conclusions that there is necessary technical expertise in tier three countries [like China] to cluster to *any* performance level.'' (Emphasis in original.)

Additionally, as Andrew Grover, CEO of Intel, concluded during his remarks to the Forum for Technology and Innovation in March 1999, ''The physical technology, the hardware technology implicit in building these large parallel machines, is not the same as the physical technology used in building commodity machines.''

The report produced in 1999 by a 9-member bipartisan commission chaired by Congressman Chris Cox in the House of Representatives (the Cox Report) also addressed this issue with regard to China's computing abilities, stating that ''while the PRC might attempt to perform some HPC functions by other means, these computer work-arounds remain difficult and imperfect.''

WHY DO HPC'S NEED TO BE CONTROLLED?

As stated by Gary Milhollin, Executive Director of the Wisconsin project on Nuclear Arms Control, in an op-ed in the Washington Post in March 2000,

''The truth is, high-performance computers aren't like most other exports—they're more like weapons. They are essential to develop the software and hardware that make things like advanced military radar work. And one of the driving forces behind the development of 'supercomputers' has always been the desire to design better nuclear weapons and the missiles that deliver them . . . *It is easier, safer, and more economical to stop dangerous exports than to defend against the weapons they produce.*'' (Emphasis added.)

The Cox report discussed in detail China's potential use of high-performance computers for the design and testing of ballistic missiles and advanced conventional weapons, the design and manufacturing of chemical and biological weapons, nuclear weapons development, warfare applications such as computer network attack, intelligence collection and analysis, and military command and control.

The Cox Committee concluded that China is ''attempting to achieve parity with U.S. systems and capabilities in its military modernization efforts.'' As illustrated by Beijing's recent military exercises, its rapid efforts to modernize its military, and its continuing buildup of short-range missiles aimed at Taiwan, China poses a real and growing threat to U.S. national security.

The United States should not ease restrictions on the export of high performance computers that China can use to further its weapons development programs. Unfortunately, this is precisely what S. 149 would accomplish.

NOTIFICATION PROCESS

The 1998 Defense Authorization Act requires exporters to submit for review any proposed Tier 3 sale above the MTOPS threshold. This review is conducted by the Secretaries Commerce, Defense, State, and Energy, and the Director of the Arms Control and Disarmament Agency.

This requirement would be repealed by S. 149.

In his testimony to the House Armed Services Committee in October 1999, Gary Milhollin discussed the importance of the notification process set forth in the 1998 Defense Authorization Act, stating that it ''has worked brilliantly.'' Furthermore, he concluded, ''It has stopped a number of dangerous exports without imposing any significant burden on American industry.''

In his testimony, Mr. Milhollin sited a number of instances where the process has been successful.

For example, Digital Equipment Corporation (Now Compaq) applied for permission to sell a supercomputer to the Harbin Institute of Technology in China. According to Mr. Milhollin's testimony, this institute ''is overseen by the China Aerospace Corporation, China's principal missile and rocket manufacturer,'' and it ''makes rocket castings and other components for long-range missiles.''

The application was denied as a result of objections from the Arms Control and Disarmament Agency and the State Department. Mr. Milhollin further notes that the sale would have been worth only $348,000, in comparison to Compaq's annual revenue of approximately $31 billion.

Without the notification process, Digital would most likely have indirectly aided China in its effort to make more long-range ballistic missiles. Do we want to risk such an outcome in the future?

POST-SHIPMENT VERIFICATION

S. 149 would also repeal the section in the 1998 Defense Authorization Act that requires post-shipment verifications for high performance computers exported to Tier 3 countries, like China.

In June 1998, China agreed to allow post-shipment verifications for all exports, including high-performance computers. For the following reasons, the Cox Committee found the terms of the agreement ''wholly inadequate'':

1. China considers U.S. Commerce Department requests to verify the end-use of a U.S. high performance computer to be non-binding.
2. China insists that one of its own ministries conduct an end-use verification, if it agrees to one at all.
3. China argues that U.S. Embassy and Consulate commercial service personnel may not attend an end-use verification unless invited by China.
4. China argues that it is at China's discretion whether or not to conduct any end-use verification.
5. China will not permit an end-use verification at any time after the first six months of the computer's arrival.

According to the Bureau of Export Administration, out of 857 high-performance computers shipped to China, only 132 post-shipment verifications have been performed.

According to the Cox Report,

''The illegal diversion of HPCs for the benefit of the PRC military is facilitated by the lack of effective post-sale verifications of the locations and purposes for which the computers are being used. HPC diversion for PRC military use is also facilitated by the steady relaxation of U.S. export controls over sales of HPCs.''

The Cox Report also states,

''. . . the United States has no effective way to verify that high-performance computer purchases reportedly made for commercial purposes are not diverted to military uses. The Select Committee judges that the PRC has in fact used high-performance computers to perform nuclear weapon applications.''

More recently, during a July 2001 hearing of the House International Relations Committee, David Tarbell, Deputy Undersecretary of Defense for Technology Security Policy, stated, ''. . . *the Chinese government has been unwilling to establish a verification regime and an end use monitoring regime that would get all of the security interests that we're interested in to ensure that items that are shipped are not diverted.*'' (Emphasis added.)

When pressed further by Chairman Hyde about whether the post-shipment verification regime is a failure, Secretary Tarbell replied, ''*I'm not sure I would characterize it as a complete failure, but it is close to . . . It is not something I have a great deal of confidence in.*'' (Emphasis added.)

The lack of an effective post-shipment verification regime for dual-use exports eliminates any benefit to U.S. national security of a licensing process. This bill would allow the Commerce Department to grant licenses to countries that refuse to allow post-shipment verification.

CHINA'S USE OF U.S. HPC'S FOR MILITARY PURPOSES

The Cox report discussed China's use of high performance computers for military applications, stating.

''. . . open source reporting and stated PRC military modernization goals tend to support the belief that the PRC could be using HPCs in the design, development, and operation of missiles, anti-armor weapons, chemical and biological weapons, and information warfare technologies.''

Furthermore, specifically with regard to nuclear weapons development and testing, the Cox report states, ''The Select Committee judges that the PRC is almost certain to use U.S. HPCs to perform nuclear weapons applications. Moreover the PRC continues to seek HPCs and the related computer programs for these applications.''

According to an article in the Washington Times in June 2000, ''U.S. high-performance computers are being used at the Chinese Academy of Engineering Physics, the main nuclear weapons facility in Beijing.'' The Times reported that this was the third time the Chinese government has been detected diverting U.S.-origin computers to defense facilities.

CONCLUSION

S. 149 significantly weakens controls on the export of high performance computers. The bill reverses the efforts of Congress in 1997 to strengthen such controls.

The foreign availability of high performance computers is controllable. Computer ''clustering'' will not necessarily provide China, or another country, with the capability that would be achieved with a commodity machine purchased from the United States.

The notification process established in the 1998 Defense Authorization Act has been effective in preventing some sales of high performance computers that would most likely have been diverted to military uses.

A mandatory post-shipment verification regime is necessary to ensure that U.S. high performance computers are being used for commercial, not military, purposes.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. SARBANES. Mr. President, I want to report to our colleagues where I think we are. We had been hopeful that we would have agreement on a few amendments that had been discussed at some length—largely with Senator KYL and Senator THOMPSON—and that those amendments could be agreed to and the managers' amendment would be agreed to, and then we would have been able to go on to final passage of the legislation this evening. I know a number of our colleagues are going to the White House for the state dinner with the President of the Republic of Mexico.

Regrettably, there has been a hang-up, I guess I will describe it as, at this point with respect to this blue ribbon commission amendment that we had discussed. An effort is still underway to try to work that out. We did reach agreement on two other amendments that I think are of some consequence, for which both Senator KYL and Senator THOMPSON earlier in the debate sort of laid out a rationale. Senator ENZI and I joined together in trying to accommodate that concern.

Apparently, it is believed that if we go overnight, that will provide some opportunity to work out the one remaining item.

If Members choose an amendment on that, we will have to deal with the amendment on its terms in one way or another or Members may choose at that point not to offer the amendment. But that would be the situation we would find ourselves in, and then we would move to final passage.

As best we can ascertain, there are not other amendments, and I certainly hope that is the case. That is the premise on which we are now proceeding. In light of that, I expect what we would do shortly is go over until the morning, and if the blue ribbon commission amendment has been worked out, that will be included in what would be passed. If not, we would pass the other two amendments that have been addressed and worked out, pass the managers' amendment, and go to third reading and final passage of the legislation.

This is what we have been trying to work towards all day long, and I think we came close but not quite there. So that is the situation. I want to report that to all of my colleagues. I know a lot of time has been spent in a sense waiting while discussions were going on, but that is not new for this body. We actually had hopes we would be able to get the bill done today. I very much regret that is not the case.

I discussed it with my colleagues on the other side. I do not think there are other amendments hanging out there, but if there are, we certainly want to be enlightened as to them. I am certainly not inviting them. We need to complete this legislation now.

It is clear what the will of this body is with respect to this legislation, and I hope Members would get a chance to exercise that will and then we will be able to get on with the other extended agenda which confronts the Senate now as we move into the fall period.

Mr. REID. Will the Senator yield for the purpose of asking a question?

Mr. SARBANES. Certainly.

Mr. REID. First of all, it is my understanding the Senator from Maryland and Senator ENZI, who both have managed this bill so well, are going to work with Senator THOMPSON and others, hopefully in the morning when we come in at 10:30, to have some kind of unanimous consent agreement at that time that would give us a final order to dispose of this bill. Is that true?

Mr. SARBANES. We very much hope to achieve that. And if we could do that, I also hope it would not take a great deal of time to implement or carry out a unanimous consent agreement, then not only get the agreement but move from the agreement to where we do the final passage. Then this legislation is completed and the floor is clear for other matters which I know the leadership is anxious to consider.

Mr. REID. I say to my friend before the Senator from Tennessee speaks, we are going to come in at 10:30 tomorrow and then the President of Mexico, as the Senator indicated, will be here in the morning. We will have a short time in the morning. I hope early in the morning the staffs could work with the principals to try to come up with a UC that we can propound before we listen to the President of Mexico. That would really work well.

It is my understanding the Senator from Maryland, the Senator from Wyoming, and the Senator from Tennessee are going to work toward that end so we can move to the Commerce-State-Justice bill, which Senators LOTT and DASCHLE are very anxious we finish this week.

Mr. SARBANES. I yield to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. THOMPSON. Mr. President, the scenario that has been outlined is a probability. That is something for which we can strive. We have accomplished some things in this down time we have had today. We are talking about a couple of amendments, and we are talking about a couple of letters, all of which will need to be finally agreed upon among the parties. I do not think that would be any problem. I do not anticipate other amendments at this time, but I say to my colleagues who might be listening, if anyone has any amendments, they should come forth immediately and announce them. Otherwise, I would anticipate tomorrow morning we would know where we stand with regard to the blue ribbon commission issue and would tomorrow morning be able to enter into some sort of unanimous consent agreement.

There being no further amendments other than our agreeing to the language of the letters and to the other amendments, we will be able to proceed on to final passage.

Mr. REID. Will the Senator yield for a question?

Mr. THOMPSON. I will be happy to.

Mr. REID. I always feel a sense of almost guilt when the Chamber is empty all day long and there are not people offering amendments and discussing the legislation, but it is important to note to all of the Senators within the sound of my voice and anyone else who is watching, today has been a very productive day. There has been tremendous work done by numerous Senators—Senator ENZI, Senator SARBANES, Senator GRAMM, Senator THOMPSON, and Senator KYL. We could go through the whole list of Senators who have been heavily involved in working on this bill today behind the scenes. There has been a lot of work.

The fact that we have not been in the Chamber should not diminish the fact there has been a lot of progress on this legislation.

Will the Senator from Tennessee agree with that statement?

Mr. THOMPSON. I certainly will, and I express appreciation to the leadership

for allowing us to do this unfettered and unhassled because I know the Senator wants to finish and move on to other things. We have accomplished a couple of different things in the first day. We have had an opportunity to say our piece on our side to express our concern with some of the provisions. We have also had an opportunity to have a vote. It does not take a genius to count that vote.

After the vote occurred, the proponents of this legislation, in a very reasonable fashion, suggested we get together and see if some of the concerns we expressed could not be addressed. That is what good debate and good interchange is all about: actually listening to each other and learning something from each other and trying to see whether or not we could address some issues.

Those thoughts have been expressed in a way that had not been heard before. All of this happened, and that is a good thing. We are going to wind up with a better product than we otherwise would have. So, yes, I concur with the Senator. It is time to do what we can do and then move on.

I add we still need to be diligent and make sure we agree on the language, as we have orally, and hopefully wrap this thing up tomorrow.

Mr. SARBANES. Mr. President, we are going to strive very hard to get this unanimous consent agreement before we go to the joint meeting of the Congress, and then I hope we can come back and in fairly short order execute the unanimous consent request and move to final passage of this legislation by midday tomorrow, and then clear the Chamber for the leadership to take up other matters which I know are pressing on their agenda.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. REID. I ask unanimous consent there now be a period of morning business with Senators allowed to speak for a period not to exceed 5 minutes each.

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

CELEBRATING AUSTRALIAN-AMERICAN FRIENDSHIP

Mr. LOTT. Mr. President, next week the Senate will be honored with a visit from the Right Honorable John Howard, Prime Minister of Australia. Prime Minister Howard comes to the United States to celebrate the 50th Anniversary of the signing ANZUS Treaty, the document that has formally tied our strategic destinies together for the good of the entire Asian Pacific Rim.

Our relationship with Australia did not begin with the ratification of one treaty. American and Australian soldiers have fought together on every battlefield of the world from the Meuse Argonne in 1918 to the Mekong Delta and Desert Storm. We share a common historic and cultural heritage. We are immigrant peoples forged from the British Empire. We conquered our continents and became a beacon of hope for people struggling to be free.

For over 100 years, the United States and Australia have been the foundation for stability in the South Pacific. Today, we are on the precipice of a new day in this vital region. The potential for economic growth there is staggering. Where our two countries provided the military basis for peace in that hemisphere, we now can set the stage for a new free market order that will open the frontiers of freedom for countless millions.

On September 5th, I sent a letter to President Bush asking that he accelerate the schedule for creating a free trade agreement with Australia. We are Australia's largest source of foreign investment and second largest trading partner with a two way trade totaling over $19 billion. Even though Australia has a relatively small population, they are the 15th largest market for American exports.

An American Australia Free Trade Agreement will be a capstone event on a century of friendship and mutual sacrifice. It has the potential for setting a new standard for all of the Pacific to follow. So we welcome Prime Minister Howard to the United States and look forward to another century of prosperity and peace.

I ask unanimous consent that a copy of my letter to President Bush dated September 5, 2001 be printed in the RECORD.

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

U.S. SENATE,
OFFICE OF THE REPUBLICAN LEADER,
Washington, DC, September 5, 2001.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: In recognition of the upcoming visit of Prime Minister John Howard, to celebrate the 50th anniversary of our alliance with Australia, I believe that it is a wonderful opportunity to strengthen the historic ties between our countries by launching the United States-Australia Free Trade Agreement.

In addition to a military alliance that has borne fruit on battlefields from the Meuse Argonne to Vietnam, we share a common cultural and economic bond. The United States-Australia strategic partnership is the foundation for stability in the South Pacific. We are Australia's largest source of foreign investment and second largest trading partner and they are one of the top markets for American exports.

The United States-Australia Free Trade Agreement would be the first in a series of formal regimes designed to bring the fruits of the free market to the entire Asian Pacific rim. There is no better place to expand the new economic frontier than with our friends and allies in Australia.

Sincerely,

TRENT LOTT,
Republican Leader.

STEM CELL RESEARCH

Mr. WARNER. Mr. President, I rise today to discuss embryonic stem cell research, having just participated in a hearing on stem cell research before the Senate's Health, Education, Labor, and Pensions Committee.

The future of stem cells in the United States, indeed the world, poses one of the greatest challenges to our Government since the foundation of our Republic over 200 years ago.

Enormous pressures will be placed upon our Presidents. President Bush, at the threshold of this debate on new developments in medical research, has taken an important step forward. I commend the President for supporting some degree of Federal funding for embryonic stem cell research. I also particularly commend the President for his efforts to ban human cloning.

Likewise, Congress must write laws striking a balance. On the one hand, ethical, moral, and religious standards give our Nation its strong foundation and must be considered.

On the other hand, we must allow science to go forward, within reasonable bounds, to assess the ability of the new frontier of embryonic stem cell research to alleviate the human suffering being experienced by millions.

Like our executive and legislative branches of Government, our judiciary will also be faced with challenges. The judiciary must interpret, not re-write, the law of the land, as a flood of cases will come before the courts.

If the three branches of our Government fail, in the judgment of Americans, to discharge their respective responsibilities in a fair, objective way, there will be many adverse impacts upon the American people.

For example, this science will simply leave the U.S. laboratories and move off shore. The United States will no longer be a Nation that imports and keeps our best researchers; rather, we will become a Nation that exports our brain power in crucial fields. Americans seeking medical treatment will likewise go abroad.

Consequently, our Government is faced with challenges. But, to the extent we allow embryonic stem cell research at home, within a fair and balanced framework of regulations, we can better control the important ethical, moral and religious standards vital to our culture here in the United States.

America has accepted the awesome responsibility of being the only world superpower in areas of security, the preservation of freedom, and the fostering of the principles of democracy and human rights throughout the world. Are we as a Nation going to be

a superpower in medical science, advocating ethical standards for others beyond our shores; or are we, as a Nation, going to retreat behind unrealistic, unenforceable barricades, and leave advancement in the science of this emerging field to the rest of the world?

The facts are that an overwhelming amount of evidence exists that indicates that stem cell research holds enormous potential for treatment, and ultimately cures, for many diseases such as Parkinson's disease, cancer, ALS, Alzheimer's, heart disease, spinal chord injuries, muscular dystrophy, multiple sclerosis, arthritis, and diabetes.

Constantly, my Senate staff and I meet and hear from many Virginians who suffer from these and other diseases. And, many of these same individuals succumb to their disease, as no cure has yet been found for their illness. Embryonic stem cell research offers a real opportunity to help save lives in the future.

After thoughtful consideration, I came to the conclusion that the Federal Government, subject to restrictions, should fund embryonic stem cell research so that we remain a superpower in medical science. I joined with several of my colleagues in the Senate in writing to President Bush expressing my support for Federal funding of embryonic stem cell research prior to the President's August 9th announcement. I ask unanimous consent that the letter to President Bush be printed in RECORD.

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

U.S. SENATE,
Washington, DC.

The President,
The White House, Washington, DC.

DEAR MR. PRESIDENT: We strongly urge you to continue the last Administration's policy of using Federal funds for research on human stem cells after these cells have been derived from embryos. In addition, we strongly urge you to support legislation which would remove the existing ban on the use of Federal funds to derive stem cells from embryos.

On the issue of stem cell research, we think our colleague, Senator Gordon Smith, went to the heart of the matter when he pointed out the difference between an embryo in a petri dish, which would not produce human life, as opposed to an embryo in the womb of a woman where further development would produce life.

The essential consideration is that there are many excess embryos created for the purpose of in vitro fertilization. The only issue is whether these embryo will be discarded or used for stem cell research to save lives. Stem cell research has demonstrated a remarkable capacity of these cells to transform into any type of cell in the human body. Stem cells could be transplanted to any part of the body to replace tissue that has been damaged by disease, injury or aging. If scientists are correct, stem cells could be used to treat and cure a multitude of maladies such as Parkinson's, Alzhemier's, diabetes, ALS, heart disease, spinal cord injury, all types of cancers, burns, stroke, macular degeneration, multiple sclerosis, muscular dystrophy, autoimmune diseases, hepatitis and arthritis.

Current law prohibits Federal funding to create human embryos for research purposes through cloning, or through any other means. We do not object to these important prohibitions. However, creating embryos for research purposes is entirely different from using spare embryos left-over from infertility treatments. These spare embryos are now destined to be thrown away. Rather than discarding them, we support using these embryos in medical research to treat and cure disease.

Sincerely,

Arleen Specter, Strom Thurmond, Lincoln D. Chafee, Olympia J. Snowe, Ben Nighthorse Campbell, Gordon Smith, Susan Collins, Ted Stevens, Kay Bailey Hutchison, Orrin Hatch, and Dick Lugar.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Mr. 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 of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred July 14, 1991 in Eugene, OR. Police arrested Pamela Joanne Richardson, 28, and Michael James Hughes, 21, for allegedly attacking a gay man outside a bar while using offensive language about his sexual orientation.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, September 4, 2001, the Federal debt stood at $5,761,532,655,812.62, five trillion, seven hundred sixty-one billion, five hundred thirty-two million, six hundred fifty-five thousand, eight hundred twelve dollars and sixty-two cents.

Five years ago, September 4, 1996, the Federal debt stood at $5,228,998,407,724.89, five trillion, two hundred twenty-eight billion, nine hundred ninety-eight million, four hundred seven thousand, seven hundred twenty-four dollars and eighty-nine cents.

Ten years ago, September 4, 1991, the Federal debt stood at $3,617,415,000,000, three trillion, six hundred seventeen billion, four hundred fifteen million.

Fifteen years ago, September 4, 1986, the Federal debt stood at $2,113,006,000,000, two trillion, one hundred thirteen billion, six million, which reflects a debt increase of more than $5 trillion, $3,648,526,655,812.62, three trillion, six hundred forty-eight billion, five hundred twenty-six million, six hundred fifty-five thousand, eight hundred twelve dollars and sixty-two cents during the past 15 years.

ADDITIONAL STATEMENTS

NATIONAL KIDS VOTING WEEK

• Mr. MCCAIN. Mr. President, I would like to recognize Kids Voting USA and its efforts to educate our children about civic democracy and the importance of being an informed voter.

The program began in 1988 with three Arizona businessmen on a fishing trip to Costa Rica. They learned that voter turnout in that country was routinely about 80 percent. This high turnout was attributed to a tradition of children accompanying their parents to the polls. The men observed first-hand the success Costa Rica had achieved by instilling in children at an early age the importance of active participation and voting.

The three Arizona businessmen took this idea back to the United States and founded Kids Voting USA. Today, this nonprofit, nonpartisan organization reaches 5 million students in 39 States, and includes 200,000 teachers, and 20,000 voter precincts.

With voter turnout declining each year, Kids Voting USA recognizes the need to educate our youth and instill in them the responsibility to be active, informed citizens and voters. By teaching the skills for democratic living year-round, students receive a civics education and participate in local and national elections in communities across the country. Kids Voting USA enables students to visit official polls on election day, accompanied by a parent or guardian, to cast a ballot that replicates the official ballot. Although not a part of the official results, the students' votes are registered at schools and by the media.

This year, National Kids Voting Week is September 24–28. It is a week when Kids Voting communities across the country celebrate this vibrant and important program. I would like to recognize Kids Voting USA and all its has done to promote the future of democracy by engaging young people, schools and communities in the election process.•

SAS INSTITUTE INC. CELEBRATES 25TH ANNIVERSARY

• Mr. EDWARDS. Mr. President, I am proud to honor SAS Institute Inc. as it celebrates 25 years as a leading technology company. SAS is the world's largest privately held software company. The roots of SAS' software stem from a United States Department of Agriculture grant to a group of universities in need of a way to analyze their vast amounts of agriculture data. The group developed the ''Statistical Analysis System'', giving SAS both its name and its corporate beginnings.

Headquartered in Cary, NC, SAS has made significant contributions to communities throughout North Carolina.

Fortunately, as it has grown over the last 25 years, SAS has extended its community involvement to include areas around the United States and the world. The company and its founders believe very strongly that education and technology are vitally important for our local communities, state, and country.

SAS' customer list have grown significantly over the past 25 years. SAS customers now include 98 of the ''Fortune 100'' companies. In addition, all fourteen major Federal Government departments currently use SAS software. SAS customers continually praise its software, as demonstrated by a 98-percent annual renewal rate.

For the past quarter century, SAS has annually reinvested at least 30 percent of its income into Research & Development, far exceeding the industry average. As a result of its commitment to R&D, SAS is positioned to continue to develop important solutions for its customers.

SAS co-owners and co-founders, Dr. James H. Goodnight and John P. Sall, have a built a company that is committed to providing not only valuable software solutions for its customers, but also providing a worker friendly environment for their employees. SAS' treatment of its employees is a model for other companies around the world to follow. For example, SAS was a corporate pioneer by providing on-site daycare for its employees' children as early as 1981. In 1986, SAS began offering onsite healthcare for its employees. Last year, the company's Health Care Center had more than 33,000 patient visits. SAS also provides onsite employee cafeterias, an employee fitness center, massage therapy and hair care services. SAS has created a family atmosphere that inspires employee loyalty and bottom line success.

As a result of the many employee benefits and the positive employee-friendly atmosphere created by its co-founders, SAS' employee turnover rate is just 5 percent as compared with a 20-percent industry average. Based on its workplace environment, SAS has received corporate leadership awards from numerous publications, including Working Mother, Fortune, and Business Week magazines.

Based on its past performance, I have no doubt that SAS will continue to provide an exciting work environment for its employees and remain committed to supporting community causes. SAS and its employees most certainly must be excited about the next 25 years, and as a U.S. Senator from North Carolina, I am proud that SAS was born in my State.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 11:40 am, a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2563. An act to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 2563. An act to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage.

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–3486. A communication from the General Counsel of the Office of Management and Budget, transmitting, pursuant to law, the report of a nomination confirmed for the position of Administrator of the Office of Information and Regulatory Affairs, received on August 13, 2001; to the Committee on Governmental Affairs.

EC–3487. A communication from the Director of Regulations Policy and Management, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medical Devices; Exemption From Premarket Notification Requirements; Class I Devices; Technical Amendment'' (Doc. No. 01N–0073) received on August 15, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC–3488. A communication from the Director of Regulations Policy and Management, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Revision to the Requirements Applicable to Blood, Blood Components, and Source Plasma'' (Doc. No. 98N–0673) received on August 15, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC–3489. A communication from the Acting Assistant General Counsel for Regulations, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Federal Perkins Loan Program, Federal Family Education Loan Program, and William D. Ford Federal Direct Loan Program'' received on August 16, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC–3490. A communication from the Acting Chief Executive Officer of the Corporation for National and Community Service, transmitting, pursuant to law, the report of a nomination for the position of Chief Executive Officer, received on August 16, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC–3491. A communication from the Executive Secretary and Chief of Staff of the U.S. Agency for International Development, transmitting, pursuant to law, the report of the discontinuation of service in acting role for the position of Assistant Administrator of the Bureau for Asia and the Near East, received on August 15, 2001; to the Committee on Foreign Relations.

EC–3492. A communication from the Executive Secretary and Chief of Staff of the U.S. Agency for International Development, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Administrator of the Bureau for Policy and Program Coordination, received on August 15, 2001; to the Committee on Foreign Relations.

EC–3493. A communication from the Adviser of the Bureau of Educational and Cultural Affairs, Office of Exchange Coordination and Designation, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Exchange Visitor Program Educare'' received on August 15, 2001; to the Committee on Foreign Relations.

EC–3494. A communication from the Acting Assistant Attorney General for Administration, Justice Management Division, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Exemption of Department of Justice Systems: Correspondence Management Systems for the Department of Justice (DOJ–003); Freedom of Information Act, Privacy Act and Mandatory Declassification Review Requests and Administrative Appeals for the Department of Justice (DOJ–004)'' received on August 9, 2001; to the Committee on the Judiciary.

EC–3495. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Classification of Certain Pension Employee Benefit Trusts, and Other Trusts'' (RIN1545–AY09) received on August 9, 2001; to the Committee on Finance.

EC–3496. A communication from the Program Manager of the Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Identification Markings Placed on Firearms'' (RIN1512–AB84) received on August 9, 2001; to the Committee on Finance.

EC–3497. A communication from the Director of the Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''K nonimmigrant classification for spouses of U.S. citizens and their children under the legal immigration family equity act of 2000'' (RIN1115–AG12) received on August 15, 2001; to the Committee on Finance.

EC–3498. A communication from the Director of Headquarters and Executive Personnel Services, Department of Energy, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary for Policy and International Affairs, received on August 13, 2001; to the Committee on Energy and Natural Resources.

EC–3499. A communication from the Director of Headquarters and Executive Personnel Services, Department of Energy, transmitting, pursuant to law, the report of the designation of acting officer in the position of

Administrator of the Energy Information Administration, received on August 13, 2001; to the Committee on Energy and Natural Resources.

EC–3500. A communication from the Director of Headquarters and Executive Personnel Service, Department of Energy, transmitting, pursuant to law, the report of a nomination confirmed for the position of Director of the Office of Minority Economic Impact, received on August 13, 2001; to the Committee on Energy and Natural Resources.

EC–3501. A communication from the Director of Headquarters and Executive Personnel Services, Department of Energy, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary for Congressional and Intergovernmental Affairs, received on August 13, 2001; to the Committee on Energy and Natural Resources.

EC–3502. A communication from the General Counsel of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Order Adopting Minor Revisions to OASIS Standards and Communication Protocols Document, Version 1.4'' (Doc. No. RM95–9–014) received on August 15, 2001; to the Committee on Energy and Natural Resources.

EC–3503. A communication from the Acting Director of the Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Virginia Regulatory Program'' (Doc. No. VA–119–FOR) received on August 16, 2001; to the Committee on Energy and Natural Resources.

EC–3504. A communication from the Deputy Secretary, Division of Market Regulation, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Registration of National Securities Exchanges Pursuant to Section 6(g) of the Securities Exchange Act of 1934 and Proposed Rule Changes of Certain National Securities Exchanges and Limited Purpose National Securities Associations'' (RIN3235–AI20) received on August 15, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–3505. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' (Doc. No. FEMA–7765) received on August 15, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–3506. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''National Flood Insurance Program; Assistance to Private Sector Property Insurers'' (RIN3067–AD23) received on August 15, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–3507. A communication from the Chairman and President of the Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC–3508. A communication from the Chairman and President of the Export-Import Bank of the United States, transmitting, pursuant to law, the report of a transaction involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC–3509. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations'' (Doc. No. FEMA–P–7604) received on August 21, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–3510. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations'' received on August 21, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–3511. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of a nomination for the position of Administrator of the Federal Highway Administration, received on August 9, 2001; to the Committee on Environment and Public Works.

EC–3512. 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; Administrative Revisions of General Provisions Related to Definitions of Terms and Ambient Air Quality Standards'' (FRL7021–3) received on August 15, 2001; to the Committee on Environment and Public Works.

EC–3513. 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 Commonwealth of Kentucky; Approval or Revisions to the 1-Hour Ozone Maintenance State Implementation Plan for Marshall and a Portion of Livingston Counties'' (FRL7036–8) received on August 15, 2001; to the Committee on Environment and Public Works.

EC–3514. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revision to the California State Implementation Plan, South Coast Air Quality Management District'' (FRL7026–5) received on August 15, 2001; to the Committee on Environment and Public Works.

EC–3515. A communication from the Deputy Administrator of the General Service Administration, transmitting, pursuant to law, a report relative to the Building Project Survey for Ft. Pierce, FL, Jackson, MS, and Austin, TX; to the Committee on Environment and Public Works.

EC–3516. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of a nomination withdrawn for the position of Administrator of the Federal Highway Administration, received on August 15, 2001; to the Committee on Environment and Public Works.

EC–3517. 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, Correction'' (FRL7041–8) received on August 17, 2001; to the Committee on Environment and Public Works.

EC–3518. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Finding of Attainment for Carbon Monoxide (CO); Spokane CO Nonattainment Area, Washington'' (FRL7041–9) received on August 17, 2001; to the Committee on Environment and Public Works.

EC–3519. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Florida: Final Authorization of State Hazardous Waste Management Program Revision'' (FRL7040–5) received on August 17, 2001; to the Committee on Environment and Public Works.

EC–3520. 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 for Designated Facilities and Pollutants; Pennsylvania; Conversion of the Conditional Approval of the Pennsylvania Large Municipal Waste Combustor (MWC) Plan to Full Approval'' (FRL7038–6) received on August 17, 2001; to the Committee on Environment and Public Works.

EC–3521. 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; Pennsylvania VOC and NOx RACT Determinations for Eight Individual Sources in the Pittsburgh-Beaver Valley Area; Corrections'' (FRL7040–1) received on August 17, 2001; to the Committee on Environment and Public Works.

EC–3522. 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; Pennsylvania; Nitrogen Oxides Budget Trading Program'' (FRL7038–3) received on August 17, 2001; to the Committee on Environment and Public Works.

EC–3523. 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; Pennsylvania; VOC and NOx RACT Determinations for Four Individual Sources in the Pittsburgh-Beaver Valley Areas; Corrections'' (FRL7039–9) received on August 17, 2001; to the Committee on Environment and Public Works.

EC–3524. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Final Authorization of State Hazardous Waste Management Program Revision'' (FRL7036–9) received on August 17, 2001; to the Committee on Environment and Public Works.

EC–3525. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing'' (FRL7039–4) received on August 17, 2001; to the Committee on Environment and Public Works.

EC–3526. A communication from the Acting Assistant Administrator of the National Ocean Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Federal Register Notice FY02 National Estuarine Research Reserve Graduate Research Fellowship'' (RIN0648–ZA89) received on August 13, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3527. A communication from the Associate Administrator for Aerospace Technology, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''Inventions and Contributions'' (RIN2700–AC47) received on August 15, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3528. A communication from the Associate Administrator for Aerospace Technology, National Aeronautics and Space Administration, transmitting, pursuant to law,

the report of a rule entitled ''Patents and Other Intellectual Property Rights'' (RIN2700–AC48) received on August 15, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3529. A communication from the Associate Administrator for Aerospace Technology, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''Boards and Committees'' (RIN2700–AC46) received on August 15, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3530. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of a nomination withdrawn for the position of General Counsel, Office of the Secretary, received on August 15, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3531. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of a nomination withdrawn for the position of Administrator or Research and Special Programs Administration, received on August 15, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3532. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of a nomination for the position of Administrator of the Federal Motor Carrier Safety Administration, received on August 15, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3533. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of a nomination withdrawn for the position of Administrator of the Federal Motor Carrier Safety Administration, received on August 15 , 2001; to the Committee on Commerce, Science, and Transportation.

EC–3534. A communication from the Senior Counsel of the Common Carrier Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Deployment of Wireline Services Offering Advanced Telecommunications Capability'' (Doc. No. 98–147) received on August 16, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3535. A communication from the Assistant Chief Counsel for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Exceptions from Labeling and Placarding Materials Poisonous by Inhalation (PIH)'' (RIN2137–AD37) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3536. A communication from the Attorney of the Research and Special Programs Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials Regulations: Editorial Corrections and Clarifications'' ((RIN2137–AD60)(2001–0001)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3537. 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: Fokker Model F 28 Mark 1000, 2000, 3000, and 4000 Series Airplanes'' ((RIN2120–AA64)(2001–0435)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3538. 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: Gulfstream Model G–V Series Airplanes'' ((RIN2120–AA64)(2001–0434)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3539. 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: Bombardier Model CL 600 2B16 Series Airplanes'' ((RIN2120–AA64)(2001–0433)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3540. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Chillicothe, MO'' ((RIN2120–AA66)(2001–0130)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3541. 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: Bombardier Model CL 600 2B16 Series Airplanes'' ((RIN2120–AA64)(2001–0437)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3542. 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: Rolls Royce plc. RB211 Trent Turbofan Engines'' ((RIN2120–AA64)(2001–0436)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3543. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establish Class E Airspace; Pelham Lake, VA'' ((RIN2120–AA66)(2001–0134)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3544. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Olathe, KS'' ((RIN2120–AA66)(2001–0131)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3545. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Cabool, MO'' ((RIN2120–AA66)(2001–0132)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3546. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Rome, NY'' ((RIN2120–AA66)(2001–0133)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3547. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (46); Amdt. No. 2063'' ((RIN2120–AA65)(2001–0047)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3548. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E2 Airspace; Greenwood, MS'' ((RIN2120–AA66)(2001–0135)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3549. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Fees for Air Traffic Services for Certain Flights'' ((RIN2120–AG17)(2001–0001)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3550. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Harlem River, NY'' ((RIN2115–AE47)(2001–0061)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3551. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Cleveland Harbor, Cleveland, OH'' ((RIN2115–AA97)(2001–0053)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3552. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Wings Over Lake Air Show, Michigan City, IN'' ((RIN2115–AA97)(2001–0054)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3553. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; SLR; San Juan Harbor, Puerto Rico'' ((RIN2115–AE46)(2001–0023)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3554. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Hackensack River, NJ'' ((RIN2115–AE47)(2001–0062)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3555. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Areas; Huntington Cleveland Harborfest; Regulated Navigation Area and Moving Safety Zones, Cuyahoga River and Cleveland Harbor, Cleveland, OH'' ((RIN2115–AE84)(2001–0001)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3556. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Lake Erie, Port Clinton, OH'' ((RIN2115–AA97)(2001–0051)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3557. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to

law, the report of a rule entitled ''Regatta Regulations; SLR; Inner Harbor, Patapsco River, Baltimore, Maryland'' ((RIN2115–AE46)(2001–0020)) received on August 17 , 2001; to the Committee on Commerce, Science, and Transportation.

EC–3558. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; SLR; Sturgeon Bay Canal, Sturgeon Bay, Wisconsin'' ((RIN2115–AE46)(2001–0019)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3559. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; State Road 84 Bridge, South Fork of the New River, Mile 4.4, Fort Lauderdale, Broward County, Florida'' ((RIN2115–AE47)(2001–0055)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3560. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Captain of the Port Detroit Zone'' ((RIN2115–AA97)(2001–0052)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3561. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; SLR; Propect Bay, Kent Island Narrows, Maryland'' ((RIN2115–AE46)(2001–0022)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3562. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Lake Ponchartrain, LA'' ((RIN2115–AE47)(2001–0060)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3563. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Ouachita River, Louisiana'' ((RIN2115–AE47)(2001–0059)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3564. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Mississippi River, Iowa and Illinois'' ((RIN2115–AE47)(2001–0058)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3565. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Florida East Coast Railroad Bridge, St. Johns River, Jacksonville, FL'' ((RIN2115–AE47)(2001–0056)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3566. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; SLR; Patuxent River, Solomons, Maryland'' ((RIN2115–AE46)(2001–0021)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3567. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Green River, Spottsville, Kentucky'' ((RIN2115–AE47)(2001–0057)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3568. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Raising the Threshold of Property Damage for Reports of Accidents Involving Recreational Vessels'' ((RIN2115–AF87)(2001–0002)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3569. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Lake Erie, Cleveland Harbor, Cleveland, OH'' ((RIN2115–AA97)(2001–0045)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3570. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations: Irish Festival 2001, Milwaukee Harbor, Wisconsin'' ((RIN2115–AA97)(2001–0044)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3571. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Fireworks Display, Columbia River, Asoria, Oregon'' ((RIN2115–AA97)(2001–0046)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3572. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Lake Michigan, Pentwater, MI'' ((RIN2115–AA97)(2001–0048)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3573. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Blue Water Offshore Classic, St. Clair River, MI'' ((RIN2115–AA97)(2001–0050)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3574. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Seafair Blue Angels Performance, Lake Washington, WA'' ((RIN2115–AA97)(2001–0049)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3575. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Rochester Harborfest Fireworks Display, Genesee River, Rochester, NY'' ((RIN2115–AA97)(2001–0047)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3576. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Licensing and Manning for Officers of Towing Vessels'' ((RIN2115–AF23)(2001–0001)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

EC–3577. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Vessel Identification System (USCG 1999–6420)'' ((RIN2115–AD35)(2001–0002)) received on August 17, 2001; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated on Tuesday, September 5, 2001:

By Mr. ENSIGN:

S. 1394. A bill to amend title XVIII of the Social Security Act to repeal the medicare outpatient rehabilitation therapy caps; to the Committee on Finance.

By Mr. ENSIGN;

S. 1395. A bill to amend title XVIII of the Social Security Act to make a technical correction in the definition of outpatient speech-language pathology services; to the Committee on Finance.

By Mr. CONRAD (for himself and Mr. HUTCHINSON):

S. 1396. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase of a principal residence by a first-time homebuyer; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. FEINGOLD):

S. 1397. A bill to ensure availability of the mail to transmit shipments of day-old poultry; to the Committee on Governmental Affairs.

By Mr. DORGAN:

S. 1398. An original bill 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 for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mrs. FEINSTEIN (for herself, Mr. SHELBY, Mr. CORZINE, Mr. KYL, and Mr. GRASSLEY):

S. 1399. A bill to prevent identity theft, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KYL (for himself and Mr. BROWNBACK):

S. 1400. A bill to amend the illegal Immigration Reform and Immigrant Responsibility Act of 1996 to extend the deadline for aliens to present a border crossing card that contains a biometric identifier matching the appropriate biometric characteristic of the alien; to the Committee on the Judiciary

By Mr. BIDEN:

S. 1401. An original bill to authorize appropriations for the Department of State and for United States international broadcasting

activities for fiscal years 2002 and 2003, and for other purposes; from the Committee on Foreign Relations; placed on the calendar.

By Mr. KENNEDY:

S. 1402. A bill to amend title 10, United States Code, to fully integrate the beneficiaries of the Individual Case Management Program into the TRICARE program, to provide long-term health care benefits under the TRICARE program, and for other purposes; to the Committee on Armed Services.

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. CANTWELL:

S. 1403. A bill to amend the Federal Power Act to promote energy independence and diversity by providing for the use of net metering by certain small electric energy generation systems, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BREAUX:

S. 1404. A bill to amend the Internal Revenue Code of 1986 to modify the small refiner exception to the oil depletion deduction; to the Committee on Finance.

By Mr. BREAUX:

S. 1405. A bill to amend the Internal Revenue Code of 1986 to allow certain coins to be acquired by individual retirement accounts and other individually directed pension plan accounts; to the Committee on Finance.

By Mr. DURBIN:

S. 1406. A bill for the relief of Tanian Unzueta; to the Committee on the Judiciary.

By Mr. DOMENICI:

S. 1407. A bill to establish a national competence for critical infrastructure protection, and for other purposes; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 104

At the request of Ms. SNOWE, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 104, a bill to require equitable coverage of prescription contraceptive drugs and devices, and contraceptive services under health plans.

S. 121

At the request of Mrs. FEINSTEIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 121, a bill to establish an Office of Children's Services within the Department of Justice to coordinate and implement Government actions involving unaccompanied alien children, and for other purposes.

S. 131

At the request of Mr. JOHNSON, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 131, a bill to amend title 38, United States Code, to modify the annual determination of the rate of the basic benefit of active duty educational assistance under the Montgomery GI Bill, and for other purposes.

S. 256

At the request of Ms. SNOWE, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 256, a bill to amend the Civil Rights Act of 1964 to protect breastfeeding by new mothers.

S. 258

At the request of Ms. SNOWE, the names of the Senator from Texas (Mrs. HUTCHISON) and the Senator from Arkansas (Mr. HUTCHINSON) were added as cosponsors of S. 258, a bill to amend title XVIII of the Social Security Act to provide for coverage under the medicare program of annual screening pap smear and screening pelvic exams.

S. 312

At the request of Mr. GRASSLEY, the names of the Senator from Georgia (Mr. MILLER) and the Senator from North Dakota (Mr. DORGAN) 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. 351

At the request of Ms. COLLINS, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 351, a bill to amend the Solid Waste Disposal Act to reduce the quantity of mercury in the environment by limiting use of mercury fever thermometers and improving collection, recycling, and disposal of mercury, and for other purposes.

S. 452

At the request of Mr. MURKOWSKI, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 452, a bill to amend title XVIII of the Social Security Act to ensure that the Secretary of Health and Human Services provides appropriate guidance to physicians, providers of services, and ambulance providers that are attempting to properly submit claims under the medicare program to ensure that the Secretary does not target inadvertent billing errors.

S. 459

At the request of Mr. BUNNING, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 459, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on vaccines to 25 cents per dose.

S. 530

At the request of Mr. GRASSLEY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 530, a bill to amend the Internal Revenue Code of 1986 to provide a 5-year extension of the credit for producing electricity from wind.

S. 570

At the request of Mr. BIDEN, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 570, a bill to establish a permanent Violence Against Women Office at the Department of Justice.

S. 603

At the request of Mr. LIEBERMAN, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 603, a bill to provide for full voting representation in the Congress for the citizens of the District of Columbia to amend the Internal Revenue Code of 1986 to provide that individuals who are residents of the District of Columbia shall be exempt from Federal income taxation until such full voting representation takes effect , and for other purposes.

S. 627

At the request of Mr. GRASSLEY, the names of the Senator from Nevada (Mr. REID), the Senator from Virginia (Mr. ALLEN), the Senator from Arkansas (Mr. HUTCHINSON) and the Senator from Texas (Mrs. HUTCHISON), were added as cosponsors of S. 627, a bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, use of such insurance under cafeteria plans and flexible spending arrangements, and a credit for individuals with long-term care needs.

S. 666

At the request of Ms. SNOWE, the name of the Senator from New Hampshire (Mr. SMITH) was added as a cosponsor of S. 666, a bill to amend the Internal Revenue Code of 1986 to allow the use of completed contract method of accounting in the case of certain long-term naval vessel construction contracts.

S. 694

At the request of Mr. LEAHY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 694, a bill to amend the Internal Revenue Code of 1986 to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor.

S. 805

At the request of Mr. WELLSTONE, the names of the Senator from Missouri (Mrs. CARNAHAN) and the Senator from Georgia (Mr. CLELAND) were added as cosponsors of S. 805, a bill to amend the Public Health Service Act to provide for research with respect to various forms of muscular dystrophy, including Duchenne, Becker, limb girdle, congenital, facioscapulohumeral, myotonic, oculopharyngeal, distal, and emery-dreifuss muscular dystrophies.

S. 829

At the request of Mr. BROWNBACK, the names of the Senator from Nebraska (Mr. NELSON) and the Senator from Illinois (Mr. FITZGERALD) were added as cosponsors of S. 829, a bill to establish the National Museum of African American History and Culture within the Smithsonian Institution.

S. 839

At the request of Mrs. HUTCHISON, the names of the Senator from Oklahoma (Mr. INHOFE), the Senator from New Mexico (Mr. BINGAMAN), and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 839, a bill to amend title XVIII of the Social Security Act to increase the amount of payment for inpatient hospital services under the medicare program and to freeze the reduction in payments to hospitals for indirect costs of medical education.

S. 885

At the request of Mr. HUTCHINSON, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Kansas (Mr. BROWNBACK) were

added as cosponsors of S. 885, a bill to amend title XVIII of the Social Security Act to provide for national standardized payment amounts for inpatient hospital services furnished under the medicare program.

S. 899

At the request of Mr. BIDEN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 899, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to increase the amount paid to families of public safety officers killed in the line of duty.

S. 913

At the request of Ms. SNOWE, the names of the Senator from North Dakota (Mr. DORGAN) and the Senator from Kansas (Mr. BROWNBACK) were added as cosponsors of S. 913, a bill to amend title XVIII of the Social Security Act to provide for coverage under the medicare program of all oral anticancer drugs.

S. 972

At the request of Mr. MURKOWSKI, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 972, a bill to amend the Internal Revenue Code of 1986 to improve electric reliability, enhance transmission infrastructure, and to facilitate access to the electric transmission grid.

S. 980

At the request of Mr. FITZGERALD, the names of the Senator from Texas (Mrs. HUTCHISON), the Senator from Maine (Ms. SNOWE), and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 980, a bill to provide for the improvement of the safety of child restraints in passenger motor vehicles, and for other purposes.

S. 990

At the request of Mr. SMITH of New Hampshire, the names of the Senator from Ohio (Mr. VOINOVICH) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 990, a bill to amend the Pittman-Robertson Wildlife Restoration Act to improve the provisions relating to wildlife conservation and restoration programs, and for other purposes.

S. 1007

At the request of Mr. REID, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 1007, a bill to amend the Internal Revenue Code of 1986 to treat gold, silver, and platinum, in either coin or bar form, in the same manner as stocks and bonds for purposes of the maximum capital gains rate for individuals.

S. 1022

At the request of Mr. WARNER, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 1022, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 1042

At the request of Mr. INOUYE, the name of the Senator from Georgia (Mr. MILLER) 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. 1107

At the request of Mr. HARKIN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1107, a bill to amend the National Labor relations Act and the Railway Labor Act to prevent discrimination based on participation in labor disputes.

S. 1140

At the request of Mr. HATCH, the names of the Senator from North Carolina (Mr. EDWARDS) and the Senator from South Dakota (Mr. DASCHLE) 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.

S. 1169

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 1169, a bill to streamline the regulatory processes applicable to home health agencies under the medicare program under title XVIII of the Social Security Act and the medicaid program under title XIX of such Act, and for other purposes.

S. 1209

At the request of Mr. BINGAMAN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1209, a bill to amend the Trade Act of 1974 to consolidate and improve the trade adjustment assistance programs, to provide community-based economic development assistance for trade-affected communities, and for other purposes.

S. 1211

At the request of Ms. CANTWELL, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 1211, a bill to reauthorize and revise the Renewable Energy Production Incentive program, and for other purposes.

S. 1225

At the request of Mr. ALLEN, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 1225, a bill to require the Secretary of the Treasury to redesign the $1 bill so as to incorporate the preamble to the Constitution of the United States, the Bill of Rights, and a list of the Articles of the Constitution on the reverse side of such currency.

S. 1226

At the request of Mr. CAMPBELL, the names of the Senator from Ohio (Mr. DEWINE) and the Senator from New Hampshire (Mr. GREGG) were added as cosponsors of S. 1226, a bill to require the display of the POW/MIA flag at the World War II Memorial, the Korean War Veterans Memorial, and the Vietnam Veterans Memorial.

S. 1249

At the request of Mr. WELLSTONE, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 1249, a bill to promote the economic security and safety of victims of domestic and sexual violence, and for other purposes.

S. 1253

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1253, a bill to protect ability of law enforcement to effectively investigate and prosecute illegal gun sales and protect the privacy of the American people.

S. 1274

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 1274, a bill to amend the Public Health Service Act to provide programs for the prevention, treatment, and rehabilitation of stroke.

S. 1275

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 1275, a bill to amend the Public Health Service Act to provide grants for public access defibrillation programs and public access defibrillation demonstration projects, and for other purposes.

S. 1365

At the request of Mr. JEFFORDS, the names of the Senator from Minnesota (Mr. WELLSTONE) and the Senator from Louisiana (Mr. BREAUX) were added as cosponsors of S. 1365, a bill to authorize the Secretary of the Department of Housing and Urban Development to make grants to States for affordable housing for low-income persons, and for other purposes.

S. CON. RES. 64

At the request of Mrs. CLINTON, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. Con. Res. 64, a concurrent resolution directing the Architect of the Capitol to enter into a contract for the design and construction of a monument to commemorate the contributions of minority women to women's suffrage and to the participation of minority women in public life, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BREAUX:

S. 1405. A bill to amend the Internal Revenue Code of 1986 to allow certain coins to be acquired by individual retirement accounts and other individually directed pension plan accounts; to the Committee on Finance.

Mr. BREAUX. Mr. President, I rise today to introduce legislation allowing certain U.S. legal tender coins to be qualified investments for an individual retirement account (IRA).

Congress excluded ''collectibles,'' such as antiques, gold and silver bullion, and legal tender coinage, as appropriate for contribution to IRAs in 1981. The primary reason was the concern that individuals would get a tax

break when they bought collectibles for their personal use. For example, a taxpayer might deduct the purchase of an antique rug for his/her living room as an IRA investment. Congress was also concerned about how the many different types of collectibles are valued.

Over the years, however, certain coins and precious metals have been excluded from the definition of a collectible because they are independently valued investments that offer investors portfolio diversity and liquidity. For example, Congress excluded gold and silver U.S. American Eagles from the definition of collectibles in 1986, and the Taxpayer Relief Act of 1997 took the further step of excluding certain precious metals bullion.

My legislation would exclude from the definition of collectibles only those U.S. legal tender coins which meet the following three standards: certification by a nationally recognized grading service, traded on a nationally-recognized network and held by a qualified trustee as described in the Internal Revenue Code. In other words, only investment quality coins that are independently valued and not held for personal use may be included in IRAs.

There are several nationally-recognized, independent certification or grading services. Full-time professional graders (numismatists) examine each coin for authenticity and grade them according to established standards. Upon certification, the coin is sonically-sealed (preserved) to ensure that if remains in the same condition as when it was graded.

Legal tender coins are then traded via two independent electronic networks—the Certified Coin Exchange and Certified CoinNet. These networks are independent of each other and have no financial interest in the legal tender coinage and precious metals markets. The networks function in precisely the same manner as the NASDAQ with a series of published ''bid'' and ''ask'' prices and last trades. The buys and sells are enforceable prices that must be honored as posted until updated.

Mr. President, the liquidity provided through a bona fide national trading network, combined with published prices, make legal tender coinage a practical investment that offers investors diversification and liquidity. Investment in these tangible assets has become a safe and prudent course of action for both the small and large investor and should be given the same treatment under the law as other financial investments. I urge the Senate to enact this important legislation as soon as possible.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1405

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

SECTION 1. CERTAIN COINS NOT TREATED AS COLLECTIBLES.

(a) IN GENERAL.—Section 408(m)(3) of the Internal Revenue Code of 1986 (relating to exception for certain coins and bullion) is amended—

(1) by inserting after clause (iv) in subparagraph (A) the following new clause:

''(v) any coin certified by a recognized grading service and either traded on a nationally recognized electronic network or listed by a recognized wholesale reporting service, and which is or was at any time legal tender in the United States, or'', and

(2) by striking ''such bullion'' in the matter following subparagraph (B) and inserting ''such coin or bullion (in either coin or bar form)''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

By Mr. DOMENICI:

S. 1407. A bill to establish a national competence for critical infrastructure protection, and for other purposes; to the Committee on Armed Services.

Mr. DOMENICI. Mr. President, I rise today to introduce the Critical Infrastructures Protection Act of 2001. This bill represents an important first step towards greatly increasing our understanding of our nation's infrastructures and the interdependencies among those infrastructures that underpin our daily lives.

I would ask my colleagues to think about the scare surrounding the year 2000 potential computer glitch, the so-called Y2K problem. We invested billions of dollars to ensure that the transition to that date did not cause a cataclysmic failure in our weapons systems, medical devices, energy sources, financial systems and many other areas. But, the cyber component of our potential vulnerability did not disappear on January 2, 2000.

The physical infrastructures that support our daily lives are vulnerable as well. The increasing complexity of transportation and energy infrastructures make them extremely vital to our economy and exceedingly vulnerable to minor disturbances or perturbations, intentional or not. In many instances, a cyber infrastructure underlies the normal, efficient functioning of the physical infrastructures.

The smooth functioning of the Federal Government, whether it's a Defense Department mission or the handling of veteran's medical claims, relies heavily on cyber infrastructures. Further, many critical infrastructures are supported or owned by private sector entities. The task of adequate protection and mitigation risk must be a cooperative effort between Federal, State and local governments and private sector actors.

Beyond having insufficient understanding of the complex systems and their interdependencies, we also have no means to pinpoint what vulnerabilities we face or create policies to address vulnerabilities or ensure stability. Technology has outpaced our understanding of the potential inherent weaknesses or ensuing vulnerabilities. We currently cannot assess either the problems or possible solutions.

The administration is fully aware of this problem. We confront a fundamental national security concern, and we currently lack sufficient government coordination and scientific understanding to adequately address it.

The President will sign an Executive order in the coming weeks to address the coordination needs of the federal agencies responsible for critical infrastructures. This Executive order establishes the President's Critical Infrastructure Protection and Continuity Board to address our federal government's policies, procedures and capacity to achieve specific policy objectives. This Board will require scientific modeling and simulation capacity to inform policy making and implementation of a framework to ensure adequate protection.

The National Infrastructure Simulation and Analysis Center (NISAC) offers precisely that scientific capability. For almost a decade two of the Department of Energy National Laboratories, Los Alamos and Sandia National Labs, have been working to model our nations energy and transportation infrastructures. They have also modeled epidemics, simulated anthrax attacks and assisted private sector companies better understand the infrastructure necessarily for the next generation of cell phones.

The computing capacity and expertise applied to modeling and simulating the physics of a nuclear explosion can be readily leveraged to address the design and protection of our nation's cyber and physical infrastructures.

This bill is designed to support the President's forthcoming executive order by reiterating our key national policy objectives, including: that the physical or virtual disruption of any of these critical infrastructures should be rare, brief, limited geographically, manageable, and minimally detrimental to the economy, essential human and government services, and national security; a public-private partnership, involving corporation and non-governmental organizations, is necessary to facilitate adequate protection; the need for a comprehensive and effective program to ensure continuity of essential Federal functions under all circumstances.

The bill also establishes NISAC as a core research and analytical tool to support the President's Critical Infrastructure Protection and Continuity Board, especially, but not limited to, the Infrastructure Interdependencies Committee established in the Executive order.

Further, the bill authorizes $8 million for the first year in order to expedite the process of creating a structure for data acquisition, model development and enhanced understanding or our nation's infrastructures and their interdependencies.

Our Nation cannot be secure without sufficient understanding of the infrastructures that undergrid our economy and facilitate modern life. The unintentional or overt disruption of any one of these infrastructures could have a cascading effect on other areas. In a worst case scenario, such mass disruption could have a severe economic or national security impact.

I ask my colleagues for their support in ensuring we immediately apply the best available means to addressing these threats. NISAC can offer the appropriate analytical tools to support the President's Critical Infrastructure Board. This bill will position and fund NISAC in the forthcoming year to fulfill this mission.

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. 1407

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 ''Critical Infrastructures Protection Act of 2001''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The Information revolution has transformed the conduct of business and the operations of government as well as the infrastructure relied upon for the defense and national security of the United States.

(2) Private business, government, and the national security apparatus increasingly depend on an interdependent network of critical physical and information infrastructures, including telecommunications, energy, financial services, water, and transportation sectors.

(3) A continuous national effort is required to ensure the reliable provision of cyber and physical infrastructure services critical to maintaining the national defense, continuity of government, economic prosperity, and quality of life in the United States.

(4) This national effort requires extensive modeling and analytic capabilities for purposes of evaluating appropriate mechanisms to ensure the stability of these complex and interdependent systems, and to underpin policy recommendations, so as to achieve the continuous viability and adequate protection of the critical infrastructure of the nation.

SEC. 3. POLICY OF THE UNITED STATES.

It is the policy of the United States—

(1) that any physical or virtual disruption of the operation of the critical infrastructures of the United States be rare, brief, geographically limited in effect, manageable, and minimally detrimental to the economy, essential human and government services, and national security of the United States;

(2) that actions necessary to achieve the policy stated in paragraph (1) be carried out in a public-private partnership involving corporate and non-governmental organizations; and

(3) to have in place a comprehensive and effective program to ensure the continuity of essential Federal Government functions under all circumstances.

SEC. 4. ESTABLISHMENT OF NATIONAL COMPETENCE FOR CRITICAL INFRASTRUCTURE PROTECTION.

(a) SUPPORT OF CRITICAL INFRASTRUCTURE PROTECTION AND CONTINUITY BY NATIONAL INFRASTRUCTURE SIMULATION AND ANALYSIS CENTER.—

(1) IN GENERAL.—The National Infrastructure Simulation and Analysis Center (NISAC) shall provide support for the activities of the President's Critical Infrastructure Protection and Continuity Board under Executive Order ____.

(2) PARTICULAR SUPPORT.—The support provided for the Board under paragraph (1) shall include the following:

(A) Modeling, simulation, and analysis of the systems comprising critical infrastructures, including cyber infrastructure, telecommunications infrastructure, and physical infrastructure, in order to enhance understanding of the large-scale complexity of such systems and to facilitate modification of such systems to mitigate the threats to such systems and to critical infrastructures generally.

(B) Acquisition from State and local governments and the private sector of data necessary to create and maintain models of such systems and of critical infrastructures generally.

(C) Utilization of modeling, simulation, and analysis under subparagraph (A) to provide education and training to members of the Board, and other policymakers, on matters relating to—

(i) the analysis conducted under that subparagraph;

(ii) the implications of unintended or unintentional disturbances to critical infrastructures; and

(iii) responses to incidents or crises involving critical infrastructures, including the continuity of government and private sector activities through and after such incidents or crises.

(D) Utilization of modeling, simulation, and analysis under subparagraph (A) to provide recommendations to members of the Board and other policymakers, and to departments and agencies of the Federal Government and private sector persons and entities upon request, regarding means of enhancing the stability of, and preserving, critical infrastructures.

(3) RECIPIENT OF CERTAIN SUPPORT.—Modeling, simulation, and analysis provided under this subsection to the Board shall be provided, in particular, to the Infrastructure Interdependencies committee of the Board under section 9(c)(8) of the Executive Order referred to in paragraph (1).

(b) ACTIVITIES OF PRESIDENT'S CRITICAL INFRASTRUCTURE PROTECTION AND CONTINUITY BOARD.—The Board shall provide to the Center appropriate information on the critical infrastructure requirements of each Federal agency for purposes of facilitating the provision of support by the Center for the Board under subsection (a).

SEC. 5. CRITICAL INFRASTRUCTURE DEFINED.

In this Act, the term ''critical infrastructure'' means systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on national security, national economic security, national public health or safety, or any combination of those matters.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There is hereby authorized for the Department of Defense for fiscal year 2002, $8,000,000 for the Defense Threat Reduction Agency for activities of the National Infrastructure Simulation and Analysis Center under section 4 in that fiscal year.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

COMMITTEE ON INDIAN AFFAIRS

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that the Committee on Energy and Natural Resources and the Committee on Indian Affairs have scheduled a joint hearing to receive testimony on legislative proposals relating to the development of energy resources on Indian and Alaska Native lands, including the generation and transmission of electricity.

The hearing will take place on September 12 at 2:30 p.m., in room 366 of the Dirksen Senate Office Building.

Those wishing to submit written statements should address them to the Committee on Energy and Natural Resources, Attn. Patty Beneke, United States Senate, Washington, D.C. 20510.

For further information, please call Patty Beneke of the Committee on Energy and Natural Resources (202/224–5451) or Karen Atkinson of the Committee on Indian Affairs (202/224–2251).

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. SARBANES. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate Wednesday, September 5 at 7 p.m., in closed session to mark up the Department of Defense Authorization Act for fiscal year 2002.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. SARBANES Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, September 5, 2001 at 10 a.m., to hold a hearing titled, ''The Threat of Bioterrorism and the Spread of Infectious Diseases''.

WITNESSES

Panel 1: The U.S. Response to an Act of Bioterrorism:

The Honorable Sam Nunn, Co-Chair and Chief Executive Officer, Nuclear Threat Initiative, Washington, DC; The Honorable James R. Woolsey, Former Director of Central Intelligence, and Partner, Shea & Gardner, Washington, DC.

Panel 2: Strengthening the Domestic and International Capability To Prevent and Defend Against Intentional and Natural Disease Outbreaks:

Dr. D.A. Henderson, MD, MPH, Director, Center for Civilian Biodefense Studies, Johns Hopkins University, Baltimore, MD; Dr. David L. Heymann, MD, Executive Director, Communicable Diseases, World Health Organization, Geneva, Switzerland, Dr. Fred C. Iklé, Distinguished Scholar, Center for Strategic and International Studies, Washington, DC; Mr. Frank J.

Cilluffo, Senior Policy Analyst, Center for Strategic and International Studies, Washington, DC.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSION

Mr. SARBANES. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on Stem Cell Research during the session of the Senate on Wednesday, September 5, 2001, at 9:30 a.m.

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

COMMITTEE ON THE JUDICIARY

Mr. SARBANES. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Wednesday, September 5, 2001 at 2:30 p.m., in Dirksen room 226.

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. SARBANES. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate for a roundtable entitled ''The 7(a) Program: A Look at SBA's Flagship Program's Fees and Subsidy Rate'' on Wednesday, September 5, 2001, beginning at 9;:45 a.m., in room 428 A of the Russell Senate Office Building.

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

SUBCOMMITTEE ON AIRLAND

Mr. SARBANES. Mr. President, I ask unanimous consent that the Subcommittee on Airland of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, September 5, 2001 at 9 a.m., in closed session to mark up the Airland programs and provisions contained in the Department of Defense Authorization Act for fiscal year 2002.

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

SUBCOMMITTEE ON CONSUMER AFFAIRS, FOREIGN COMMERCE AND TOURISM

Mr. SARBANES. Mr. President, I ask unanimous consent that the Subcommittee on Consumer Affairs, Foreign Commerce and Tourism of the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, September 5, at 9 a.m., on prescription drug pricing.

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

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. SARBANES. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, September 5, 2001, at 4:30 p.m., in closed session to mark up the Emerging Threats and Capabilities programs and provisions contained in the Department of Defense Authorization Act for fiscal year 2002.

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

SUBCOMMITTEE ON PERSONNEL

Mr. SARBANES. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, September, 5, 2001, at 11 a.m., in closed session to mark up the Personnel programs and provisions contained in the Department of Defense Authorization Act for fiscal year 2002.

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

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mr. SARBANES. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, September, 5, 2001, at 10 a.m., in closed session to mark up the Readiness and Management programs and provisions contained in the Department of Defense Authorization Act for fiscal year 2002.

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

SUBCOMMITTEE ON SEAPOWER

Mr. SARBANES. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, September, 5, 2001, at 3 p.m., in closed session to mark up the Seapower programs and provisions contained in the Department of Defense Authorization Act for fiscal year 2002.

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

MEASURE READ THE FIRST TIME—H.R. 2563

Mr. REID. Mr. President, it is my understanding H.R. 2563, just received from the House, is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2563) to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage.

Mr. REID. Mr. President, I ask now for the second reading of the bill, and I object to my own request.

The PRESIDING OFFICER. The objection is heard.

The bill will be read the second time on the next legislative day.

UNANIMOUS CONSENT AGREEMENT—NOMINATIONS

Mr. REID. Mr. President, I ask unanimous consent that in any instance where unanimous consent was previously granted in the 107th Congress for the referral of a nomination to more than one committee, such unanimous consent agreement apply to a second nomination of that individual if a previous nomination was returned to the President under the provisions of rule XXXI, paragraph 6.

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

JOINT MEETING OF THE TWO HOUSES—ADDRESS BY THE PRESIDENT OF THE UNITED MEXICAN STATES

Mr. REID. Mr. President, I ask unanimous consent that the President of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort the President of the United Mexican States into the House Chamber for the joint meeting on Thursday, September 6, 2001.

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

ORDERS FOR THURSDAY, SEPTEMBER 6, 2001

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10:30 a.m., Thursday, September 6. I further ask consent that on Thursday, immediately following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate be in a period for morning business with Senators permitted to speak for up to 5 minutes each; further, that the Senate recess from 10:40 a.m. until 12 noon for the joint meeting with President Fox, and that when the Senate reconvenes at 12 noon, the Senate resume consideration of the Export Administration Act.

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

PROGRAM

Mr. REID. Mr. President, we will convene at 10:30 a.m., as indicated earlier by Senator SARBANES. I hope to have a unanimous consent agreement for the purpose of disposing of S. 149. Senators should be in the Chamber by 10:40 to proceed to the House Chamber for a joint meeting with President Fox of Mexico. The Senate will recess from 10:40 until 12 noon for that joint meeting.

At 12 noon we will begin reconsideration of the Export Administration Act. There could be rollcall votes

throughout the day. Hopefully, we will complete action on the export administration bill and move on to the Commerce-State-Justice bill.

ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:05 p.m., adjourned until Thursday, September 6, 2001, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate September 5, 2001:

INTER-AMERICAN DEVELOPMENT BANK

JORGE L. ARRIZURIETA, OF FLORIDA, TO BE UNITED STATES ALTERNATE EXECUTIVE DIRECTOR OF THE INTER-AMERICAN DEVELOPMENT BANK, VICE LAWRENCE HARRINGTON.

DEPARTMENT OF JUSTICE

DANIEL G. BOGDEN, OF NEVADA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF NEVADA FOR THE TERM OF FOUR YEARS, VICE KATHRYN E. LANDRETH, RESIGNED.

MARY BETH BUCHANAN, OF PENNSYLVANIA, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF PENNSYLVANIA FOR THE TERM OF FOUR YEARS, VICE HARRY LITMAN, RESIGNED.

JEFFREY GILBERT COLLINS, OF MICHIGAN, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF MICHIGAN FOR THE TERM OF FOUR YEARS, VICE SAUL A. GREEN, RESIGNED.

STEVEN M. COLLOTON, OF IOWA, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF IOWA FOR THE TERM OF FOUR YEARS, VICE DON CARLOS NICKERSON, RESIGNED.

THOMAS M. DIBIAGIO, OF MARYLAND, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF MARYLAND FOR THE TERM OF FOUR YEARS, VICE LYNNE ANN BATTAGLIA, RESIGNED.

WILLIAM S. DUFFEY, JR., OF GEORGIA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF GEORGIA FOR THE TERM OF FOUR YEARS, VICE RICHARD H. DEANE, JR.

PETER W. HALL, OF VERMONT, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF VERMONT FOR THE TERM OF FOUR YEARS, VICE CHARLES ROBERT TETZLAFF, RESIGNED.

THOMAS E. JOHNSTON, OF WEST VIRGINIA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF WEST VIRGINIA FOR THE TERM OF FOUR YEARS, VICE MELVIN W. KAHLE, RESIGNED.

EDWARD HACHIRO KUBO, JR., OF HAWAII, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF HAWAII FOR THE TERM OF FOUR YEARS, VICE STEVEN SCOTT ALM, RESIGNED.

GREGORY GORDON LOCKHART, OF OHIO, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF OHIO FOR THE TERM OF FOUR YEARS, VICE SHARON J. ZEALEY, RESIGNED.

SHELDON J. SPERLING, OF OKLAHOMA, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF OKLAHOMA FOR THE TERM OF FOUR YEARS, VICE ROBERT BRUCE GREEN, RESIGNED.

DONALD W. WASHINGTON, OF LOUISIANA, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF LOUISIANA FOR THE TERM OF FOUR YEARS, VICE MICHAEL DAVID SKINNER, RESIGNED.

MAXWELL WOOD, OF GEORGIA, TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF GEORGIA FOR THE TERM OF FOUR YEARS, VICE BEVERLY BALDWIN, MARTIN, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL WILLIAM P. ARD, 0000
COLONEL ROSANNE BAILEY, 0000
COLONEL BRADLEY S. BAKER, 0000
COLONEL MARK G. BEESLEY, 0000
COLONEL TED F. BOWLDS, 0000
COLONEL JOHN T. BRENNAN, 0000
COLONEL ROGER W. BURG, 0000
COLONEL PATRICK A. BURNS, 0000
COLONEL KURT A. CICHOWSKI, 0000
COLONEL MARIA I. CRIBBS, 0000
COLONEL ANDREW S. DICHTER, 0000
COLONEL JAN D. EAKLE, 0000
COLONEL DAVID M. EDGINGTON, 0000
COLONEL SILVANUS T. GILBERT III, 0000
COLONEL STEPHEN M. GOLDFEIN, 0000
COLONEL DAVID S. GRAY, 0000
COLONEL WENDELL L. GRIFFIN, 0000
COLONEL RONALD J. HAECKEL, 0000
COLONEL IRVING L. HALTER JR., 0000
COLONEL RICHARD S. HASSAN, 0000
COLONEL WILLIAM L. HOLLAND, 0000
COLONEL GILMARY M. HOSTAGE III, 0000
COLONEL JAMES P. HUNT, 0000
COLONEL JOHN C. KOZIOL, 0000
COLONEL DAVID R. LEFFORGE, 0000
COLONEL WILLIAM T. LORD, 0000
COLONEL ARTHUR B. MORRILL III, 0000
COLONEL LARRY D. NEW, 0000
COLONEL LEONARD E. PATTERSON, 0000
COLONEL MICHAEL F. PLANERT, 0000
COLONEL JEFFREY A. REMINGTON, 0000
COLONEL EDWARD A. RICE JR., 0000
COLONEL DAVID J. SCOTT, 0000
COLONEL WINFIELD W. SCOTT III, 0000
COLONEL MARK D. SHACKELFORD, 0000
COLONEL GLENN F. SPEARS, 0000
COLONEL DAVID L. STRINGER, 0000
COLONEL HENRY L. TAYLOR, 0000
COLONEL RICHARD E. WEBBER, 0000
COLONEL ROY M. WORDEN, 0000
COLONEL RONALD D. YAGGI, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL BYRON S. BAGBY, 0000
COLONEL LEO A. BROOKS JR., 0000
COLONEL SEAN J. BYRNE, 0000
COLONEL CHARLES A. CARTWRIGHT, 0000
COLONEL PHILIP D. COKER, 0000
COLONEL THOMAS R. CSRNKO, 0000
COLONEL ROBERT L. DAVIS, 0000
COLONEL JOHN DEFREITAS III, 0000
COLONEL ROBERT E. DURBIN, 0000
COLONEL GINA S. FARRISEE, 0000
COLONEL DAVID A. FASTABEND, 0000
COLONEL RICHARD P. FORMICA, 0000
COLONEL KATHLEEN M. GAINEY, 0000
COLONEL DANIEL A. HAHN, 0000
COLONEL FRANK G. HELMICK, 0000
COLONEL RHETT A. HERNANDEZ, 0000
COLONEL MARK P. HERTLING, 0000
COLONEL JAMES T. HIRAI, 0000
COLONEL PAUL S. IZZO, 0000
COLONEL JAMES L. KENNON, 0000
COLONEL MARK T. KIMMITT, 0000
COLONEL ROBERT P. LENNOX, 0000
COLONEL DOUGLAS E. LUTE, 0000
COLONEL TIMOTHY P. MCHALE, 0000
COLONEL RICHARD W. MILLS, 0000
COLONEL BENJAMIN R. MIXON, 0000
COLONEL JAMES R. MORAN, 0000
COLONEL JAMES R. MYLES, 0000
COLONEL LARRY C. NEWMAN, 0000
COLONEL CARROLL F. POLLETT, 0000
COLONEL ROBERT J. REESE, 0000
COLONEL STEPHEN V. REEVES, 0000
COLONEL RICHARD J. ROWE JR., 0000
COLONEL KEVIN T. RYAN, 0000
COLONEL EDWARD J. SINCLAIR, 0000
COLONEL ERIC F. SMITH, 0000
COLONEL ABRAHAM J. TURNER, 0000
COLONEL VOLNEY J. WARNER, 0000
COLONEL JOHN C. WOODS, 0000
COLONEL HOWARD W. YELLEN, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. DAWN R. HORN, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. LESTER MARTINEZ-LOPEZ, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. JAMES F. AMOS, 0000
BRIG. GEN. JOHN G. CASTELLAW, 0000
BRIG. GEN. TIMOTHY E. DONOVAN, 0000
BRIG. GEN. ROBERT M. FLANAGAN, 0000
BRIG. GEN. JAMES N. MATTIS, 0000
BRIG. GEN. GORDON C. NASH, 0000
BRIG. GEN. ROBERT M. SHEA, 0000
BRIG. GEN. FRANCES C. WILSON, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. CRAIG T. BODDINGTON, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. RONALD S. COLEMAN, 0000
COL. JAMES F. FLOCK, 0000
COL. KENNETH J. GLUECK JR., 0000
COL. DENNIS J. HEJLIK, 0000
COL. CARL B. JENSEN, 0000
COL. ROBERT B. NELLER, 0000
COL. JOHN M. PAXTON JR., 0000
COL. EDWARD G. USHER III, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) ANTHONY W. LENGERICH, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) JOSEPH D. BURNS, 0000

THE FOLLOWING NAMED OFFICER FOR ORIGINAL REGULAR APPOINTMENT AS A PERMANENT LIMITED DUTY OFFICER TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 5589:

To be lieutenant

SANDRA P. MORIGUCHI, 0000

EXTENSIONS OF REMARKS

RECOGNIZING THE CITY AND PEOPLE OF PORTAGE, WISCONSIN

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Ms. BALDWIN. Mr. Speaker, I rise today in recognition of the City and people of Portage, Wisconsin, and their annual celebration of the life and work of Zona Gale (1874–1938), a leader of the women's suffrage movement, civil and minority rights advocate, poet, journalist, Pultizer Prize winning playwright, novelist, University of Wisconsin Regent, and community leader.

As a leading suffragette, Zona Gale, who was born on August 26, 1874 in Portage, took an active role in the creation of the Wisconsin Equal Rights Law, which prohibits discrimination against women. While the original intent of the law was to implement the federal suffrage amendment in Wisconsin, in fact, the law went well beyond women's suffrage as it stated, ''Women shall have the same rights and privileges under the law as men in the exercise of suffrage, freedom of contract, choice of residence for voting purposes, jury service, holding office, holding and conveying property, care and custody of children, and in all other respects.'' The law was upheld in Wisconsin's courts, and Wisconsin women were among the first in the nation to gain fully equal legal standing with men.

As a writer, Zona Gale achieved early prominence as a novelist, later winning the Pultizer Prize for drama in 1921 at her career's zenith with ''Miss Lulu Bett'' (1920), a village comedy depicting a single woman's attempts at self-assertion in a small town—a loosely fictionalized Portage.

Portage hosts its annual celebration each August remembering Zona Gale and her remarkable contributions. Of special note in Portage's work to remember Zona Gale is Blanche Murtagh, Project Director for Friendship Village Celebrates Zona Gale, who continues to lead these recognition efforts. Among the many who also continue to continue to this important effort are Edward Rebholz, President of the Portage Historical Society; Hans Jensen, Director of the Portage Public Library; Nan Rebholz, President of the Women's Civic League; Sandra Gunderson, President of the Zona Gale Center of the Arts; Irene Ludlum, President of the Portage Area Community Theater; and Ken Jahn, Director of the Portage Area Chamber of Commerce. These community leaders, and the citizens of Portage—Friendship Village as Zona Gale called it—are to be commended for their work in ensuring that the pioneering Zona Gale continues to be remembered for her greatness in American history.

CELEBRATING THE 30TH ANNIVERSARY OF EL PROYECTO DEL BARRIO

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Ms. SOLIS. Mr. Speaker, I rise to recognize and congratulate a very special non-profit organization—El Proyecto del Barrio—on its 30th anniversary.

Founded in 1971, El Proyecto del Barrio has become the San Fernando Valley's leading agency for providing comprehensive community health and human services to Latinos and other economically disadvantaged populations. El Proyecto has demonstrated excellence in delivering primary healthcare services, substance abuse treatment, youth services and employment and training services to the community. El Proyecto's work in caring for the ''whole person'' has been honored regionally and nationally.

El Proyecto's capability to implement programs has been demonstrated during its 30-year history of developing and implementing culturally appropriate programs designed to serve the target population. This is evident by El Proyecto's most recent accomplishments. Since 1998, El Proyecto has constructed and opened the Mark Taper Center for a Healthy Community, located in Winnetka, CA. The Center houses the El Proyecto primary health care clinic, which provides 36,000 medical visits per year. The Center also houses the El Proyecto Youth Opportunities program, the Perinatal Service Center and the Family Development Network. Also, El Proyecto has developed and opened two new facilities—the Sun Valley One-stop Center in 1999 and the Youth Opportunity Program in 2000.

Once again, I congratulate and commend the staff and supporters of El Proyecto del Barrio for their commitment to providing comprehensive community health services and for serving the Latino and other economically disadvantaged youth and adults of the San Fernando Valley.

HONORING HELEN SHORROCK

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mrs. CAPPS. Mr. Speaker, I rise today to commend the life of a former constituent, Helen Shorrock, who passed from this life August 3, 2001 in Claremount, California. Helen led an exemplary life and died surrounded by her loving family.

Mrs. Shorrock will long be remembered for many reasons. She was an early student of theology and was ordained in an era when few women entered Christian ministry. She and her husband raised a remarkable family. And, having spent many years in Japan, she and her husband developed strong ties to the culture and built many bridges of understanding, especially in the area of higher education.

But I rise to honor the legacy of Helen Shorrock as an exemplary teacher and educator in the public schools of my Congressional District, in Santa Barbara, California. In particular she will be remembered for establishing a School-Age Parenting and Infant Development program at Santa Barbara High School. This program is called the PACE Center (Parent and Child Enrichment Program) and it has significantly impacted the lives of hundreds of teenagers and their children in our community.

Mr. Speaker, in the years proceeding my becoming a Member of Congress, I succeeded Helen Shorrock as Director of the PACE Center. I know very well the quality of the program she developed and know firsthand the lives that were forever changed in such a positive direction. With loving skill she established the highest level of prenatal care, educational goals and a child development center of exceptional quality.

As a result, healthy babies were born, parenting skills were taught, and teen parents not only stayed in school but graduated and, in record numbers, went on to college and careers. What Helen Shorrock began continues to be a model program. Her memory will long be honored by the productive lives of generations of students to come.

140TH ANNIVERSARY OF THE FARMERS & MERCHANTS UNION BANK IN COLUMBUS, WISCONSIN

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Ms. BALDWIN. Mr. Speaker, I rise today in recognition of the 140th Anniversary of the Farmers & Merchants Union Bank in Columbus, Wisconsin. The bank began business 140 years ago, and became nationally recognized when it moved into its new, current home in 1919. With its famous structure designed by the great American architect from the Midwest, Louis Sullivan, the bank is a cornerstone of the city of Columbus.

It is remarkable that this small bank has been able to retain its independence through the tumultuous 19th and 20th centuries to the modern era of megalithic corporate banking, the New Economy, and the information age. In 1861, when the bank first began, the United States was a very different place from now. Abraham Lincoln was President, and the Civil War between the states was in its infancy. Wisconsin had been a state for only 13 years, but already had its sixth governor, Alexander William Randall. Columbus had not yet incorporated as a city—that was not to come for another 13 years, in 1874.

Though all these years, the Farmers & Merchants Union Bank has remained a truly local,

independent, community bank and continues today to serve the people of Columbus and the surrounding areas.

It is a profound achievement for any business to remain in operation for 140 years, and I am proud to recognize this bank and the city and people of Columbus, Wisconsin.

RECOGNIZING THE CONTRIBUTIONS OF KIP LIPPER

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Ms. SOLIS. Mr. Speaker, I rise today to recognize a friend of both myself and the environment—Kip Lipper.

Kip has worked for the California legislature for 23 years, and I worked closely with him when I was an Assembly member. He is currently the chief of staff for California State Senator Byron Sher and the staff director to the California Senate's Committee on Environmental Quality.

Kip has assisted Senator Sher, one of the state's leading environmental legislators, in drafting and enacting into law legislation on a variety of subjects including the California Clean Air Act, the California Safe Drinking Water Act, the California Beverage Container Recycling Act and the Integrated Waste Management Act. As a consultant to the Senate Environmental Quality Committee and Assembly Natural Resources Committee, Kip wrote and analyzed legislation affecting air quality, energy conservation and development, recycling, solid waste management, waste-to-energy project development and the California Environmental Quality Act.

On behalf of my constituents and the environmental community of California, I want to pay tribute to Kip and thank him for his outstanding work on behalf of the environment.

HONORING AVIS GOODWIN

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mrs. CAPPS. Mr. Speaker, I rise today to pay tribute to a constituent, Ms. Avis S. Goodwin. As Ms. Goodwin celebrates her 95th birthday, it is a good opportunity to recognize all the significant contributions she has made throughout her life.

While some individuals may choose to retire at the age of 65, the word ''retirement'' isn't in Ms. Goodwin's vocabulary. She continues to be as active today as she was 30 years ago, much to the benefit of several environmental causes. Ms. Goodwin moved to California from Maine as a teenager, and has spent the remainder of her life in the Golden State. Armed with degrees in history and education at U.C. Berkley, and a master's degree in educational psychology, Ms. Goodwin moved to the Central Coast and worked in Santa Barbara and San Luis Obispo Counties after World War II. After a long career in San Luis Obispo as a child psychologist with the juvenile court and the country superintendent of schools, Ms. Goodwin retired to Goleta, and began concentrating on her environmental pursuits.

Ms. Goodin's is very actively involved in several organizations, including the Sierra Club, the Habitat for Humanity, the Yellowstone Reintroduction Program and the San Luis Obispo Mozart Festival. In addition, she is actively involved in preserving the Carrizo Plain Natural Area, and annually donates to 80 charitable organizations. Needless to say, Avis Goodwin has touched the lives of countless people in her pursuit of donating to her three most cherished causes, music, animals, and the environment.

I feel honored to represent a citizen of this caliber who has consistently, throughout her 95 years, dedicated herself to bettering society. Avis Goodwin is an extraordinary woman who sets as a very high example for us all, and I would like may colleagues to join me in wishing her a very happy birthday.

30TH ANNIVERSARY OF COMMUNITY SHARES OF WISCONSIN

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Ms. BALDWIN. Mr. Speaker, I rise today in recognition of the 30th anniversary of Community Shares of Wisconsin, an extraordinary social action fund in Madison, WI. Founded in 1971 to fund grassroots organizations and projects working for social change, Community Shares was the first social action fund in the country.

Community Shares of Wisconsin is committed to working together with its donors and member agencies to address social, economic and environmental problems through advocacy, research and public education. Through cooperative fundraising, sharing resources and coordinating activities, Community Shares of Wisconsin supports and promotes innovative programs for Wisconsin citizens. Community Shares of Wisconsin member agencies work to help restore Wisconsin's prairie, protect and enhance its land and waters, build sustainable communities, provide for the needs of children and families and promote a fair, humanitarian society.

In 1971, Community Shares of Wisconsin, known then as the Madison Sustaining Fund and Community CHIP, supported 14 groups. After 30 years of hard work, Community Shares of Wisconsin now helps support 44 groups around the State.

I wholeheartedly congratulate Community Shares of Wisconsin for the 30 years of success as a social action fund. I am proud to recognize this organization and the city and people of Madison, WI.

PERSONAL EXPLANATION

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 332 on H.R. 2563, I was unavoidably detained. Had I been present, I would have voted ''nay.''

PAYING TRIBUTE TO THE MEMBERS OF C COMPANY, 1ST BATTALION, 5TH REGIMENT, 1ST MARINE DIVISION

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. ROGERS of Michigan. Mr. Speaker, I rise today to pay tribute to the brave men of the C Company, 1st Battalion, 5th Regiment, 1st Marine Division for their courageous actions in April of 1947.

World War II left many problems unresolved in China, and although some have forgotten, the United States sent Marines into China after World War II to disarm Japanese soldiers, protect them from revenge and relieve them from their bases.

During the early morning hours of April 5, 1947, the C Company was attacked at Hsin Ho by the fighters of Chairman Mao Tse-tung. After the Japanese ripped out the plumbing and sabotaged the heating and water supplies, the communists attacked the outpost with a force of over 300 men. Although under heavy fire, the Marines fought off the communists through the night, pursuing them for eight miles.

When the sun rose that morning, five Americans were dead and eighteen wounded. Mr. Speaker, the United States will forever be indebted to the Marines who fought valiantly through the night of April 5, 1947. For nine years the C Company has attempted to gain official unit recognition for their bravery 54 years ago. I strongly believe it is the obligation of the United States to recognize these men who risked their lives in the pursuit of freedom.

Therefore Mr. Speaker, I respectfully ask my colleagues to join with me today in paying tribute to the brave men of C Company, 1st Battalion, 5th Regiment, 1st Marine Division. Their service has long passed but must never be forgotten.

''REMEMBERING DARLEY, ILLUSTRATION PIONEER, ACT OF 2001''

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. CASTLE. Mr. Speaker, I rise today to introduce the ''Remembering Darley, Illustration Pioneer, Act of 2001.'' This legislation expresses the sense of Congress that a commemorative stamp should be issued to honor the great American illustrator Felix Octavius Carr (F.O.C.) Darley and that the Citizens' Stamp Advisory committee should recommend to the Postmaster General that such a stamp be issued.

The United States was less than fifty years old at the time of F.O.C. Darley's birth in 1821, and contemporary writers often lamented the new nation's lack of myths, legends, and historical associations. However, in collaboration with the writers whose works he illustrated, Darley helped to popularize such icons of national identity as the Pilgrim, the Pioneer, the Minutemen, and the Yankee Peddler. In so doing, he helped define the ways

in which American readers imagined much of their own past.

Self-taught, Felix Octavius Carr Darley created an immense volume of work over a long career Beginning as a staff artist with a Philadelphia publisher and then moving to Delaware in 1859, he illustrated on a wide variety of subjects. While in Delaware, Darley illustrated such famous literary works as Charles Dickens' ''A Tale of Two Cities;'' Nathaniel Hawthorne's ''The Scarlet Letter;'' Clement Clark Moore's a ''A Visit From Saint Nicholas;'' Washington Irving's ''The Legend of Sleepy Hallow,'' ''Rip Van Winkle,'' and the five-volume ''Life of George Washington;'' and Henry Wadsworth Longfellow's ''Evangeline.'' Later, in New York, his work was reproduced by numerous book publishers, Harpers Weekly, and other magazines.

So great was Darley's fame during his lifetime that many books were advertised as ''Illustrated by Darley,'' as was the case with Clement Clark Moore's ''A Visit From Saint Nicholas.'' Moore's name did not actually appear on the original cover, only Felix Octavius Carr Darley.

Darley was elected a member of the Academy of Design in 1852. Later he became a member of the Artist's fund Society; and, most recently Darley was inducted into the Society of Illustrators Hall of Fame in 2001. Presently, the Delaware home of Felix Ocatvius Carr Darley is listed on the National Historic Register and is maintained by members of the Darley Society.

It is for these reasons that we should take the steps necessary to honor the very first in a long line of great American illustrators, Felix Ocatvius Carr Darley by enacting legislation that will require the Postmaster General to issue a stamp commemorating his great achievements. There is no easier way to show our support for the arts, and for those persons, such as F.O.C. Darley, that have dedicated their lives to brushing just a bit of color into the imaginations of countless Americans. I urge my colleagues to cosponsor this legislation and recognize Darley's fine work and contributions to our American heritage.

PERSONAL EXPLANATION

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. THOMPSON of California. Mr. Speaker, on August 2, 2001, I missed three votes on HR 2563 due to a family obligation. If I were available, I would have voted ''nay'' on rollcall vote 330, ''aye'' on rollcall vote 311, and ''nay'' on rollcall vote 332.

IN RECOGNITION OF THE SISTER CITY PROJECT BETWEEN BLUE ASH, OHIO and ILMENAU, GERMANY

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. PORTMAN. Mr. Speaker, I rise today to recognize the outstanding Sister City relationship between the City of Blue Ash, Ohio and Ilmenau, Germany.

The first Sister Cities began in 1956 at the behest of former President Eisenhower as a way to strengthen our nation's relations with the international community. The Sister Cities initiative proved to be a great success, and, to this day, it continues to be a success. Presently, more than 2,500 U.S. cities have forged Sister City relationships in over 130 foreign countries.

Blue Ash's relationship with Ilmenau, Germany began last year under Mayor Jim Sumner's direction. Mayor Sumner began this exchange with three primary goals in mind: fostering economic development; nurturing exchange programs between the University of Cincinnati's Raymond Walters College and the Technical University of Ilmenau, and between Sycamore Community Schools and their counterparts in Ilmenau; and to forge other significant social and cultural exchanges that will come from the emerging relationship.

A delegation from Blue Ash first visited Ilmenau in February 2000. In February 2001, at the request of Ilmenau officials, a small delegation of Blue Ash's public safety officials traveled there to share ideas and methods related to police and fire department issues and training. Another delegation of Sycamore High School students also enjoyed their first visit to Ilmenau this year. Recently, in August, a delegation of police and fire officials from Ilmenau visited Blue Ash. And, next month, from October 1 to October 7, Mayor Sumner will lead another delegation to Ilmenau to participate in the Oktoberfest celebration, among other activities.

Mr. Speaker, the Blue Ash-Ilmenau Sister City project has been a great economic, cultural and educational success. All of us in the Cincinnati area wish Mayor Sumner and his delegation the very best on their upcoming visit, and we hope that the relationship between Blue Ash and Ilmenau will continue to prosper.

PAYING TRIBUTE TO JAMES BERNARD HERALD

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. ROGERS of Michigan. Mr. Speaker, I rise today to congratulate James Bernard Herald as he celebrates his 90th birthday later this month. James Bernard Herald began his military career in January, 1941 at Fort Custer in Battle Creek, Michigan where he underwent basic training. Following training, Herald's unit went on to become a part of the Army's 5th Division, serving under the command of the then Brigadier General Omar Bradley. Herald was discharged from the Army in August, 1941 as a result of the ''under 28 years old'' law being put into effect. However, this spell away from the Army was only to be for a short time as, following events in Pearl Harbor, he was recalled on December 10, 1941 to his old outfit. In March, 1942 he was shipped as part of the 5th division to Iceland in order to maintain the operation of supplying allies with goods and equipment. 1943 was spent by Herald and the 5th Division traveling to England and, when English soil became too crowded with troops and tanks, moving onto a base near Belfast, Northern Ireland in September, 1943.

By D-Day, 1944 James B. Herald was a Sergeant and Section Chief of a 155 millimeter Howitzer Cannon and a contingent of 14 men, which landed on Omaha Beach. Sergeant Herald and his men pushed forward to Metz, a fortress city in northeast France where his courage helped him to endure the violent combat, and shrapnel wounds both to the head and the hip. Once Herald had been treated for his wounds he was cited with the ''Purple Heart'' and sent straight back into action. He went on to be awarded with a ''Bronze Star'', the medal awarded for ''bravery beyond the call of duty'' for his heroic actions in Czechoslovakia in May, 1945.

Throughout his career in the Army, Herald was referred to as an exceptional ''American Soldier''. He marched through Germany, Austria, Italy, France and Belgium, and saw London, Paris, the Rhine, Brenner Pass and the Alps at their worst. He as demobilized in Indian Town Gap, Pennsylvania in August 1945, the year and month that saw the Japanese surrender. Following his demobilization he has continued to contribute greatly to society. He became the Commander of the Walter T. Roach American Legion Post in Hubbardston, which he and Elmer Cunningham kept going out of their own generosity and hard work. Herald held this post over thirty years ago and no one has since forgotten, and he now holds the distinction of oldest past commander. Further distinctions also include Herald's role as an Intelligence Agent in Europe (#1001), a member of the Knights of Columbus for fifty years, a member of the Moose for thirty years and best of all, a member of the Heralds for almost seventy years.

Mr. Speaker, I ask my colleagues to join with me in congratulating James Bernard Herald as he celebrates his 90th birthday later this year. It is most appropriate at this time that his lifetime achievements and service to his country and community should be recognized and honored.

IN HONOR OF THE DEDICATED FIRE PERSONNEL OF DELAWARE

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. CASTLE. Mr. Speaker, I rise today to pay tribute to twenty Delaware firefighters who bravely and unselfishly traveled to the State of Washington state to help combat the Wenatchee National Forest wildfires. The group was comprised of seven firefighters from the Delaware Department of Agriculture Forest Service and thirteen from various fire companies in Delaware.

Firefighters provide one of the most valuable services imaginable to this country and its people—that of saving lives and safeguarding our precious lands. With integrity, firefighters preserve the safety in the communities they serve. These brave men and women have demonstrated their community is not limited to the State of Delaware, but their commitment extends to the nation as a whole. Every year, firefighters are injured, and even die, in the service of their esteemed duty. Firefighting is one of the hardest jobs imaginable,

and it is frequently rewarded only by the satisfaction that they have made their communities safer.

Mr. Speaker, allow me to recognize here these men and women individually for their service and valor. The firefighters are Teri Guy of Camden; Todd Gsell of Chestertown, Maryland; Kevin Hauer and Mike Valenti of Dover; Kevin and Todd Schaffer of Downington, Pennsylvania; Mike Brown of Hartley; Andrew Mathe of Hockessin; Erich Burkentine of Lewes; Sam Sloan of Millsboro; Guy Cooper of Millville; Matt Dotterer of Milton; Glenn Gladders, Chris Gorzynski, Mike Puglisi and Steve Reeves of Newark; Josh McGrath and Mike Sethman of Smyrna, Franny Cole of Townsend and Nikki Waller of Wilmington.

It is often said that nothing is bigger than the heart of a volunteer. I think that is especially true for these dedicated men and women of Delaware who serve not only our state, but protect the nation as whole. For all their courage, their strength, their selflessness, and their dedication, I salute each and every one of them.

HUMAN CLONING PROHIBITION ACT OF 2001

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 31, 2001

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in opposition to H.R. 2505, The Human Cloning Prohibition Act of 2001. I am absolutely opposed to any cloning that results in the creation of a human life and/or a pregnancy. That is why I support the Greenwood-Deutsch-Schiff-DeGette Amendment, legislation that prohibits such cloning but allows the opportunity for medical research.

As I have already stated, I believe that the science of cloning deserves serious consideration. As has been evidenced by the prior hearings and debate on this issue, the knowledge of the scientific community in this field is still in its infancy, particularly in the field of stem cell research. It is crucial that Congress carefully consider all options regarding this issue before it proceeds, particularly before we undertake to criminalize aspects of this practice. We must carefully balance society's need for lifesaving scientific research against the numerous moral, ethical, social and scientific issues that this issue raises. Yet what we face here today is legislation that threatens to stop this valuable research, in the face of evidence that we should permit this research to continue.

Those of us who believe in the Greenwood-Deutsch-Schiff-DeGette substitute are not proposing and are not proponents of human cloning. What we are proponents of is the Bush Administration's NIH report June 2001 entitled ''Stem Cells: Scientific Progress and Future Research Directions.'' This report, as I will discuss further, acknowledges the importance of therapeutic cloning.

None of us want to ensure that human beings come out of the laboratory. In fact, I am very delighted to note that language in the legislation that I am supporting, the Greenwood-Deutsch-Schiff-DeGette legislation, specifically says that it is unlawful to use or attempt to use human somatic cell nuclear transfer technology or the product of such technology to initiate a pregnancy to create a human being. But what we can do is save lives.

For the many people come into my office who are suffering from Parkinson's disease, Alzheimer's, neurological paralysis, diabetes, stroke, Lou Gehrig's disease, and cancer, or infertility the Weldon bill questions whether that science can continue. I believe it is important to support the substitute, and I would ask my colleagues to do so.

What we can and must accept as a useful and necessary practice is the use of the cloning technique to conduct embryonic stem cell research. This work shows promise in the effort to treat and even cure many devastating diseases and injuries, such as sickle cell anemia, spinal cord damage and Parkinson's disease through valuable stem cell research. This research also brings great hope to those who now languish for years or die waiting for a donor organ or tissue. Yet just as we are seeing the value of such research, H.R. 2505 would seek not only to stop this research, but also to criminalize it. We must pause for a moment to consider what conduct should be criminalized.

Those who support the Human Cloning Prohibition Act contend that it will have no negative impact on the field of stem cell research. However, the findings of the report that the National Institutes of Health released in June 2001 are to the contrary. This report states that only clonally derived embryonic stem cells truly hold the promise of generating replacement cells and tissues to treat and cure many devastating diseases. It is ironic at the same time that while the Weldon bill has been making its way through the House, the Administration's NIH is declaring that that the very research that the bill seeks to prohibit is of significant value to all of us.

An embryonic stem cell is derived from a group of cells called the inner cell mass, which is part of the early embryo called the blastocyst. Once removed from the blastocyst, the cells of the inner cell mass can be cultured into embryonic stem cells; this is known as somatic cell nuclear transfer. It is important to note that these cells are not themselves embryos. Evidence indicates that these cells do not behave in the laboratory as they would in the developing embryo.

The understanding of how pluripotent stem cells work has advanced dramatically just since 1998, when a scientist at the University of Wisconsin isolated stem cells from human embryos. Although some progress has been made in adult stem cell research, at this point there is no isolated population of adult stem cells that is capable of forming all the kinds of cells of the body. Adult stem cells are rare, difficult to identify, isolate and purify and do not replicate indefinitely in culture.

Conversely, pluripotent stem cells have the ability to develop into all the cells of the body. The only known sources of human pluripotent stem cells are those isolated and cultured from early human embryos and from certain fetal tissue. There is no evidence that adult stem cells are pluripotent.

Further, human pluripotent stem cells from embryos are by their nature clonally derived—that is, generated by the division of a single cell and genetically identical to that cell. Clonality is important for researchers for several reasons. To fully understand and harness the ability of stem cells to generate replacement cells and tissues, the each identity of those cells' genetic capabilities and functional qualities must be known. Very few studies show that adult stem cells have these properties. Hence, now that we are on the cusp of even greater discoveries, we should not take an action that will cut off these valuable scientific developments that are giving new hope to millions of Americans. For example, it may be possible to treat many diseases, such as diabetes and Parkinson's, by transplanting human embryonic cells. To avoid immunological rejection of these cells ''it has been suggested that . . . [a successful transplant] could be accomplished by using somatic cell nuclear transfer technology (so called therapeutic cloning), . . .'' according to the NIH.

Hence, although I applaud the intent of H.R. 2505, I have serious concerns about it. H.R. 2505 would impose criminal penalties not only on those who attempt to clone for reproductive purposes, but also on those who engage in research cloning, such as stem cell and infertility research, to expand the boundaries of useful scientific knowledge. These penalties would extend to those who ship or receive product of human cloning. And these penalties are severe—imprisonment of up to ten years and a civil penalty of up to one million dollars, not to exceed more than two times the gross pecuniary gain of the violator. Many questions remain unanswered about stem cell research, and we must permit the inquiry to continue so that these answers can be found. In addition to research into treatments and cures for life threatening diseases, I am also particularly concerned about the possible effect on the treatment and prevention of infertility and research into new contraceptive technologies. We must not criminalize these inquiries.

H.R. 2505 would make permanent the moratorium on human cloning that the National Bioethics Advisory Commission recommended to President Clinton in 1997 in order to allow for more time to study the issue. Those who support the bill state that we must do so because we do not fully understand the ramifications of cloning and that allowing even cloning for embryonic stem cell research creates a slippery slope into reproductive cloning. I maintain that we must study what we do not know, not prohibit it. The very fact that there was disagreement among the witnesses who spoke before us in Judiciary Committee indicates that there is substantial need for further inquiry. We would not know progress if we were to criminalize every step that yielded some possible negative results along with the positive.

There are many legal uncertainties inherent in prohibiting cloning. First, we face the argument that reproductive cloning may be constitutionally protected by the right to privacy. We must also carefully consider whether we take a large step towards overturning Roe v. Wade when we legislatively protect embryos. We do not recognize embryos as full-fledged human beings with separate legal rights, and we should not seek to do so.

Instead, I again urge my colleagues to support the Greenwood-Deutsch-Schiff-DeGette substitute, a reasonable alternative to H.R. 2505. This legislation includes a ten year moratorium on cloning intended to create a human life, instead of permanently banning it. As I

previously noted, it specifically prohibits human cloning or its products for the purposes of initiating or intending to initiate a pregnancy. It imposes the same penalties on this human cloning as does H.R. 2505. Thus, it addresses the concern of some that permitting scientific/research cloning would lead to permitting the creation of cloned humans.

More importantly, the Greenwood-Deutsch-Schiff-DeGette substitute will still permit valuable scientific research to continue, including embryonic stem cell research, which I have already discussed. This substitute would explicitly permit life giving fertility treatments to continue. As I have stated, for the millions of Americans struggling with infertility, protection of access to fertility treatments is crucial. Infertility is a crucial area of medicine in which we are developing cutting edge techniques that help those who cannot conceive on their own. It would be irresponsible to cut short these procedures by legislation that mistakenly treats them as the equivalent of reproductive cloning. For example, there is a fertility technique known as ooplasmic transfer that could be considered to be illegal cloning under HR 2505's broad definition of ''human cloning.'' This technique involves the transfer of material that may contain mitochondrial DNA from a donor egg to another fertilized egg. This technique has successfully helped more than thirty infertile couples conceive healthy children. It may also come as no surprise that in vitro fertilization research has been a leading field for other valuable stem cell research.

The Centers for Disease Control and Prevention advise that ten percent of couples in this country, or 6.1 million couples, experience infertility at any given time. It affects men and women with almost equal frequency. In 1998, the last year for which data is available, there were 80,000 recorded in vitro fertilization attempts, out of which 28,500 babies were born. This technique is a method by which a man's sperm and the woman's egg are combined in a laboratory dish, where fertilization occurs. The resulting embryo is then transferred to the uterus to develop naturally. Thousands of other children were conceived and born as a result of what are now considered lower technology procedures, such as intrauterine insemination. Recent improvements in scientific advancement make pregnancy possible in more than half of the couples pursuing treatments.

The language in my amendment made it explicitly clear that embryonic stem cell research and medical treatments will not be banned or restricted, even if both human and research cloning are. The organizations that respectively represent the infertile and their doctors, the American Infertility Association and the American Society for Reproductive Medicine, support this amendment. For the millions of Americans struggling with infertility, this provision is very important. Infertility is a crucial area of medicine in which we are developing cutting edge techniques that help those who cannot conceive on their own. It is would be irresponsible to cut short these procedures by legislation that mistakenly addresses these treatments as the equivalent of reproductive cloning.

The proponents of H.R. 2505 argue that their bill will not prohibit these procedures. However, access to infertility treatments is so critical and fundamental to millions that we should make sure that it is explicitly protected here. We must not stifle the research and treatment by placing doctors and scientists in fear that they will violate criminal law. To do so would deny infertile couples access to these important treatments.

Whatever action we take, we must be careful that out of fear of remote consequences we do not chill valuable scientific research, such as that for the treatment and prevention of infertility or research into new contraceptive technologies. The essential advances we have made in this century and prior ones have been based on the principles of inquiry and experiment. We must tread lightly lest we risk trampling this spirit. Consider the example of Galileo, who was exiled for advocating the theory that the Earth rotated around the Sun. It is not an easy balance to simultaneously promote careful scientific advancement while also protecting ourselves from what is dangerous, but we must strive to do so. Lives depend on it.

Mr. Speaker, we must think carefully before we vote on this legislation, which will have far reaching implications on scientific and medical advancement and set the tone for congressional oversight of the scientific community.

SECURING AMERICA'S FUTURE ENERGY ACT OF 2001

SPEECH OF

HON. W.J. (BILLY) TAUZIN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 1, 2001

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4) to enhance energy conservation, research and development and to provide for security and diversity in the energy supply for the American people, and for other purposes:

Mr. TAUZIN. Mr. Chairman, I continue to be concerned about the energy situation in the Pacific Northwest. Earlier this year, language was offered in House Energy and Water Appropriations bill to increase the borrowing authority at the Bonneville Power Administration by $2 billion for transmission upgrading. I understand the language has been put into the Energy and Water bill on the Senate side.

Part of the transmission problem in the Northwest has been created by the temporary closure of aluminum facilities, especially those in Western Montana and Eastern Washington.

I am concerned about Bonneville's actions to reduce and possibly eliminate future electricity sales to the aluminum smelters in the Northwest, which collectively make up about 40% of total U.S. primary aluminum production. These actions will not only have significant and adverse impacts on the transmission system in the Northwest, but will also create economic dislocations in the communities in which these facilities have operated. This is not just a Northwest issue, however, since it could adversely affect the global supply and demand for aluminum.

I have raised these issues with the Department of Energy and will continue to work on them as a priority. As the Committee continues to deal with energy legislation, we may hold hearings on this subject and may consider legislative remedies to the situation in the Northwest. I intend to preserve and exercise the Energy and Commerce Committee's jurisdiction over BPA's transmission and power sales issues.

NATIONAL CENTER FOR SUPERCOMPUTING APPLICATIONS

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. JOHNSON of Illinois. Mr. Speaker, I rise today in recognition of the National Center for Supercomputing Applications at the University of Illinois at Urbana-Champaign, and its new role in building the largest, most comprehensive computational infrastructure ever deployed for open scientific research. The Distributed Terascale Facility, or DTF, will provide the computing power that will enable the scientific discoveries of the 21st century, including computers capable of processing trillions of calculations per second and hundreds of terabytes of data storage capacity. The DTF computing systems will begin operation in 2002 and the network connecting these computational and data resources will be 16 times faster than today's fastest high speed research network.

On Wednesday, September 5, in my State of Illinois, a new facility is being dedicated, which will house the main computing engines of the DTF. The state-of-the-art facility will be connected to resources and research centers across the country through an ultra-highspeed network.

There is no question that scientific research is crucial to our nation's future success. Scientific discoveries and technological innovations not only drive our economy, but they provide a better quality of life for our citizens. In the recent past, we have seen phenomenal scientific advances that promise to help us understand the workings of the brain, discover new drugs to fight cancer, accurately predict severe storms, and build safer, more durable airplanes, buildings and bridges. The high-performance computers and resources connected by an ultrafast network to form the DTA ''teragrid'' will enable the discoveries of the next century. Using the teragrid, scientists and researchers across the continent will be able to share resources, call upon remote databases, develop new applications and visualize the results of complex computer simulations.

I applaud all those involved in this partnership to make the DTF a reality: the National science Foundation for providing $53 million for the project; Qwest Communications, IBM, and Intel, for their technological contributions; and the research centers that will build and deploy the DTF-The National Center for Supercomputing Applications at the University of Illinois at Urbana-Champaign; the San Diego Supercomputing Center at the University of California, San Diego; Argonne National Laboratory in Argonne, Illinois, and the California Institute of Technology in Pasadena.

In closing, I extend my best wishes and congratulations to the dedicated people in these organizations who are clearly committed to employing cutting-edge technologies to build the 21st century's computing and information infrastructure. This infrastructure will help keep our businesses competitive, assist the best scientists and researchers across our

nation in advancing the frontiers of discovery, and allow us to solve the most pressing problems of our time.

CONGRATULATING THE ROCHESTER HOST LIONS CLUB ON ITS 80TH ANNIVERSARY, AUGUST 30, 2001

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Ms. SLAUGHTER. Mr. Speaker, recognizing that the Rochester Host Lions Club is part of the Lions Club International, which was founded in Chicago, Illinois in 1917; and acknowledging the Rochester Host Lions Club, chartered on September 2, 1921, is the oldest Lions Club in New York State;

Recognizing that the Rochester Host Lions Club's dedication to serving those in need has made a measurable impact on the community, by contributing to the betterment of the City of Rochester, its surrounding areas, and New York State;

Recognizing the Rochester Host Lions Club's significant efforts in serving persons who are visually, hearing, and handicapped impaired, including SightFirst, the world's largest blindness prevention program; and acknowledging the Lions' efforts to establish the first eye bank in the United States;

Recognizing the Rochester Host Lions Club's many other community service efforts, including purchasing glasses for the needy, volunteering for the Salvation Army Christmas collection, hosting fundraising events for various community service organizations, and contributing funding to shelters, youth centers, community groups, and substance abuse treatment centers;

Urging the Rochester Host Lions Club to continue its exemplary public service to the community, as evidenced by its current fundraising work to expand its school-based health clinic program to include a dental and eye care facility;

Recognizing that members and friends of the Rochester Host Lions Club have come together this evening, August 30, 2001, to commemorate this important day in the Lions Club's history, its 80th Anniversary;

Resolved that I, Rep. Louise M. Slaughter, congratulate the Rochester Host Lions Club on its 80th Anniversary; and resolved that this proclamation will be submitted into the CONGRESSIONAL RECORD.

SECURING AMERICA'S FUTURE ENERGY ACT OF 2001

SPEECH OF

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 1, 2001

The House in Committee of the Whole House on the State of the Union had under consideration the bill. (H.R. 4) to enhance energy conservation, research and development and to provide for security and diversity in the energy supply for the American people, and for other purposes.

Mr. LANGEVIN. Mr. Chairman, I rise today in opposition to H.R. 4, the Securing America's Future Energy (SAFE) Act, and urge my colleagues to vote against this legislation.

The growth of the U.S. economy over the last decade has significantly increased our nation's need for energy. Maintaining a reliable and affordable supply of power is essential to American businesses and consumers, and we must take precautions to ensure that our economy is not stalled due to blackouts or prohibitively high energy costs. Our nation's energy policy should guarantee access to affordable power, encourage conservation efforts, and pursue increased use of environmentally responsible and renewable sources of energy. While I applaud the House's effort to address our nation's energy needs, I am greatly troubled by some of the provisions of the SAFE Act.

H.R. 4 permits energy exploration in the Arctic National Wildlife Refuge (ANWR), which I strongly oppose, as drilling in this environmentally fragile area would have a harmful impact on its diverse array of animal and bird species. I am greatly disappointed by this destructive provision, and believe we must protect Alaskan wilderness by continuing the current moratorium on drilling in ANWR.

The SAFE Act also misses a prime opportunity to decrease oil consumption by increasing corporate average fuel economy (CAFE) standards for our nation's vehicles. I support the amendment offered by the gentleman from New York (Mr. BOEHLERT) to require sport utility vehicles (SUV's) to meet the fuel efficiency requirements of passenger vehicles, rather than adhere to the current light trucks standard. Closing this ''SUV loophole'' could reduce U.S. daily oil consumption by 1 million barrels—the approximate daily estimated oil yield from the Arctic National Wildlife Refuge.

I am also disturbed that the bill provides such extensive tax breaks to the oil and gas industry. Though the energy sector is reporting record profits, H.R. 4 offers billions of dollars in tax deductions for oil and gas activities. This provision is particularly egregious in light of the recently passed $1.35 trillion tax cut that now endangers our federal surplus. Additionally, the bill further threatens our dwindling surplus by repealing existing fuel taxes for railroad and inland waterway transportation.

Again, I appreciate the efforts of many of my colleagues to address our nation's energy needs, but I have significant reservations with some of the priorities of H.R. 4, and hope that we will be able to address some of these concerns in the near future.

PERSONAL EXPLANATION

HON. JULIA CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Ms. CARSON. Mr. Speaker, due to a field hearing of the Subcommittee on Oversight and Investigations of the Committee on Veterans Affairs being held in my district, I shall be unavoidably absent for today.

HONORING THE CAREER OF DR. ROBERT BYERS, M.D.

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. BENTSEN. Mr. Speaker, I rise today to recognize the long and decorated career of Dr. Robert Maxwell Byers. The oldest son of Dr. John Maxwell Byers and Charlotte Winchester Byers, Robert has spent more than 30 years at the M.D. Anderson Cancer Center, in Houston, Texas.

Dr. Byers grew up in the small town of Elkton, Maryland. An athletic teen who excelled in baseball, basketball, and track, Robert continued his athletic participation at Duke University, where he studied pre-Med. In 1959, he entered the University of Maryland Medical School in Baltimore where he excelled in his academic studies and received membership to the AOA and the Rush Honor Medical Society. In 1961, he married his high school sweetheart, Marcia Davis.

During his third year of Medical School, Robert was commissioned an Ensign in the United States Naval Reserve, and later rose to the rank of Captain in 1986. In 1963, Dr. Byers began his general surgical residency at the University Hospital in Baltimore, Maryland. Five years later, he left for the Republic of Vietnam, as a fully trained general surgeon, with the 1st Marine Division. He received a unit commendation medal and combat action ribbon for his service in Vietnam. In 1969, he was certified by the American Board of Surgery. The following year, after his discharge from the Navy, he moved his family to Houston, Texas.

In Houston, Dr. Byers began a fellowship in Surgical Oncology at the University of Texas M.D. Anderson Cancer Center. This was the decision that molded his career in Head and Neck Surgical Oncology. Over the past thirty years at the M.D. Anderson Cancer Center, Dr. Byers climbed the ranks to Professor and Surgeon. His career has been decorated with many awards and honors. He was honored with the distinguished Alano J. Ballantyne, Chair of Head and Neck Surgery in 1998, and was selected to give the Hayes Martin Memorial Lecture at the 5th International Conference on Head and Neck Cancer. Dr. Byers has authored or co-authored more than 200 works, including published papers, book chapters, and monographs. Throughout his time at M.D. Anderson he has contributed to the education of more than 300 residents, who are now becoming the future leaders of this field of health care.

In addition to his professional work, Dr. Byers has played an active role in the Houston community. With four sons, MacGregor, Robby, Matthew, and John, he was actively involved in coaching Little League and basketball. All of us in the greater Houston area have benefited from Dr. Byers' dedication and commitment to the medical field and his family.

Mr. Speaker, Dr. Robert Maxwell Byers is a Veteran, a doctor, a father, a community activist, and a man whose commitment to the public good sets a model for future generations to follow. I applaud the long and accomplished career of Dr. Robert Maxwell Byers and wish him continued success in future endeavors.

GROUND ZERO

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Ms. NORTON. Mr. Speaker, I commend to the attention of members an article from Washingtonian Magazine, December 2001, entitled ''Ground Zero.'' Harry Jaffe deserves credit for his early focus on the burial of munitions and toxic chemicals in the District of Columbia's Spring Valley community and on the government's non-disclosure of information to the D.C. government and its residents.

As a result of Mr. Jaffe's work, other media reports and our own investigation, the D.C. Subcomittee held hearings on July 27, and asked the General Accounting Office to conduct a full-scale investigation of the Spring Valley site as well as others in the city, where munitions or chemicals might have been discarded.

[From the Washingtonian Magazine, Dec. 2001]

GROUND ZERO

(By Harry Jaffe)

Rick Feeney was cutting the grass one day in 1992 when he heard his black retriever, Kerry, yelping and whining in the construction site next to his home on Glenbrook Road in DC's Spring Valley. He looked over to see the dog in the freshly dug earth, shaking her head, liquid coming from her eyes and mouth. When Feeney went to help, his own eyes started to water, the skin on his arms started to sting, and a bitter taste filled his mouth.

''Feels a lot like I've been gassed,'' Feeney thought, recalling his training in the Navy, when he had walked through clouds of tear gas. He went home and hosed off himself and his dog. But every time he mowed his lawn, his eyes watered and his nose ran. Finally the hole was covered over and the house completed—now the home of American University president Benjamin Ladner.

A few months later, on January 5, 1993, construction workers digging trenches for new houses in Spring Valley a half mile northwest of Feeney's home unearthed what looked like rusted bombs. In a matter of hours, Army bomb-removal units arrived by helicopter from Aberdeen Proving Ground in Maryland. With gas masks on their hips, they determined that the canisters were World War I-era chemical mortar rounds and 75-millimeter shells. Some were live and might contain mustard gas, a lethal chemical that caused blindness, skin blisters, and internal and external bleeding in 400,000 World War I soldiers.

Nan Whalen, who lives near the trench, was at home when an acquaintance phoned. ''My God, Nan, what's going on in your neighborhood?'' asked the caller from her car. She had been invited to a dinner party at Vice President Dan Quayle's home on the Naval Observatory grounds and had just heard that it might be canceled. The Army was worried that a live shell might detonate and send a gas cloud drifting over the vice president's house.

The first night the Army held a meeting for the community at a church on Westmoreland Circle. Officers told worried residents that the bombs had been left by soldiers who had used the area to produce and test chemical weapons in 1918. They assured residents that everything would be taken care of.

Rick Feeney stopped an Army officer on the way out and told him about his reaction to the fumes from the property on Glenbrook Road.

'I assumed it was tear gas,' he told the officer, ''or something that made you feel that you had been gassed.'' The officer turned to an aide. ''Make sure we take a look at this,'' he said. The Army never contacted Feeney, a writer and event manager who works at home. If it checked out his tory, he never knew about it.

Through the rest of 1993 and into 1994, the Army recovered 141 munitions, including 42 poison-gas shells. In stages, officials evacuated 72 homes in the zone around the bomb pit while soldiers searched for buried munitions; in 1994, 130 families were asked to move out, mostly during weekdays, while bomb specialists searched for more ordnance.

In 1995 the Army Corps of Engineers issued a report describing its explorations and excavations. In sum, it said it had completed its work; Spring Valley was safe. The situation there required ''no further action.''

Five years later, that seems far from true. Scientist and engineers have determined that the Army missed a number of pits containing buried munitions and toxic chemicals. The search for bomb pits and contaminated soil and water is under way once again. Prodded by DC environmental scientists, the Army Corps of Engineers launched a fresh operation to find and remove hazardous materials from the area. So far it has unearthed twice as many munitions as were found in 1993. Evidence of more toxic chemicals is mounting.

Documents reviewed under the freedom of Information Act and interviews with investigators and scientists reveal that:

—The Army plans to evacuate two buildings at American University and five houses early next year while it excavates what is believed to be a disposal site for laboratories that produced lethal munitions.

—The Army has found high levels of arsenic in a part of Spring Valley once called ''Arsenic Valley'' because of its proximity to a lab that used arsenic in making chemical munitions. Rick Feeney's home lies in its center. Within its borders are a childcare center on AU campus and multimillion-dollar mansions on Indian Lane. The federal government lists arsenic, a poisonous heavy metal, as the most hazardous on its toxic-substance list. Health officials have warned people in Spring Valley against eating food grown in their gardens.

—Theodore J. Gordon, chief operating officer for DC's Department of Health, has asked the Corps to ensure that the groundwater in Spring Valley is clear of toxic chemicals, especially arsenic. Some of Spring Valley's groundwater drains towards Dalecarlia Reservoir, which supplies water to DC. Is there arsenic on the bottom of the reservoir? ''That's a possibility'', Gordon says.

—Two people who lived in houses built over a 1918 training trench used to test chemical weapons contracted aplastic anemia, a blood disorder that occurs when the bone marrow stops making enough healthy blood cells. The cause of the disease is unknown, but environmental toxins are suspected.

—According to internal documents and interviews with investigators, five federal agencies, led by the EPA and including the FBI, are investigating whether ''criminal false statements'' contributed to the Corps' determination in 1995 that ''no further action'' was necessary.

While Spring Valley residents learned in 1993 that their neighborhood was built on top of a chemical-weapons proving ground, documents show that American University and the Army knew at least in 1986 that there were ''possible burial sites,'' according to documents filed in lawsuits and reports obtained through FOIA. American University knew as early as 1921, when a campus publication referred to buried weapons on campus.

Lawsuits have been filed in the case. Former district judge Stanley Sporkin ruled in 1997 that the Army had a ''duty to warn'' people about the buried bombs: ''The Army in this case created the hazard and literally 'coverd it up,' '' Sporkin wrote in ruling on a lawsuit filed against the Army by a developer in 1996. The Spring Valley investigation is more than a story about buried munitions; it's also about buried intentions and hidden agendas. At critical junctures a community's health and welfare appear to have been sacrificed for bureaucratic infighting and concerns about public image. And the people of Spring Valley have been in conflict over whether to protect their property values or to actively investigate potential risks. There is now no hard evidence of cancer clusters in Spring Valley, but there's's no question that the health risks deserved scientific scrutiny years ago. Says Kenneth Schuster, a US Environmental Protection Agency scientist investigating Spring Valley: There is an indication of high incidence of cancer and rare blood diseases. Are they related to the buried munitions? We don't know, but I'm pushing for an epidemiological study.

''There a lot of unfinished business in Spring Valley.''

TRIBUTE TO JUDGE AVIVA K. BOBB

HON. HOWARD L. BERMAN

OF CALIFORNIA

HON. BRAD SHERMAN

OF CALIFORNIA

HON. HENRY A. WAXMAN

CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. BERMAN. Mr. Speaker, we rise today to pay tribute to an exceptional individual and good friend, Judge Aviva K. Bobb, Supervising Judge of the Family Law Department of the Los Angeles County Superior Court. Judge Bobb will be honored on September 29, 2001 with the Levitt & Quinn Family Law Center Award for Outstanding Community Service.

Judge Bobb has served in the Los Angeles Superior Court since 1994. She previously served for 14 years in the Los Angeles Municipal Court where she was the presiding, assistant presiding, and supervising judge. Before appointment to the bench, she served as the Executive Director of the San Fernando Valley Neighborhood Association and as the Executive Director of the Legal Aid Foundation of Los Angeles. She is a graduate of Boalt Hall School of Law.

In 2000, she was named to her current post as Supervising Judge of the Family Law Department, where she has established a national reputation as an outstanding expert in how to address problems resulting from divorce and child custody questions.

In addition to her distinguished career on the bench, Judge Bobb is a member of the Judicial Council of California, where she served on the Court Technology Advisory Committee and the Task Force on Trial Court Employees. Judge Bobb has also generously given her time, energy and resources to numerous committees of the Los Angeles County Bar Association, and presently is a member of the

Family Law Section Executive Committee. She has been the chair of the California Judges Association Court Administration Committee and vice chairperson of the Judicial Council's Presiding Judges Advisory Committee. Her many contributions to our community include service on the Board of Directors of Bet Tzedek Legal Services, Public Counsel, the Western Center on Law and Poverty, and as a trustee of the Women Lawyers Association of Los Angeles.

Judge Bobb has been the recipient of the Boalt Hall Alumni Association Distinguished Service Award in 1994 and the Judicial Excellence Award of the National Council on Alcoholism of the San Fernando Valley in 1989. The Levitt & Quinn Family Law Center Award is a very special award because it is given only to those who have dedicated themselves to alleviating social problems within the community at the city, county or state level.

It is our distinct pleasure to ask our colleagues to join with us in saluting Judge Bobb for her outstanding achievements, and to congratulate her on receiving this prestigious award.

TRIBUTE TO JEAN RUNYON

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. MATSUI. Mr. Speaker, I rise in tribute to Jean Runyon, the founder of Runyon Saltzman and Einhorn, Inc., one of the region's largest full-service advertising, public relations, public affairs and social marketing firms. Jean is the recipient of The Salvation Army's ''Partners In Community Service'' Award. As her friends and family gather to celebrate Jean's wonderful achievement, I ask all of my colleagues to join me in saluting one of Sacramento's most talented citizen leaders.

Jean first arrived in Sacramento in 1955 from her hometown of Berkeley, California where she enjoyed a hobby career as a stage actress. She devoted her time and energy to the Music Circus, planning theater parties. During her first year as the group's public relations chief, Jean helped Music Circus realize its first annual profit. As news spread of her outstanding talent for publicizing events, business owners approached her for advice on their own public relations projects.

In 1956, she founded Runyon and Associates. Focusing on a variety of advertising and public relations campaigns. Jean quickly and rightfully earned a reputation for delivering results. Within a few years, Jean became the first woman to be named ''PR Man of the Year'' by the Sacramento Public Relations Roundtable.

Today, Runyon Saltzman & Einhorn is one of Sacramento's top advertising agencies and is widely recognized for its creative work. In the early 90s, the agency branched into social marketing campaigns having put their efforts to work on behalf of a variety of environmental and public health issues. These campaigns communicated the importance of preserving clean air, avoiding tobacco, preventing teen pregnancy, stopping elder abuse and obtaining health insurance for children. The investment in this field paid off with proven results, as evidenced by national, regional and local industry recognition.

A number of nonprofit and community organizations have continued to recognize Jean for her tireless support and humanitarianism over the years. She has served on almost every major board in Sacramento, in addition to being the first female member of the Sutter Hospital Board of Trustees and the prestigious Downtown Rotary. Recently, she was honored with the naming of the Jean Runyon Little Theatre, celebrating that love for the performing arts, which later launched her career as a Sacramento public relations executive.

She has never forgotten the importance of donating time to her community. She has worked with dozens of charities and community nonprofit organizations, from such cultural institutions as the Crocker Art Museum, to groups like Make-A-Wish Foundation that help children, to organizations like The Salvation Army that help everyone. Jean's commitment to serving her community is truly an inspiration and example to her fellow citizens.

Mr. Speaker, as Ms. Jean Runyon's friends and family gather for the award ceremony, I am honored to pay tribute to one of Sacramento's most honorable citizens. Her successes are unparalleled, and it is a great honor for me to have the opportunity to pay tribute to her contributions. I ask all my colleagues to join with me in wishing my dear, dear friend Jean continued success in all her future endeavors.

CONGRATULATIONS TO MARY LAW ON HER RETIREMENT

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. BOEHNER. Mr. Speaker, I rise today to express my gratitude to Mary C. Law, a great friend of mine who is retiring in a few weeks after serving my home county for two decades.

Mary began her career as Butler County Treasurer in September of 1981. Her twenty years of service to myself and my neighbors have been marked by too many accomplishments to name here. However, one of her most significant achievements while in office was to provide working mothers in her office with flex time and job-sharing to work around their children and children's schedules.

Aside from her great work as Treasurer, Mary has been an active supporter of many charitable organizations in the city of Hamilton and throughout all of Butler County. She is truly a great leader, both in office and throughout our community.

Mary always has been a great friend to me. She always has been willing to help me when I have needed it. I wish her a healthy and joyful retirement. Her services will be deeply missed, and she will be remembered as a dedicated and respected community leader.

BIPARTISAN PATIENT PROTECTION ACT

SPEECH OF

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2001

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2563) to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage:

Mr. CROWLEY. Mr. Chairman, I rise today to express my sadness over the bill before us today. Let me begin by saying that I am a cosponsor—once proud—of H.R. 2563, the Ganske-Dingell-Norwood Patient's Bill of Rights. When I signed onto this bill, this was a truly Bipartisan Patient Protection Act.

But there have been some changes. And the kicker? The kicker is that I, a cosponsor of this bill, was not told what those changes were. None of us were, not until the eleventh hour. I do know that this bill has been gutted. What I know, is that there have been back room deals and secret negotiations. As a result, what was once a good bill is now one I am extremely disappointed with. The process by which new provisions have been developed has been a deceptive one. We started with a very bipartisan process to develop workable language, but unfortunately, that process was hijacked. Instead, deals were made behind closed doors. Even when improvements were suggested that would improve the language, they were ignored. This process was a disgrace to the House and the American people, who would benefit far more from a bipartisan and open process.

The Patient's Bill of Rights I put my name on, is now the Providers Bill of Rights. The patient's Bill of Rights that we had yesterday would have ensured that patients come first—not HMO profits or health plan bureaucrats. The Providers Bill of Rights we have before us today, fought for by the other party, strips these provisions and makes sure a calculator, not caring physicians and concerned families retain control over medical decisions.

Our bill allowed doctors to make the decisions about what is medically necessary and not an HMO bean counter. It gave patients access to information about all available treatments and not just the cheapest. Can someone from the other side please explain why that's so bad? Will they please come to my district and explain it to the working families in my hometown why this is not a good idea? And while you're at it, could you explain it to me too? Because I don't understand. I don't understand why requiring HMOs to provide access to emergency care or specialists, or direct access for women to an OB-GYN, or giving a patient a chance to try an innovative new treatment that could save their life—I don't understand why these are not rights that the other side of the aisle thinks all Americans in all health plans should have. I don't understand why Republicans in this House are opposed to putting health decisions back in human hands where they belong.

Perhaps the most frustrating part of this debate has been the horrible and unconscionable scare tactics. Not a day has gone by in

the past two weeks, that I have turned on my television and not seen a commercial from the health insurance companies arguing that the Ganske-Dingell bill will increase the number of uninsured. The fact remains, that the Congressional Budget Office has reported that the patient protections in this bill will only increase premiums by 4 percent over 5 years. This translates into only $1.19 per month for the average employee. But they don't tell you that. CBO also found that the provision to hold health plans accountable—the provision the other side of the aisle opposes the most and claims would cause health care costs to skyrocket—would only account for 40 cents of that amount. But they won't tell you that either. They also won't tell you that an independent study by the consulting firm Coopers and Lybrand indicates that the cost of the liability provisions is potentially less than that, estimating that premiums would increase between three and 13 cents a month per enrollee, or 0.03 percent.

This is a small price to pay to make sure that health plans cover the health care services we all deserve.

Mr. Chairman, this bill is a sham, these amendments, poison pills. I urge my colleagues to stand with me and pass a true Patient's Bill of Rights that provides real protections for all the 170 million Americans enrolled in a health insurance plan.

HONORING RICHARD ''DICK'' MOSS

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. RADANOVICH. Mr. Speaker, I rise today to pay tribute to Richard ''Dick'' Moss for his contributions to the agricultural water needs of California's Central Valley. After many years of dedicated service, Mr. Moss is retiring as General Manager of the Friant Water Users Authority (FWUA).

Moss graduated from California State Polytechnic University, San Luis Obispo, in agricultural engineering. He is a registered civil engineer in California and a graduate of the California Agricultural Leadership Program. His career began with the USDA Soil Conservation Service. Moss served three years as a Lower Tule River Irrigation District staff engineer and later as the manager of the Orange Cove Irrigation District.

Formed on October 1, 1985, the FWUA has been managed by Dick from its inception. A joint powers agency, the FWUA has 25 member districts in portions of five San Joaquin Valley counties, all of which contract for water delivered through the Central Valley Project's Friant-Kern and Madera canals. Friant districts serve one million irrigated acres and 15,000 mostly small family farmers along the southern San Joaquin Valley's East Side.

Moss has long been active in water organizations and water issues in California and the West. He has guided the FWUA in search of solutions to major water questions, including the ongoing concensus-based cooperative effort with environmental organizations on San Joaquin River restoration possibilities. Earlier this year, the FWUA aided most Friant agencies in gaining enactment of 25-year water service renewal contracts with the Bureau of Reclamation. Even though he is leaving the FWUA, Moss will still work diligently on various water issues in the Central Valley.

Moss will be leaving the FWUA to establish his own engineering consulting firm. Moss, his wife Charlene and their three children live near Ivanhoe in Tulare County.

Mr. Speaker, I invite my colleagues to join me in paying tribute to Richard ''Dick'' Moss for his years of service to the Friant Water Users Authority. I wish Mr. Moss continued success in the years to come.

HONORING LUIS RAUL CERNA-BACA

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. GILMAN. Mr. Speaker, today, I rise to honor the life and charitable spirit of my good friend, a loyal patriot, Luis Raul Cerna-Baca.

Born to an army colonel and a housewife in Camoapa, Nicaragua, Luis did not receive a formal education. However, his incredible thirst for knowledge, solid work ethic, and commitment to his family and fellow man, laid the foundation for a life of success, dedication, and charity, which serves as an example to us all of the determination of the human spirit.

At an early age, Luis sought ingenious ways to make a living and to reading whatever books he was able to locate. Through hard work and personal sacrifice, Luis Raul Cerna-Baca rose to become a leading businessman and a member of the Nicaraguan Congress. His character, intellect, and dedicated spirit was respected by his colleagues, who sought his counsel and advice in the many matters facing his nation.

A man of vision, Luis began to invest in the real estate, agriculture, mining industries, in which he found personal financial success. However, he never forgot how hard he had worked to succeed, those who had helped him, and those who had been left behind. A true humanitarian, his charitable spirit overtook him and he set out to help those in need throughout his country in any and every way possible. He donated scholarships, built housing and roads, and donated lands and funds to establish the ''Eliseo Picado Institute,'' In Matagalpa, Nicaragua, where more than five thousand students receive housing and education.

In recognition of his humanitarian assistance, Mr. Cerna, now a U.S. citizen, has been honored with numerous awards and by leaders and dignitaries from throughout Nicaragua and the United States. In Miami, he was recognized for his assistance to immigrants from Nicaragua and around the world. In January of 2000, he was selected as one of the ''Personalities of the 20th Century in Nicaragua,'' and was named benefactor of Matagalpa, Nicaragua. This October, Mr. Cerna will be awarded a Doctorate from the University of Nicaragua.

In the years that I have worked with Luis Cerna, following the Sandanista revolution, to bring justice to the people of Nicaragua, I have had the pleasure of building a lasting friendship with him, his wife, and his family. The strength of his character, the commitment of his spirit, the kindness of his heart, and the hope that he holds for the people of Nicaragua, our nation, and our world, serves as a guiding light and a role model for his family, his community, and our nation.

STATE LEGISLATURES ENDORSE ''OPERATION RESPECT''

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. GEORGE MILLER of California. Mr. Speaker, I want to call attention to the recent vote of the National Conference of State Legislatures (NCSL) in support of Operation Respect, which works with school administrators, teachers, legislators and others to promote character education and social-emotional learning in our nation's schools. The resolution was unanimously endorsed by the NCSL convention in August and marks a strong commitment on the part of lawmakers throughout this country to ending taunting, bullying and violence in our schools.

This is an enormously important initiative. Our nation has been naturally shocked each time a brutal act of violence has occurred at a school and we are all committed to eliminating such dangerous behavior. We also have to be better attuned to the acts of taunting, violence and bullying that precede many such acts, and that are, unfortunately, far more common on campuses daily.

A Little Hoover Commission report in California earlier this year found that ''alienated and disaffected young people are escaping the attention of families, friends and teachers until they explode into violence.'' A recent survey of more than 2,000 students in grades 8–11 nationwide found that 80 percent said that they had experienced physical or verbal sexual harassment at school.

Parents and teachers cannot allow this situation to continue and neither can legislators. Sound program models like ''Don't Laugh At Me,'' developed by Operation Respect, are being utilized in many classrooms throughout the nation, and we need to give strong federal support for their expansion and integration into the school curricula as local educators see fit.

Earlier this year, Peter Yarrow came to both the Democratic Caucus and the Republican Conference of the House of Representatives to explain the urgent need for programs like ''Don't Laugh at Me,'' and he received a vigorous, bipartisan response. Now is the time for us to follow up on the strong feelings and pledges of support Mr. Yarrow generated by casting our votes in favor of adequate funding for character education and social-emotional learning programs and teacher training both in upcoming appropriations legislation and in the pending education bill.

In the meantime, I want to share with my colleagues in the House the text of the resolution just adopted by the National Conference of State Legislatures in support of this important initiative.

National Conference of State Legislatures Resolution in Support of the Efforts of Operation Respect Inc

Whereas, NCSL joins the National Association of Secondary School Principals, American Association of School Administrators, Council of Great City Colleges of Education,

National Education Association, Council of the Great City Schools, American School Counselors Association, National School Boards Association, National Middle School Association, and American Federation of Teachers in Supporting efforts to ''Meet the crisis of violence head-on, while simultaneously addressing the academic needs of students, giving them the tools to become whole, productive human beings; responsible, humane, ethical, participating members of our democracy and our society;'' and

Whereas, NCSL applauds the goals of Operation Respect and its efforts to work with state legislatures to ensure the health and well-being of the next generation of children: Therefore, be it

Resolved, That, NCSL forwards Operation Respect's proposals for state legislative action for review and consideration where appropriate by the 50 state legislatures, territories and commonwealths of the United States.

HONORING GARO MARDIROSSIAN

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. RADANOVICH. Mr. Speaker, I rise today to honor Garo Mardirossian for being selected as Los Angeles' Trial Lawyer of the Year 2000. Mardirossian was selected for the honor by the board of governors of the Consumer Attorneys Association of Los Angeles.

Mardirossian is originally from Allepo, Syria. Due to that government's intolerance of Christian-Armenians, his family moved to Lebanon and lived in Beirut for two years. At the age of eleven, Garo and his family decided to relocate to Cleveland, Ohio. From Cleveland they moved to La Mirada and finally settled in Los Angeles, California.

Mardirossian earned his Bachelor's degree in Economics from UCLA and earned his law degree from Whittier Law School in 1981. Later that same year, he founded the Law Offices of Garo Mardirossian. His firm started out by handling small personal injury and auto injury cases. Garo has established himself and his firm as defenders of the U.S. Constitution. He often speaks at attorney association's conventions, bar association meetings, and at law schools.

Garo's trial achievements include:

Palmer v. Schindler Elevator Company—in which Garo won a $5.75 million verdict for his client who suffered post-concussion syndrome and a broken arm and leg when a belt in an elevator disintegrated.

Saakyan v. Modern Auto—an eight year case of defective tires where the jury returned a verdict of $21 million.

Hakiman v. Gabbai—in which a jury returned a verdict of $6.65 million for a man badly burned due to an apartment complex full of malfunctioning stoves.

Since 1986, Garo has been married to his wife Kathy, who is also a lawyer in his firm. They have three children: Ani, Nora & Kevin.

Mr. Speaker, I want to honor Garo Mardirossian for being selected as Los Angeles' Trial Lawyer of the Year 2000. I urge my colleagues to join me in wishing Mr. Mardirossian and his family many more years of continued success.

THE 10TH ANNIVERSARY OF AN INDEPENDENT UKRAINE

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. GILMAN. Mr. Speaker, I want to bring to the attention of my colleagues to the Flag Raising celebration of the 10th Anniversary of Independent Ukraine, that was held at 12:30 p.m. in Rockland County, New York, on August 26, 2001, at the County Offices Complex, in New City.

This event was sponsored by the Ukrainian Community of Rockland, under the leadership of Ukrainian American Veterans of Rockland, with their former National Commander, Dr. Vasyl Luchkiw, serving as the Event Chairman. I commend the Rockland County Executive, the Honorable Scott Vanderhoef, the Chairman of the County Legislature, the Honorable Ilan Schoenberger, and our County Legislators for providing a place to hold the celebrations. I also would like to extend a special thanks to the Honorable Theodore Dusanenko for his help throughout the years, and a heartfelt thanks to all of the participants for making this celebration possible.

I join the members of the Ukrainian Community in celebrating this significant anniversary. It is a miracle that, without bloodshed, the Soviet Empire, which held the Ukraine in its thrall, has melted away.

The anniversary program included thoughtful remarks by Commander Luchkiw, which I ask to be printed at this point in the RECORD for the information of my colleagues:

ON THE TENTH ANNIVERSARY . . .

(By Dr. Vasyl Luchkiw)

UKRAINE MADE IT!!! Ukrainian people made it! Contrary to all predictions and against all adds, Ukraine not only survived the past ten years, but actually made significant progress on its way to become a western democratic state. Even economy has been edging upward and there is hope for Ukrainian people who have suffered politically, economically, culturally and even spiritually for so many years. But there remains a lot to be done and Ukraine probably will not be able to do it alone. It needs help. It needs help in the broadest meaning of the word. Yes, it even needs help with fighting corruption. The 75 years of corrupt Soviet government and society left its indelible mark on Ukraine and it does not know how to get rid of it.

Western world must remember, that Ukraine greeted restoration of its independence with empty hands and empty coffers. Since that fateful day in August 1991, Ukraine had to improvise every step of the way. Its people had to suffer the brunt of economic shortfalls. The struggle is not over yet and west better not wait too long with its help.

There has been talk about a type of ''Marshal Plan'' for Ukraine. Whatever it is, it better come soon. Procrastination with help for Ukraine may turn into disaster for western Europe, if not the entire democratic world. Ukraine's neighbor to the north is waiting ''ready and willing.'' It is aching for a chance to ''show'' people of Ukraine that it is he that truly cares about Ukraine and that is he to whom Ukraine should turn for support and guidance. Need we say more?

This 10th anniversary is an appropriate time for the Western world, and particularly for the United States, through its congress and administration, to demonstrate strong support for Ukraine and its people (despite legitimate concerns on such as freedom of the press, rule of law, piracy and copyright, continuation of political and economic reforms, etc.), particularly now that Ukraine appears to be drawn more and more toward Russia.

The 10th anniversary is not the time to turn Ukraine and its people away from the West. Rather, this is time for the United States to do as is suggested in the House Resolution 222: ''continue to assist in building a truly independent Ukraine through encouraging and supporting democratic and market-economy transformation in Ukraine, keeping the doors of Europe and trans-Atlantic institution open to this nation.''

SPEECH BY PROF. BASILLIO CATANIA

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. ENGEL. Mr. Speaker, recently, I took to the floor to tell our colleagues about Antonio Meucci, who is one of history's forgotten inventors. I would like to take this opportunity now to insert into the CONGRESSIONAL RECORD excerpts of a lecture of Prof. Basillio Catania that he gave in October 2000 at New York University. I believe you will find it very informative and illuminating. I commend it to all our colleagues.

ANTONIO MEUCCI, INVENTOR OF THE TELEPHONE: UNEARTHING THE LEGAL AND SCIENTIFIC PROOFS

For 12 years I have researched the life and inventions of Antonio Meucci. My research was largely based on original documents, found in archives located in Italy, Cuba and the United States. Here I will briefly touch on topics connected with Meucci's priority in the invention of the telephone, namely, the Bell v. Globe trial, the United States v. Bell trial, and the scientific proofs of Meucci's priority.

Regarding the Bell v. Globe trial, it is known that Judge Wallace's decision, issued in New York on 19 July 1887, ruled in favor of the Bell Company against the Globe Telephone Company and Meucci. The report of this trial is at 31 F. 729 (Cir. Ct., S.D.N.Y., 1887). In particular, the Deposition of Antonio Meucci is also available in many public libraries, such as the New York Public Library and the Library of Congress.

However, it must be remarked that, while the Bell Company had sued the Globe Company and Meucci for patent infringement, it is largely unknown that the U.S. Government sued the Bell Company and Graham Bell for fraud, collusion and deception in obtaining the telephone patent(s). See 32 F. 591 (Cir. Ct., D. Mass., 1887). The U.S. Government set out to prove that Meucci—not Bell—had discovered the electromagnetic telephone and that the German Philipp Reiss had discovered the variable resistance transmitter, later called the ''microphone.'' In other words, whereas in New York the Bell Company claimed that Bell, not Meucci, was the inventor of the telephone, in Washington the Government claimed the opposite. Here is a brief chronology of what had happened in Washington, before the commencement of the Bell action against Meucci.

As early as 31 August 1885, the U.S. Solicitor General consented to petitions from several parties and authorized the U.S. Attorney for Western Tennessee to institute a suit

in the name of the Government to annul the Bell patents.

On 9 September, a bill of complaint against the Bell Company and Graham Bell was filed.

On 29 September, the Globe Company filed a petition with the Department of Justice. supporting the action of the Government and upholding Meucci's priority.

On 9 October, the U.S. Solicitor General suspended the proceedings, in order to allow the Secretary of the Interior, Lucius Lamar, who had jurisdiction over the Patent Office, to launch an investigation of its activity in this connection and report recommendations to the Department of Justice.

On 9 November, the Secretary commenced public hearings, with the aim of determining if there was ground for further proceedings against Bell and the Bell Company.

In January, 1886, the Interior Secretary recommended the institution of a suit against Graham Bell and the Bell Company, in the name and on behalf of the Government of the United States. He accompanied his letter with all reports, arguments and exhibits put ahead at the hearings.

Now, while the Secretary was holding said hearings, the Bell Company filed a bill of complaint against the Globe Company and Meucci in the Circuit Court for the Southern District of New York. Judge Wallace, who had already ruled four times in favor of Bell for patent infringement in other cases, presided over this court. It was, therefore, evident that the Bell move was more a maneuver to counteract the attack of the Government, than to sue the Globe Company for an (otherwise non-existent) infringement. The Bell Company was confident to win quickly in New York, also to create a situation of res adjudicata in an eventual trial with the Government and to hamper the action in favor of Meucci in Washington. The Secretary of the Interior negatively commented the Bell move in New York.

The trial in New York against Globe and Meucci went on swiftly, as expected by the Bell Company, and it came to a decision in about one and a half years. On the contrary, the action of the Government, hampered by the obstructionism of the Bell lawyers, dragged for twelve years, up to the end of 1897, when it was discontinued after the parent(s) had expired—without settling the underlying issue of who had priority to invention of the telephone. Moreover, the record of this trial was never printed and is now only available, with some difficulty, from the National Archives, mostly in typescript or manuscript, being spread among different groups and cities.

We must point out that, in the Bell v. Globe trial, the counsel for Globe and Meucci, David Humphreys, filed only nine out of the about fifty affidavits in favor of Meucci that were formerly exhibited and elucidated in Washington before the Interior Secretary. Counsel's main concern was to prove that Globe did not infringe the Bell patents, not having sold nor operated any telephones.

Notwithstanding, Judge Wallace could not ignore the many witnesses that had testified to have successfully spoken through various Meucci's telephones. But he disposed of all such witnesses by ruling that the spoken words that they had heard were from a string telephone, not an electric telephone. As known, the ''string telephone'' is a toy used by children to talk with the aid of two cans and a rope or wire pulled stout between the cans. By ruling that way, Judge Wallace discredited Meucci, as having fooled himself, adding insult to injury.

The thesis of Meucci's telephone being a string telephone was advanced in affidavit sworn by one Prof. Charles R. Cross from MIT—incidentally, a good friend of Bell, Prof. Cross stated that he had carefully studied Meucci's deposition, in order to faithfully reproduce Meucci's telephone layouts in his Physics Laboratory. However, Prof. Cross had omitted to mention in his affidavit a reel of wire that Meucci always inserted in circuit to simulate a long distance. There are three drawings and five different answers in Meucci's deposition where this reel of wire is clearly shown or quoted. Prof. Cross may have purposely omitted it. If he had inserted a reel of wire in his test, the sound could by no means mechanically traverse distance and reach the receiver. It could only be electrically transmitted. if any expert had raised that objection, Prof. Cross and Judge Wallace's thesis of the string telephone could not but fail.

Another obstacle to be surmounted by the Bell lawyers—and next by Judge Wallace—was Meucci's caveat ''sound Telegraph.'' This caveat was filed in the Patent Office on 28 December 1871, many years before the first Bell patent. Though having expired on December 1874, Meucci not being able any more to pay the $10 annual fee, yet it was a proof of Meucci's priority of invention. Prof. Cross testified that the caveat ''plainly and well describes what is known as a lover's telegraph or string telephone.'' The Globe Company called as their rebuttal witness Thomas Stetson, the patent lawyer who had prepared Meucci's caveat. Surprisingly, Mr. Stetson's testimony was largely in line with Prof. Cross's, poles apart from an affidavit, five years before, which is nothing less than a paean for Meucci as the true inventor of the telephone.

I took the trouble of comparing Mr. Stetson's affidavit of July 1880 with his trial testimony; the latter was in sharp contrast with his affidavit. Thus, Mr. Stetson's volte-face turned out to be a hard blow on Meucci's defense.

Mr. Stetson's false statements could easily have been disproved by the written description that Meucci had provided him in order to prepare the caveat. But Mr. Stetson testified that he had lost it, together with some important letters on the same subject that Meucci had written. He also testified that he did not remember an important drawing, illustrating Meucci's telephone system, drafted for him in 1858 by a painter, Nestore Corradi, and accompanying Meucci's description. Conversely, he exhibited a mysterious letter—that he said he had dictated but not sent to the Globe Company—containing his (quite recent) detraction of Meucci's caveat. He thus enabled Judge Wallace to rule that Meucci's pretensions ''are overthrown by his own description of the invention at a time when he deemed it in a condition to patent, and by the evidence of Mr. Stetson.''

Among others, the Bell Company called as their witness two Italians, Frederico Garlanda and John Citarotto, who testified that they owned a quite complete collection of L'Eco d'Italia (an Italian newspaper of New York), running from 1857 down to 1881. They stated, however, that their collection lacked just the issues from 1 December 1860 to the whole year 1863. We must recall that Meucci's invention was testified as having been published in L'Eco d'Italia between the end of 1860 and the beginning of 1861. If retrieved, it would have rendered null the Bell patents. Those precious issues of L'Eco d'Italia that lacked from said collection now lack from all main libraries in the United States.

Judge Wallace added some negative statements of his own against Meucci. In fact, he stated in the closing paragraph of his decision that ''his [Meucci's] speaking telegraph would never have been offered to the public as an invention if he had not been led by his necessities to trade on the credulity of his friends; that he intended to induce the three persons of small means and little business experience, who became his associates under the agreement of December 12, 1871, to invest in an invention which he would not offer to [knowledgeable]; men [. . .]; and that this was done in the hope of obtaining such loans and assistance from them as he would temporarily require.'' Evidently, Judge Wallace chose to neglect the following trial evidence:

First, Meucci's invention was offered, in 1861, to the Telegraphs of Naples, who refused it. This is no wonder because, sixteen years afterwards, Western Union refused to buy the Bell patents.

Second, Meucci offered his invention in 1872 to the American District Telegraph Company.

Third, the partners of the agreement signed on December 12, 1871, shortly before the filing of Meucci's caveat, were: S. Breguglia, lessee of the Cigar Stand of the Hoffman Cafe in Wall Street, A.Z. Grandi, Secretary of the Italian Consulate in New York and A.A. Tremeschin, a contractor for civil constructions. This would appear much like agreement that Graham Bell stipulated on February 27, 1875, with T. Sanders, a leather merchant, and G.G. Hubbard, an ex patent lawyer and ex railway businessman. In addition, we must remark that Meucci's agreement, instituting the Telettrofono Company, was an event of great historical importance. It recited that the company aimed ''to secure patent for [Meucci's invention] in any State of Europe, or other part of the world, to form copartnerships, to raise companies, to sell or assign, in part, the rights of such invention.'' It proved that Meucci's invention, unlike Bell's, was ripe to the point that, in 1871, he had envisaged a worldwide development of the telephone.

Fourth, no proof whatsoever is found in the record about Meucci having traded on the credulity of his friends.

From all of the above, we can conclude the analysis of the Bell vs. Globe trial by recalling historiographer Giovanni Schiavo's definition of the decision as ''unquestionably one of the most glaring miscarriages in the annals of American justice.''

In fact, a few weeks after the New York trial was begun, the Interior Secretary was writing to the Solicitor General, recommending the institution of a suit against Graham Bell and the Bell Company. He attached to his letter three reports on the hearings, drafted by his two Assistant Secretaries and the Commissioner of Patents, as well as all arguments and exhibits presented during the hearings. All three reports recommended the institution of a suit against the Bell Company and Graham Bell, charging fraud and misrepresentation. The Interior Secretary stigmatized in his letter the inadequacy of patent infringement suits instituted by the Bell Company: ''In none of these cases has there been or can there be, as I think, such thorough investigation and full adjudication as to the alleged frauds or mistakes occurring in the Patent Office in the issuance of the patent, as could be had in a proceeding instituted and carried on by the Government itself.''

Assistant Secretary George A. Jenks stated in his report:

''[. . .] There is also evidence that as early as 1849, Antonio Meucci began experiments with electricity, with reference to the invention of a speaking telephone [. . .]. Up to 1871, [. . .] although much of the time very poor, he constructed several different instruments with which in his own house, he conversed with his wife, and others [. . .]. His testimony is corroborated by his wife, and by affidavits of a very large number of witnesses. He claims that in 1872, he went to Mr. Grant, Vice President of the New York District Telegraph Company, explained his invention, and tried repeatedly to have it tried

on the wires of the Company. This, it is claimed, was used by the telegraph company, and was the basis of the contract between the Western Union Telegraph Company and the Bell Telephone Company, dated November 10, 1879. [. . .]''

Assistant Secretary Henry Muldrow remarked, in his report, that ''so many witnesses having sworn that the inventions of Meucci, Reis, and others antedated those of Bell in the speaking telephone,'' he recommended ''the institution of a suit to cancel the [Bell's] patent of March 7, 1876.'' It must be pointed out that Mr. Muldrow explicitly quoted Meucci and Reis, out of the scores of inventors that had claimed to precede Bell.

In addition, the Chief Examiner of the Patient Office, Mr. Zenas Wilber, in his affidavit of 10 October 1885, stated ''had Mr. Meucci's caveat been renewed in 1875, no patent could have been issued to Bell.'' In his other affidavit of 7 November 1885, he stated that Philipp Reis and Antonio Meucci were the originators of ''the prototypes of all speaking telephones.'' If we take into account that the Reis transmitter was difficult to operate, as it was originally conceived as a make-and-break device, we may gather from what precedes that the point of force of the Government's action was the invention of Antonio Meucci. Obviously, all of these proofs were available, but regrettably not presented at the Bell v. Globe trial.

As already pointed out, the U.S. vs. Bell trial dragged for twelve years, after which it was discontinued by consent, in 1897, after the death of Meucci and expiration of Bell's patent(s). Here is a brief summary.

On March 23, 1886, following the Secretary of the Interior's recommendations, the Government refiled its bill of complaint against Bell and the Bell Company in the District Court of South Ohio. On December 7, 1886, the case in Ohio was closed on jurisdictional grounds. On January 13, 1887, the Government filed a new bill of complaint in Boston, Massachusetts, where the Bell Company had its headquarters. On November 26, 1887, the court sustained a demurrer by the Bell lawyers; the Government immediately appealed to the Supreme Court of the United States. On November 12, 1888, the Supreme Court reversed the dismissal, finding a meritorious claim and viable issue, rejecting the Bell Company's objections to the fraud and misrepresentation charges, and remanded the case for trial. See 128 U.S. 315 (1888). On December 6, 1889, the depositions began. Meucci, however, was deceased on 18 October of the same year. When Bell's second patent expired, on January 30, 1893, the Government at first refused to close the trial following a motion by the Bell lawyers, maintaining that a decision would provide a reference point for issues of fundamental importance to the country. With the death of the chief prosecutor in September 1896, however, the effort of the Government quickly lost impetus. On November 30, 1897, a new Attorney General announced that for all effects and purposes, the lawsuit between the Government and American Bell was to be considered moot. The trial was thereupon discontinued without ever reaching the underlying issue of who had primacy to the telephone and entitlement to its patent(s).

It must be stressed that, as the case was not decided,, the Bell Company could not claim, from the outcome of that trial, that Antonio Meucci was not the inventor of the telephone, or that it was Bell. It could only exult by the astuteness of its lawyers, who were able to defer so long the decision of the case, until the question of the patent(s) became moot when they expired.

We come now to the scientific proofs regarding Meucci's priority in the invention of the telephone. Among the exhibits at the hearings before the Secretary of the Interior, is an affidavit, sworn on 28 September 1885 by Michael Lemmi, a friend and lawyer of Meucci. It is an accurate translation into English of Meucci's laboratory notebook, known as Meucci's Memorandum Book, concerning his telephonic experiments, including all of Meucci's original drawings. From an accurate examination of this affidavit, as well as of Meucci's aforesaid caveat ''Sound Telegraph,'' and two drawings accompanying the caveat—the remaining original drawings were omitted by Meucci's patent lawyer, nor were they presented at the first trial—it can be demonstrated beyond any doubt that Meucci antedated Bell and/or the Bell Company in many fundamental telephone techniques, including, inductive loading, wire structure, anti-side tone circuit, call signaling, quietness of surrounding environment.

Meucci's priority in the said techniques range anywhere from six to forty-two years before Bell company development. My paper ''Four Firsts in Telephony,'' published by the European Transactions on Telecommunications (Nov.—Dec. 1999) is more expansive on these techniques.

From this we can gather that when, in 1871, had founded the Telettrofono Company and was awarded his caveat, he had already invented everything that was needed to start a high-quality public service. This is why, in 1872, he asked the American District Telegraph Company—which later ''misplaced'' all his models and notes—to test his system on their lines; this is why he renewed his caveat up to December 1874; this is why, after Bell obtained his first patent because Meucci's caveat had expired for inability to pay the $10 fee, Meucci repeatedly claimed that the telephone was his invention, not Bell's.

The recognition of Antonio Meucci's merits in the invention of the telephone and basic telephone techniques is attainable today, thanks to sound proofs, largely of the U.S. Government and embedded in the proceedings of the United States V. Bell trial. This recognition is mandatory, not only for the honor of the United States, of which Meucci was a worthy member of its society, but also for the worldwide scientific community, regarding a person who has so greatly fostered the communication among peoples, yet unjustly remains buried in the pages of American history.

COMMENDING NOTRE DAME HIGH SCHOOL ON 50 YEARS OF EXCELLENCE

HON. THOMAS M. REYNOLDS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. REYNOLDS. Mr. Speaker, I rise today to honor the Golden Anniversary of Notre Dame High School in Batavia, New York.

For 50 years, the teachers and faculty of Notre Dame have been faithful to their mission of instilling ''in young men and women faith, knowledge and confidence preparing to serve in an ever-changing world.'' Indeed, drawing students from six neighboring counties, Notre Dame High School has, for a half century, provided students not only a challenging academic environment, but important interpersonal development, stressing self-discipline and personal responsibility that result in greater achievement.

From a low-enrollment of 90 students less than a decade ago, to a near-capacity enrollment of 275 today, Notre Dame High School received the Middle States accreditation and is pursuing membership in the National Association of Independent Schools. Notre Dame High School is committed to excellence, both for their students and their institution.

Mr. Speaker, I ask that this Congress join me in saluting the teachers, faculty, parents and students of Notre Dame High school on their 50th Anniversary, and to wish them continued success as they begin their second 50 years of education and service to the community.

A PROCLAMATION RECOGNIZING THE 50TH ANNIVERSARY OF FRANCIS AND ELLAMARY KANE

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. CAMP. Mr. Speaker, I commend the following article to my colleagues:

Whereas, Francis and Ellamary Kane were united in marriage on September 1, 1951 and will be celebrating their 50th year as man and wife;

Whereas, Francis and Ellamary declared their love before God, family and friends;

Whereas, Francis and Ellamary have had 50 years of sharing, loving and working together;

Whereas, Francis and Ellamary may be blessed with all the happiness and love that two can share and may their love grow with each passing year;

Whereas, Mr. Speaker, I am pleased to congratulate Francis and Ellamary on their 50th anniversary. I ask that my colleagues join me in wishing Francis and Ellamary Kane many more years of happiness together.

HONORING DR. ED SOBEY

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. RADANOVICH. Mr. Speaker, I rise today to honor Dr. Ed Sobey for his innovative work in the field of education. He has been active in various areas of education, including teaching, museum directing, program founding, and has traveled on many expeditions for academic study.

Dr. Sobey received his Bachelor's degree in Physics and Mathematics form the University of Richmond. He went on to obtain his Master's degree and doctorate in Oceanography, both from Oregon State University. Dr. Sobey is currently an instructor at the University of Washington and California State University, Fresno.

Dr. Sobey has served as Executive Director of museums at the Museum of Science and History, South Florida Science Museum, and the Fresno Metropolitan Museum. He is also President of the Ohio Museums Association. In addition, Dr. Sobey has gone on whale recording expeditions by kayak, Antarctic winter oceanography expeditions, and has done exhibit research in countries including China, Kenya, and Egypt.

Dr. Sobey is the founder of the National Toy Hall of Fame and the Kids Invent Toys program. Kids Invent Toys is a one-week summer camp for elementary and middle school children that stimulates creative thinking, inventing, and entrepreneurial enterprise. Dr. Sobey has also written more than ten books on science and inventions.

Mr. Speaker, I want to honor Dr. Ed Sobey for his dedication to education and invention. I urge my colleagues to join me in wishing Dr. Sobey many more years of continued success.

2001 EASTSIDE YOUTH WALL OF FAME

HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. INSLEE. Mr. Speaker, as Members of Congress, we must do more to foster and promote programs that encourage and honor our nation's exceptional young adults. On June 9, I had the privilege to participate in a ceremony on the grounds of the Kirkland Youth Center, in Kirkland, Washington, commending the 2001 Eastside Youth Wall of Fame honorees.

Each year, the Greater Eastside Hall of Fame, a chapter of the International Youth Hall of Fame, recognizes ''everyday heroes'' from the cities of Kirkland, Bellevue, Redmond and Issaquah, Washington. Community members anonymously nominate youth in the areas of service, courage, creativity, and social enterprise. These activities range from volunteering at local hospitals or community service groups, organizing recycling programs at their schools, assisting children with physical and mental impairments, working to curtail drug use at their schools, excelling creatively in arts and crafts, or serving as leaders and positive role models for their peers.

Once selected, the Eastside Youth Wall of Fame honorees have the opportunity to design a ceramic tile, with a personal quote and a picture, which becomes part of a permanent Wall of Fame. I would like to share with my colleagues some of the quotes included on this year's Wall of Fame. One young lady emphasized, ''Give a little more each day than you think you possibly can.'' Another individual decorated her part of the wall with, ''The future belongs to those who believe in the beauty of their dreams.'' Equally inspiring was an honoree's drawing of a diverse group of people, with the quote, ''Everyone should be loved.'' I commend these teens for their perceptive knowledge and selfless actions. Their courage and dedication can be found both in the wall that honors them and in their daily deeds.

I ask my colleagues to join me in thanking these outstanding ''everyday heroes'' for their civic pride and unselfish commitment to their community. Their contribution to America makes our country a place where these young adults and others like them can continue to realize their dreams. Those individuals are:

City of Bellevue: Kirsten Bennett, Erin Ferguson, Rashawnda Fitch, Jasmine Jarvis, Alex Johnson, Michael Lackey, Jennifer Maurer, Kyle Okubo, Brandon Romero, Ilana Rosenberg, Robert Sardy, Kyle Sigirst, Elizabeth Taylor, Sarah Warren.

City of Issaquah: Jessica Balkman, Tracie Barrick, Alex Estey, Jacob Grahn, Chris Kenyon, Andrew Koleada, John Lesh, Justin Levitt, Jennifer Littlefield, Nicholas Ravagni, Amanda Shockley, Sara Shreve, Michael Zacharias.

City of Kirkland: Stacey Field, Chad Freeman, Katie Gibelyou, Nicole Glasgow, Emily Haines, Charles Harlan, Jamie Hoffstetter, Christina Hunt, Ressia Levin, Cindy Luo, Sonia Luthra, Daniel Miller, Candace Newsome, Arash Nima, Lizzy Pachaud, Jessie Parker, Rachel Rivera-Coe, Taylor Scott, Caitlin Shields, Elliott Smith, Taylor Stafford, Leah Stettler, Maria Stewart, Lauren Wadlington, Reed Walton, Lily Waluconis, Amy Watanabe, Garin Wedeking.

City of Redmond: Abhi Banerjee, Nick Benavides, Amber Betterley, Lauren Chambers, Heather Cope, Justin Fleming, Hunter Hargraves, Ashley Howard, Alexander Jackson, Melissa Jensen, Will Nelson, Priti Patil, Payvand Seyedali, David Wolbrecht.

Assisteens: Kevin Adams, Danny Beard, Joanna Beard, Katie Bell, Brooks Brown, Margaret Bruya, Adam Clarke, Heather Fallon, Andrea Fay, Lisa Marie Gallinger, Gretchen Gibson, Jillian Gibson, Jake Goss, Ryan Griffin, Michelle Hannah, Erin Hatheway, Libbie Hayward, Laurie Hughes, Kim Koczarski, Katie Kramer, Ruth Lee, Nathan Luce, Mallory Nelson, Molly Nelson, Will Nelson, David Orbits, Katie Riese, Adrianne Serroels, Cory Scheef, Lindsey Sorensen, Rachel Sternoff, Amanda Trau, Lauren Underhill, Chris Van Arnam, Jamie Weaver, Kiersten Williams, Lindsay Winner, Katrina Winsnes, Samantha York.

IN MEMORY OF JUDGE JAMES LOPEZ WATSON

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. RANGEL. Mr. Speaker, I rise in praise of the late Judge James ''Skiz'' Watson, the nation's most senior African American federal judge, serving on the United States Court of International Trade, a lifetime appointment by former President Lyndon Johnson in 1966. A former New York State Senator, Civil Court Judge, and decorated veteran of World War II, Judge Watson passed away at his home in Harlem on September 1, 2001.

In memory of this distinguished jurist, I introduced legislation today designating the building located at 1 Federal Plaza in New York, New York, as the ''James L. Watson Court of International Trade Building.'' Attaching his name to the courthouse where he served for 36 years is a fitting tribute. Judge Watson was my friend and constituent for many years; he was the judge for whom I clerked after completing law school; and the man who contributed with all of his heart to his family, his community and our nation.

TRIBUTE TO RODNEY J. MEDEIROS, MICHAEL E. WIELICZKO AND KEVIN E. GOODE

HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. ENGLISH. Mr. Speaker, we all have heroes in our lives. Whether it's a figure from history such as Winston Churchill or a sports star such as Michael Jordan, as a society we admire these people for their accomplishments. But in our own communities, there also are heroes, whose efforts should not go unnoticed.

Corry Patrolman Rodney J. Medeiros, Corporal Michael E. Wieliczko and Patrolman Kevin E. Goode are indeed heroes. In this Erie County hamlet and beyond, they are the people who risk their safety to ensure ours.

Responding to what was suspected to be a hostile situation, the three men, who have more than 29 years of service between them, arrived to find an apartment building engulfed in flames. Hearing the desperate cries of frightened children trapped inside, they kicked in a door to help two teen-agers.

Learning that two more children—just 1 and 3 years old—remained trapped inside, they again re-entered the flames and smoke to locate and rescue the toddlers. Fearing that more people may be trapped inside the blaze, the men entered the building for a third time until the intensity of the fire forced them out, just as the stairwell was about to collapse, which would've trapped our heroes.

These men acted out of not only instinct but out of compassion for others. Webster's Dictionary defines a hero as ''one that shows great courage or an object of extreme admiration and devotion; an idol.'' It also says they are ''legendary figures endowed with a great ability and strength.'' Gentlemen, you are legends.

Mr. Speaker, our community recognizes their courage and the sacrifices these men were willing to make in protecting the lives of others. I was honored to attend a ceremony where Mr. Medeiros was presented with the Medal of Honor while Mr. Wieliczko and Mr. Goode were presented with Medals of Valor.

These men care enough about their community to dedicate their lives to helping others. I applaud their heroism and dedication. And I join the City of Corry in saying thank you.

IN HONOR OF EVELYN M. MOORE

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. PAYNE. Mr. Speaker, I rise today to pay tribute to a New Jersey Public Servant, Evelyn M. Moore, who is retiring after almost two decades of service at the University of Medicine and Dentistry of New Jersey, one of the Nation's premier health sciences universities.

Ms. Moore began her service to UMDNJ in the field of government and public affairs in 1983. During the course of her 18-year tenure, she has been continually promoted, in recognition of her outstanding service and performance, ultimately achieving the title of Manager of Federal Government Relations in December of 1998.

Evelyn M. Moore will officially retire from the University of Medicine and Dentistry of New Jersey on September 28, 2001. It is with mixed emotions that the University community will celebrate Evelyn's retirement.

Her years of diligent service as the foundation of UMDNJ's Department of Government and Public Affairs, have been invaluable to both the University and to Members of the New Jersey Congressional Delegation.

Her ability to communicate the University's agenda and issues, through her remarkable writing ability, translating complex issues to accessible language for internal and external audience, helped advance many projects and initiatives.

Her advocacy of the University has resulted in great gain for UMDNJ, the state of New Jersey, and the health and welfare of our citizenry. She has played instrumental roles in the creation of the Child Health Institute of New Jersey, the Cancer Institute of New Jersey, and in working with us here in Washington to secure critical funding for AIDS/HIV, minority health education, environmental health sciences, infectious disease and tuberculosis research, and to advance the protection of New Jersey from bioterrorism. These are but a few of projects on which I am proud to say I have worked with her and the University. I know that many Members of the New Jersey Delegation have also benefited from and appreciated her assistance.

We join with Evelyn's friends and colleagues at the University in the administration, faculty, and staff who will miss her and wish her the best and happiest years in her retirement.

HONORING THE 65TH ANNIVERSARY OF THE GEORGE KHOURY ASSOCIATION OF BASEBALL LEAGUES

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the 65th Anniversary of the George Khoury Association of Baseball Leagues.

The Khoury Leagues have been working since the summer of 1936, when the late George Khoury and his wife Dorothy, organized and sponsored two leagues of youngsters in their neighborhood. The original group consisted of eight teams that played their games on a lot in south St. Louis, Missouri.

What started as a just a neighborhood league, has since grown into a national network of thousands of Khoury League teams extending into many states and several countries. Now in its sixth decade, the Khoury Association is a non-profit, non-denominational organization of affiliated circuits or leagues.

The national office, based in St. Louis, Missouri, provides supplies and materials needed to coordinate and organize local leagues. However, each community that participates elects its own officers and runs their own operations.

There is no financial profit in the Khoury Association, only the profit of clean fun and the character building recreation received by the children who participate. The Khoury League Association was the first to offer an organized program for children five to seven years of age in four age groups. They pioneered the use of baseball diamonds reduced in size for each age group. They also were the first to have post season playoffs for all teams with others of equal standings in their respective leagues. They are older than Little League baseball, the Babe Ruth League, and other organizations which have used the Khoury Association as a model.

Mr. Speaker, I ask my colleagues to join me in honoring the 65th Anniversary of the George Khoury Association of Baseball Leagues and to honor the many past, present, and future participants in their programs.

IN MEMORY OF CAWOOD LEDFORD OF HARLAN, KENTUCKY (1926–2001)

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. ROGERS of Kentucky. Mr. Speaker, the people of Kentucky tonight join me in paying our respects to the memory of a truly great American. Cawood Ledford died early this morning in his hometown of Harlan, Kentucky, at the age of 75, after fighting a courageous battle against cancer for several months.

Cawood Ledford was a distinguished veteran, educator, and radio broadcaster who was the voice of the University of Kentucky Wildcats for nearly four decades. His peers and his fans alike recognized his outstanding talent and amazing dedication.

He was born on April 24, 1926, the son of a Harlan coal miner. During World War II he served with the United States Marines and then earned a degree from Centre College in Danville. He returned home to be an English teacher at his alma mater, Hall High School and in 1951 was announcing high school basketball and football games for radio station WHLN in Harlan. Two years later, he joined Lexington radio station WLEX and began calling games for the University of Kentucky. After moving to Louisville in 1956, he continued his affiliation with UK athletics and remained behind the microphone until his retirement following the 1991–92 basketball season.

One hallmark of the broadcasting career of Cawood Ledford was his independence. He never pulled his punches or candy-coated the radio play-by-plan. If the Wildcats weren't playing up to expectations, the radio audience would be the first to know.

In an interview with the Associated Press in June of 1991, Cawood Ledford explained that he was always single-minded about his listeners: ''I've always felt that in broadcasting your total allegiance is to the person twisting the dial and giving you the courtesy of listening to you. Sports are the greatest drama in the world because no one knows what's going to happen. And it's your job to paint a word picture for the thousands who would love to be there but can't.''

Cawood Ledford's broadcasting track followed the amazing arc of the University of Kentucky Wildcats. He was the radio voice for 17 NCAA Final Fours, including UK's 1958 and 1978 national championship seasons. In 1987, he was inducted into the Kentucky Athletic Hall of Fame. UK fans can look to the rafters of Rupp Arena in Lexington and see Cawood Ledford's name on a team jersey. He's one of the few non-players to be recognized in this way.

In addition to his passion for the University of Kentucky, Cawood Ledford is also part of the history of one of Kentucky's greatest sporting events—the Kentucky Derby. He called the Derby more than 15 times for the CBS Radio Network. His call of the 1964 Kentucky Derby, won in the stretch by Northern Dancer, is still described as one of the great radio broadcasts in the history of American horse racing.

Those broadcasters who were able to understand and tap into the power of the human imagination are now considered the titans of radio's ''Golden Age''. With the careful turn of a phrase or the emphasis of a single word, their listeners were as instantly transported to another time or another place. Cawood Ledford, who was picked by his peers numerous times as one of the finest sports announcers in the nation, was blessed with the special gift.

Those of us who vividly remember his work will have one special memory. For those brief moments in time when Cawood was on the air, he transported each of us from the mountains and the hollers, the hills and the valleys of Kentucky and put us in the best seat in the house. In our imagination, we would see the plays unfold, feel the drama of the competition and share in the exhilaration of victory or the crushing letdown that accompanied our occasional defeats.

A private service will be held in Harlan on Sunday, and a possible public service is also being planned. True to his enduring commitment, Cawood's family has asked that instead of flowers, contributions be sent to the Cawood Ledford Scholarship Fund at the University of Kentucky.

On behalf of all Kentuckians the world over, Mr. Speaker, please join me tonight in honoring the memory of this truly distinguished American.

SAINT MARY, HELP OF CHRISTIANS CHURCH CELEBRATES 150TH ANNIVERSARY

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. KANJORSKI. Mr. Speaker, I rise today to call the attention of the House of Representatives to the 150th anniversary of the founding of St. Mary, Help of Christians Church in Pittston, Pennsylvania.

To mark this milestone, Bishop James C. Timlin will serve as principal celebrant of a Jubilee Mass of Thanksgiving on Sept. 9, which will be followed by an anniversary banquet and program with the theme ''Remembering . . . Rejoicing . . . Renewing.'' The parish will continue its celebration by participating in a ''RENEW 2000 & Beyond'' mission on Sept. 12.

The first Catholic church established in Pittston, St. Mary's dates its origins back to a small frame chapel built in 1851 on what was known as Church Hill in Upper Pittston, or the so-called Junction section. The chapel was quite modest. It had no pews, although some families brought movable benches for their own convenience. The street is now appropriately named Chapel Street, with the parish cemetery located near the site.

St. Mary's has been an integral part of the community since its founding. In 1896, the church served as a pillar of strength and a source of comfort during a prominent tragedy. Many of its members lost loved ones when the Susquehanna River bed gave way and rushed into a mine tunnel in what became known as the Twin Shaft Disaster. Thirty-two of the 58

workmen who were killed were members of St. Mary's, and they left behind their wives and 72 children.

In 1992, following a Mass that was held at St. Mary's in memory of the Twin Shaft victims, the congregation walked to the intersection of Main and Union streets for the unveiling of a historical market near the site of the disaster.

The present church was built and dedicated in 1905. Among the many improvements and generous donations made over the years are the stained glass windows above the front doors, dedicated in memory of President John F. Kennedy, and the new organ purchased and installed in 1997, which was donated in memory of Helen Caslin Gill. The rectory contains a stained glass window donated by Mary T. Gallagher and installed in 1996 to mark the 10-year anniversary of the merger of the parish with St. Mary's Assumption Church.

The parish even has a home on the Internet to reach out across the World Wide Web, located at http://www.stmarys-pittston.org. This is one of many accomplishments and improvements made under the leadership of the current pastor, Rev. Richard J. Jalmounter, M.S., who was appointed in 1990. He has revitalized the Altar and Rosary Society, the Vacation Bible School, and the annual St. Jude Novena begun under Father Andrew P. Maloney, who served as parish administrator from 1956 to 1963 and pastor from 1963 to 1967. In 1995, Father Polmounter and Sister Anne Therese Peach founded St. Mary's Early Childhood Learning Center, which is located at the rectory in Upper Pittston.

Mr. Speaker, I am pleased to call to the attention of the House of Representatives the 150 years of dedication and devotion of the pastors and people of St. Mary, Help of Christians Church, and I wish them all the best.

HONORING JOSE LEON GUERRERO RIOS

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. UNDERWOOD. Mr. Speaker, on September 6, 2001, a statue will be unveiled in honor of a great pioneer in the development of Guam's educational system. The statue in honor of Jose Leon Guerrero Rios is to become a permanent fixture at the middle school in Piti also named after him.

The Honorable Jose L.G. Rios, was born in the city of Hagåtña on August 14, 1898. He was the son of Brigido Ayubon Rios and Josefa Garrido De Leon Guerrero. He was married to Antonia Duenas Leon Guerrero and they had eight children—Elizabeth Irene, Albert James, Joseph, Helen, Virginia, Eduardo, Teresita, and Ricardo. A career educator, Mr. Rios had the opportunity to mold students who would later become island leaders. Through his career as a classroom teacher, notable figures in Guam's history such as Richard Taitano, Lagrimas Untalan, Ben Reyes, and Edward Calvo were among the ranks of his students.

Mr. Rios first received recognition from monthly articles he wrote in 1915 and 1916 about various schools on Guam at the time. These articles, along with articles he wrote about Chamorro folklore, contributed toward his selection in 1918 to be among four individuals picked by the Naval Government to receive higher education training at the Oklahoma A&M College in Stillwater, OK.

Upon his return to Guam, Mr. Rios gained prominence for his work toward the benefit of the island's educational system. The grade level structure in the island's elementary and junior high schools was established through his efforts. As president of the Guam Teacher's Association in1 924, he received great recognition for this accomplishment. In 1940, by virtue of an appointment by Governor Henry P. Price, Mr. Rios served as an Associate Justice in the Guam Court of Appeals—a position he held until the Japanese occupation in 1941. By 1944, he had served as principal for all of the island's elementary schools and, after the Japanese occupation, he served as principal of George Washington Junior High School. When the school was later designated as a Senior High School, Mr. Rios served as its Vice-Principal.

His contributions were greatly recognized and appreciated. The Government of Guam awarded him a ''Gold Service Medal'' upon his retirement in 1966 for having been of service for 51 years. Widely known as ''Mr. Education,'' the College of Guam conferred to him an honorary ''Bachelor in Community Service'' degree in 1968 for his work toward the advancement of education in the community.

This great man passed away on July 24, 1983, leaving behind a distinguished legacy. As a former educator, I fully appreciate the value of Mr. Rios' endeavors and contributions. With the unveiling of the statue in Mr. Rios' honor, I am hopeful that it will become a reminder of the man's accomplishments and serve as an inspiration, most especially to the students of the school bearing his name, to strive toward the same remarkable ideals he had advocated during his lifetime. Si Yu'os Ma'ase' Tun Jose put todu i setbisiu-mu para i tano'-ta.

BIPARTISAN PATIENT PROTECTION ACT

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 2001

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2563) to amend the Public Health Service Act, the Employee Retirement Income Act of 1974, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage:

Ms. JACKSON-LEE of Texas. Mr. Chairman, we were given an opportunity today to come to this House Floor and enact a bipartisan, widely supported version of the Patients' Bill of Rights. I urge all members to support this fine bill and oppose the industry backed Norwood Amendment, which will only eviscerate the patient protection America needs. H.R. 2563, in its original form, will provide the health care reform the Nation needs by:

1. Giving every American the right to choose his/her own doctor.

2. Covering all Americans with employer based health insurance.

3. Ensuring that independent physicians conduct all external reviews of medical decisions.

4. Holding HMOs accountable when they make faulty decisions.

H.R. 2563 requires health plans to establish both internal and external appeals processes for decisions that affect health care benefits. The process requires that all internal reviews be exhausted in a timely manner before an independent medical expert would be allowed to review the decisions made by the health plan.

Under H.R. 2563, patients will be permitted to protect their rights by allowing a cause of action in state court for medical decisions, and in federal court for administrative decisions that prevent patients from receiving care. H.R. 2563 respects federalism by allowing state law to control when suits are brought in state court. The legislation punishes bad faith on the part of providers, also, by allowing for non-economic damages of up to $5 million as a civil monetary penalty.

H.R. 2563 represents the concerns of both patient and providers by providing a comprehensive and balanced system that provides fair access to health care and fair resolution of disputes. It does this by protecting employers from excessive liability. H.R. 2563 protects small businesses and others who delegate their healthcare decisions to experts. Employers are protected from legal liability unless they participate in a decision on a claim that results in harm to the patient.

Mr. Chairman, the benefit to patients this legislation will bring is important. This bill restores the patient's confidence in healthcare by guaranteeing emergency room coverage and ensuring timely access to healthcare. Also, Mr. Chairman, this legislation will protect the rights of women and children to access the specialized care they need. The bill provides direct access to OB/GYN care, as well as allowing parents to chose a pediatrician as their child's primary care provider.

I strongly urge all members to resist the Norwood amendment and any other attempt to alter what is already a compromise bill. The Norwood amendment would tilt the playing field in favor of institutional decision-makers. The proposed $1.5 million cap on non economic and punitive damages does not accurately reflect the devastating impact of medical decisions that result in lifelong injuries. By requiring federal rules to apply in both state and federal court cases, the amendment also trounces the ideals of federalism.

This, however, is made almost irrelevant by the worst aspect of the Norwood amendment. If passed, this amendment would create a rebuttable presumption in favor of the decision of the independent reviewer, while at the same time giving the decision maker authority over who will do the independent review. Then the patient must produce clear and convincing evidence to overcome that presumption, a standard of proof just below that required for a criminal conviction. Thus, the standard required to review decisions actually limits the rights citizens would have in court. Also, the reviewer has no real incentive to be independent at all. This is not reform.

Mr. Chairman, the American people look to us to follow their wishes and enact real reform that puts the health of patients first. In order to do this, we must pass H.R. 2563. If we

choose to follow the path the leadership desires by passing these misguided amendments, only special interests will satisfied.

CELEBRATING THE 40TH ANNIVERSARY OF THE CITY OF BRISBANE, CALIFORNIA

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me in celebrating the 40th anniversary of the incorporation of the City of Brisbane, California. This picturesque city, located just south of the City of San Francisco, boasts wonderful views of the San Francisco Bay. It may have been incorporated for only 40 years, but its storied and diverse history goes back centuries.

The story of Brisbane begins with the Tribes of North Americans known collectively as the Ohlone, who inhabited the Bay Area and the slopes of San Bruno Mountain. These tribes lived off the land, which provided an abundance of rabbit and deer, and the Bay provided shellfish.

By 1776, Spanish settlers had arrived, and Franciscan Missionaries followed soon after. The mountains were used for grazing sheep and cattle of the Mission Dolores de San Francisco de Assisi. When the Mission period of California's history came to an end, these same lands were secularized and dispersed as part of the Mexican land grants of the 1830's and 1840's.

Mr. Speaker, the first land grant for the area that would later become Brisbane, was made to Jacob Leese in 1837. Mr. Leese named his new territory, ''Rancho Canada de Gaudalupe la Visitacion y Rodeo Viejo,'' but he then lost most of his land to settle a gambling debt. Charles Crocker purchased over 3,000 acres of the grant from Mr. Leese in 1884 for a small payment. Crocker was more successful in managing his land than Mr. Leese, and the properties eventually passed to the Crocker Land Company, which generated profits from the land through ranching and quarrying.

For the next quarter of a century, few people lived on the land that was to become the Brisbane. It was not until the early 19th century that attention was focused on the Peninsula as a location for residential development. Following the great San Francisco earthquake of 1906, people began looking toward the Peninsula as a refuge for earthquake victims. In 1908, the first subdivision map in the Brisbane area was recorded, establishing saleable lots, in what was then called ''The City of Visitacion,'' which is now the location of downtown Brisbane. There was little development, however, until the 1920's and 30's when the area began to flourish and took on the name ''Brisbane.''

Mr. Speaker, those who came to Brisbane during the Great Depression and World War were filled with the American spirit, and they came to make a better life for themselves and their families. In Brisbane, land was cheap and people were able to put up a basic shelter until they could afford better housing. The community helped by assisting men with the building and women with the meals, and numerous volunteer and civic organizations assisted people in times of need. A community in every sense of the word, the residents of Brisbane shared the good times with their neighbors and banded together to get through the difficult periods. By the late 1930's the town had a post office, a library, public schools, a hotel, several small markets, a volunteer fire department and a weekly newspaper.

By the 1950's, Brisbane was well on its way to becoming a modern town. A lack of local capital, inadequate civic services, and the concern that powerful neighboring communities might dictate Brisbane's future led some citizens to consider incorporation. Others, however, were fearful that becoming a city would result in the loss of the small town character everyone valued. When the County of San Mateo began to discuss bulldozing Brisbane through an urban renewal program, matters came to a head and an election was held on the issue of incorporation. On September 12, 1961, voters overwhelmingly voted for incorporation.

The newly incorporated City included a mere 2.5 square miles. It was clear that additional land would be necessary to increase the city's tax base and to protect Brisbane from inappropriate and environmentally damaging development. The City solved these problems by annexing 700 acres of land which housed Southern Pacific and PG&E properties in 1962.

Despite incorporation and the ensuing expansion, Brisbane faced numerous developmental concerns. The Crocker Land Company still owned essentially all of unincorporated San Bruno Mountain as well as the Crocker Industrial Park in the Guadalupe valley directly to the north of the city limits. With San Francisco to the north and the cities of the Peninsula to the south, the area in and around Brisbane was ripe for development, and the community felt the pressure.

Over the next thirty years, the small but feisty City of Brisbane has led the fight to preserve both San Bruno Mountain, and the unique character of the Brisbane community. Citizens fought a plan to cut off the top of San Bruno Mountain and dump it in the Bay. Later, the city was able to prevent massive development of San Bruno Mountain with a projected population of over 60,000 people. The city was also able to defeat another proposal to build high-density housing in the area. Brisbane citizens led the battle to preserve San Bruno Mountain as a state and county park and worked to protect rare and endangered species on the mountain.

In 1983, the Northeast Ridge of San Bruno Mountain and Crocker Industrial Park were annexed to Brisbane as a package, with the Industrial Park providing revenues necessary to service any development on the Northeast Ridge. In 1989, the City approved a development plan for the Ridge, thereby completing Brisbane's expansion.

Mr. Speaker, in its brief history since incorporation, the City of Brisbane and its citizens have worked to balance expansion with protection of the natural beauty of the surrounding area. Brisbane's residents possess an independent spirit which has fueled this balanced expansion since the beginning of the 20th century. I am delighted and honored to represent the Brisbane and its extraordinary people in Congress, and I urge my colleagues to join me in congratulating the City of Brisbane on the 40th Anniversary of its incorporation.

UKRAINIAN INDEPENDENCE COMMEMORATION DAY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. KUCINICH. Mr. Speaker, I rise today to honor and celebrate the tenth anniversary of the Proclamation of Independence of Ukraine.

Ukraine has a long and very turbulent history. For almost three centuries, 1709–1917, Central Ukraine was under the Tsarist domination, followed by Soviet Russian rule from 1921–1991. On August 24, 1991, the Parliament of Ukraine, under the leadership of Leonid Kravchuk, declared Independence of Ukraine, and banned the Communist Party.

The Proclamation of Independence was soon ratified by over 90 percent of the voters in December 1991. The Constitution of Ukraine now guarantees all citizens equal protection under the law regardless of race, creed, religion, or national origin.

Ukraine is now recognized by over 150 nations, has signed numerous treaties of friendship, voluntarily gave up all nuclear weapons by signing the Nuclear Non-Proliferation Treaty, and is a strong strategic partner of the United States in NATO's ''Partnership for Peace.'' Ukraine has made great strides in equality and peace and has even remained free from armed conflicts on its territory throughout its ten years of independence.

Mr. Speaker, please join me in honoring the tenth anniversary of the Proclamation of Independence of Ukraine. Ukrainians are working hard to establish a better life for themselves and their country, and have made remarkable strides in democracy.

HONORING THE 104TH BIRTHDAY OF CLARA FERGUSON

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. McINNIS. Mr. Speaker, it is a rare opportunity that I have the chance to pay tribute to such a special occasion. It is at this time that I would like to honor Clara Ferguson who was born on August 12, 1897, has lived through three centuries. Clara has spent her entire life in Colorado and it is my pleasure to wish her a happy 104th birthday, which she celebrated last month.

Clara Ferguson has served our nation throughout her life both as a nurse and a teacher. Clara is a role model for others who have dedicated their life to public service. She has aided many who have been ill, even to the point of rolling bandages for American soldiers involved in World War I. Clara also spent the majority of her career working as a teacher at numerous schools across Colorado.

Although Clara was widowed quite sometime ago, she has taken on a motherly role in the lives of many of Colorado's youth both as a caregiver and as a teacher offering guidance to her students. Clara is a proud aunt who has

a number of nephews and nieces that look up to her for guidance and advice.

Mr. Speaker, it is my honor to pay tribute to Clara for her many contributions to the State of Colorado and it is with great pleasure that I offer her my warmest regard and wish her a happy 104th.

HONORING DUTCH NEWMAN

HON. KAREN McCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Ms. MCCARTHY of Missouri. Mr. Speaker, I rise to pay tribute to my friend, Hila ''Dutch'' Newman. In Missouri, Democrats from every region and every level of government seek her counsel, value her judgment, and understand that her word is her bond. Over the years her leadership, civic pride, integrity and commitment to our community have fostered a deep respect by all who know her. Dutch has a gift of uniting people in common cause. She personifies how one person can make a significant difference in the lives of others.

On September 6, 2001 friends of Dutch Newman will gather to pay special tribute to her. A foundation in her honor will be initiated with an objective to provide innovative voter education and registration opportunities, as well as scholarship funding for our youth. The Dutch Newman Voter Education and Scholarship Foundation will become another facet of her legacy, and have a lasting impact on our community. The mission of the foundation is derived from her own, providing today's youth with unique voter education and registration opportunities and scholarships so they will be better able to participate in our democracy. Dutch epitomizes the citizen that President Kennedy sought when in his Inaugural Address he said, ''And so, my fellow Americans: ask not what your country can do for you; ask what you can do for your country.''

Dutch Newman has served in every facet of Democratic politics and always brings sound judgment, insight and perspective to her work. She presently holds the following offices: President of the Westport Landing Democratic Club; President of the State of Missouri Federation of Women's Democratic Clubs; and Vice Chairwoman for the Jackson County Democratic Committee. She serves as a member of: the Democratic State Committee and their Executive Board; Committeewoman for the 5th Ward in Jackson County; Chairperson of State House District 38; and Secretary for the 5th Congressional District. Dutch was the first woman to be appointed by a Governor to sit on the committee for the Senatorial Redistricting of the State of Missouri. She was also the Kansas City Coordinator for Senator Hubert Humphrey's presidential campaign in 1968, and Missouri Coordinator for the National Campaign Conference for Democratic Women in Washington, D.C. She has been a Missouri Delegate at the National Democratic Convention for six presidential elections. Her work has not gone unnoticed, especially her grassroots organizing, as she has been recognized by the Jackson County Democratic Party with the Harry S. Truman Award, as well as Woman of the Year Award presented by the Women's Fifth District Democratic Club, now entitled the ''Dutch'' Newman Woman of the Year Award.

An article in today's edition of ''The Kansas City Star'' details many of the other aspects of Dutch's life, including her devotion to her children and grandchildren, and her service to our community outside politics, and I ask that it be made a part of today's RECORD following my statement. Dutch was one of the original founders of the Volker Neighborhood Homes Association, and is a member of: the Daughters of Westport, the Westport Historical Society, Neighborhood Crime Prevention; and the Guardian Angel Altar society. In recognition of her dedication and commitment to the quality of life in Kansas City, Mayor Wheeler presented her with a certificate of appreciation and proclaimed October 5, 1974 as ''Dutch'' Newman Day in Kansas City, Missouri. Her work with people with HIV and AIDS was recognized by a certificate of Appreciation from the National Association of People with Aids.

The Dutch Newman Voter Education and Scholarship Foundation will be a constant reminder of the ideals she represents. Through this foundation young people will gain an appreciation for our country's government and become active citizens in the electoral process. Dutch Newman has accepted the challenges of life, conquered adversity, sacrificed for her family, and become a role model for our citizens, inspiring future generations to take an active role in their community. Thank you, Dutch for all you do and for your valued friendship. Mr. Speaker, please join me in honoring a Missouri treasure, Hila ''Dutch'' Newman.

[From the Kansas City Star, Sept. 5, 2001]

IN KANSAS CITY POLITICS, IT HELPS TO KNOW DUTCH

(By Kevin Hoffmann)

If you're a Democrat in Kansas City and want to run for a political office, then you better go Dutch.

Going Dutch has little to do with money. It has everything to do with grass-roots politics and the woman who epitomizes it, Hila ''Dutch'' Newman.

Newman, a force behind Democrat—and a few Republican—candidates since the 1940s, will be honored at a special tribute Thursday night at the Kansas City Marriott Downtown. More than 500 people are expected to attend.

The event's list of honorary hosts is a virtual who's who of past and present politicians.

And whether they were seeking office in Kansas City, Jefferson City or Washington, Newman helped elect them all.

''Her reputation was that of a very effective worker who could deliver the vote for the Democratic party in the precincts she served,'' said Former Kansas City Mayor Charles Wheeler.

Those precincts include the Country Club Plaza, Westport and Volker neighborhoods. Newman has a direct method of finding the candidates she trusts, then working earnestly knocking on doors, making phone calls and printing thousands of sample ballots to pass out to voters.

Besides the tribute to Newman, a voter education scholarship foundation has been established in her honor. The foundation will provide voter education programs for youth and eventually will offer scholarships for students studying politics.

''I can't recall another event like this,'' said political and communication consultant Mary O'Halloran, an organizer of Thursday's event. ''Not a tribute to a political and community activist who has never served as an officeholder.

''The phrase I've been hearing over and over is that she's a legend in her own time,'' she said. ''They don't know of anybody else who has had the passion for succeeding and winning and at the same time have compassion for people.''

Former Kansas City Mayor Richard L. Berkley, a Republican, holds Newman in high regard.

''She's so active and involved,'' Berkley said, ''She's willing to work hard for those she wants elected to public office.''

U.S. Sen Jean Carnahan of Missouri said: ''Dutch proves one person can make a difference.''

Newman's roots are simple.

She learned the gift of getting along with people and developed her sharp intuition while pouring beer at the Westport tavern owned by her father, Harry Bucher.

While tending bar during World War II, Newman volunteered for the Civil Defense Program and was charged with planning a blackout test for Westport.

Her first door-to-door effort was successful except for one glitch.

As she drove around a darkened Westport with a Civil Defense Program official, Newman noticed a lone light coming from her third-floor apartment. She cringed.

''He said, 'Dutch, isn't that your apartment building?' '' Newman returned home and errantly turned on the light.

''I could have killed him,'' she said. ''My apartment was the only one with a light on.''

George Aylward, who ran the influential Kansas City political club Democracy Inc., was impressed by Newman's ability to organize. He asked for her help with a candidate for Jackson County-assessor in the 1944 election.

Newman campaigned through the local neighborhoods and picked up quite a few votes at her father's tavern. Aylward's candidate won big. Just like that, her career in politics took off.

She worked for the club for several years with Aylward as her mentor. Eventually, she formed her own group, the Westport Landing Democratic Club.

''I really had a great instinct for whether or not they were in it for the people or for themselves,'' she said of her ability to back successful candidates.

She also had a City Hall post: supervisor of the Commercial Recreation Department which oversaw things such as liquor licenses and massage parlors. In 1965, then-Gov. Warren Hearnes appointed Newman a fee agent in the Raytown license bureau, a post she had for nearly a decade. After that, she worked as Jackson County's supervisor of liquor control.

In the 1960s and 1970s, women were scarce in back room political circles.

But at a 2 a.m. strategy session at a club called the Green Duck, there was Newman alongside Bruce Watkins, Leon Jordan and Alex Presta.

Newman is more than a fountain of good advice for politicians. She's also full of good stories.

Like the time she was passing out campaign literature and a man answered the door naked.

''I said, 'Here, read this and get inside before you freeze your rear off,' '' she recalled with a laugh.

Or the time Newman and her sister, Sue Lawson, were in line at the 1976 Democratic convention in New York.

As Secret Service agents checked the entering delegates ahead of them, Lawson nudged Newman.

''She whispers to me that she has a gun in her purse,'' Newman said, adding that her sister worked for the prosecutor's office. ''It was legal (for her) to carry them, but why she had one, I don't know.''

Newman decided they should inform the agents.

''I guess I should have phrased it better because in seconds there were 10 men surrounding us,'' she said. ''They literally picked us up by the shoulders and dragged us out of there.''

At the police station, Newman attempted to reach someone from Clarence Kelley, a former Kansas City police chief, then head of the FBI.

Soon after, the women—minus the gun—headed back to the convention.

Then there was the time she was in the hospital during the Gerald Ford-Jimmy Carter presidential race.

''The nurse comes in and says, 'Mrs. Newman, I think this is a prank, but there's a guy on the phone who says he is Jimmy Carter,' '' Newman recalled.

Indeed it was Carter, wanting to make sure Newman was OK.

''I was in the hospital another time and (George) McGovern called me,'' Newman remembered with a sheepish grin. She whispered, ''I really didn't like him that much.''

On a visit to Kansas City in his run for the White House, Vice President Al Gore stopped his motorcade when he saw Newman standing on the lawn of Penn Valley Community College. He got out of the limousine and ran over to give her a hug.

Newman hasn't won all her battles. She backed Joseph P. Teasdale when he lost his second bid at governor to Kit Bond. Carter lost to Ronald Reagan. She couldn't prevent the closing of her neighborhood school at the Guardian Angels Church.

But even in defeat, she set herself apart by staying loyal, several politicians said.

''Even if their ship was sinking,'' Newman said, ''I stayed with them.''

Newman once filed for a seat in the Missouri legislation but later withdrew. Once, she was approached to run for lieutenant governor.

Among the reasons she declined was her family.

''I was sitting at home eating dinner with the family and I remember thinking, 'I can't leave this for four or five days a week,' '' she said.

Daughter Michele Newman said Newman always managed to be the consummate mother, even while staying busy in politics.

''My sisters and I always felt blessed to have such an incredible mom,'' she said. ''We were reflecting and it's amazing that first and foremost was us three girls and our father. We were always No. 1.''

''She was the coach for our girls volleyball team at Guardian Angels . . . she was always the room mother at school,'' Michele Newman said. ''It's been incredible having her as a mother.''

The human side of Newman is what neighbors notice most.

Tim Mulvany remembered his real estate agent telling him about Newman when he moved to her block in 1979.

''A week went by and there she was at the door,'' he said. ''She immediately included us in everything.''

Mulvany discovered Newman's political savvy in the first Kansas City election in which he voted. He noticed that Newman backed everybody he was voting for. He printed up a special campaign sign for the next election. It read: ''Whoever Dutch votes for.''

Neighbor Joe McKenna said Newman is the first to help with any neighborhood problem.

''If you need anything it seems like you always end up calling Dutch,'' he said. ''There's a lot of people who don't even know she's helped them.''

McKenna said Newman is always quick to help a neighbor whether it is providing a ride to the doctor's office or help with a utility bill.

''One time a little boy on the street got his bike stolen,'' McKenna said. ''By noon, there was a brand new bike on that boy's porch.''

McKenna smiled. ''That's Dutch.''

TRIBUTE TO MARISSA WHITLEY

HON. ROY BLUNT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. BLUNT. Mr. Speaker, I rise to give tribute to Marissa Whitley, who for the last year has been Miss Missouri Teen USA. On the night of August 22nd, this wonderful young lady was crowned Miss Teen USA 2001. For Marissa, who lives in my district, this coronation serves as a fitting accomplishment in a journey full of dedication and sacrifice.

''She's always been a leader since she was young'' according to Marissa's aunt, Karen McHaney. Mrs. McHaney should know as well as anyone. McHaney took three-year-old Marissa in after Marissa's mother passed away due to a cerebral hemorrhage. Marissa and her family met the challenges of her loss. She has worked hard to achieve her new title of Miss Teen USA. Marissa volunteered at the Ronald McDonald House and a local Boys and Girls Club while competing in and winning four pageant events. In addition to maintaining her rigorous schedule as Miss Missouri Teen USA, she was still prepared for college and scheduled to begin classes at St. Louis University this fall until this most recent ''detour.'' Her perseverance and vision to seek out and fulfill her dreams make Marissa an excellent role model not only for the young people of Missouri, but for youth across our country.

Marissa's home town is Springfield, Missouri. She has been featured in local media stories as she worked to represent young American women. Marissa's hard work and dedication are worth recognition and I'm confident she will continue to use her position of leadership to set a positive example to young people. I know my colleagues in the United States Congress wish her well as she begins this part of her life's journey.

HONORING MR. FELIX SPARKS

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to Retired Brigadier General Felix Sparks, who proudly served our nation by leading a Colorado National Guard contingent into the European theater during World War II.

General Felix Sparks has seen and experienced the horrifying aspects of war that most of us cannot even imagine. Mr. Sparks has lost close friends in battle and although surrounded by death, his heroism shone throughout his service. Mr. Sparks was a member of the team of American soldiers who landed at Anzio and later he joined in liberating the Dachau concentration camp in 1945.

After serving his nation, Mr. Sparks moved to Colorado and attended law school at the University of Colorado. After his education, Felix served as a District Attorney for a seven-county judicial district in Colorado's Western Slope and also served as a Colorado Supreme Court Justice. Mr. Sparks is a first-class citizen who dedicated himself towards bettering Colorado both as a justice of the peace and as a commander of the Colorado National Guard.

Mr. Speaker, it is my pleasure to pay tribute to a distinguished Colorado citizen-soldier, Retired Brigadier General Sparks. On behalf of our nation and the great state of Colorado, I offer Mr. Sparks my warmest regard and debts of gratitude.

IN HONOR OF MR. TONY VENTO

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. KUCINICH. Mr. Speaker, I rise today to honor a truly wonderful humanitarian, Mr. Tony Vento, on his retirement from the Inter-Religious Task Force on Central America.

Mr. Tony Vento, Coordinator of the Inter-Religious Task Force on Central America, was born and raised in Ft. Lauderdale but soon left for Philadelphia to study Urban Studies with a focus in Community Development Planning and Architectural History. After his undergraduate work, Mr. Vento decided to accept a position as campus minister of the University of Pennsylvania and centered his work on peace, justice, and community service.

Mr. Vento's theological career led him down many winding paths, including trips to Italy, Peru, and the University of Toronto's St. Michael's College. His dedication to the furthering of democracy eventually brought him to the InterReligious Task Force on Central America, where he was hired as the Director in the fall of 1992. The task force uses education human rights work, and advocacy of peaceful policies to build bridges of hope and solidarity with the most consistently martyred region in our hemisphere.

Mr. Vento has been a true jewel for the InterReligious Task Force on Central America, and he will be greatly missed. His dedication and love for the people of Central America is extremely evident in the fine work he does. He will be soon joining Pax Christi USA to be their National Program Director.

Mr. Speaker, please join me in humbled recognition and celebration of Mr. Tony Vento. He has, and will continue to, inspire many not only in his local community, but across the globe.

50TH ANNIVERSARY OF AL-ANON

HON. JIM RAMSTAD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. RAMSTAD. Mr. Speaker, shortly before the August District Work Period, this body passed H. Con. Res. 190, a resolution I offered commemorating September as National Alcohol and Drug Addiction Recovery Month. The theme of Recovery Month this year is ''We Recover Together: Family, Friends and Community.''

Nothing epitomizes this theme better than the work of Al-Anon, which serves the family and friends of alcoholics.

Tomorrow in the Russell Senate Caucus Room, Al-Anon will sponsor a ''Families in Recovery'' luncheon celebrating Recovery Month. I urge my colleagues to attend this important event.

This is also the occasion of Al-Anon's 50th Anniversary. Congress should acknowledge the many contributions of Al-Anon Family Groups to recovery in our nation.

Al-Anon Family Groups has been a source of help and hope for families and friends of alcoholics for 50 years in communities throughout the United States and worldwide.

Alateen is a part of Al-Anon for the younger family members. Both Al-Anon and Alateen freely cooperate with professional and government organizations in addressing family recovery. These are over 26,000 Al-Anon and Alateen groups around the world in 115 countries, and literature translated into 30 languages.

America owes a debt of gratitude to Al-Anon and Alateen.

Mr. Speaker, Congress should salute the Al-Anon Family Groups for its continued service to the family and friends of alcoholics in our nation. As a grateful recovering alcoholic of twenty years, I urge my colleagues to take this opportunity to affirm the remarkable efforts to the Al-Anon Family Groups.

HONORING DONAVAN CULLINGS UPON HIS RETIREMENT

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to Donavan Cullings for his many years of honorable service to the people of Creede, Colorado. Donavan has made the decision to retire from his position as a municipal judge and will be remembered for his years of dedication and time on the bench.

Mr. Cullings grew up in Los Angeles, California until he was inducted into military service immediately following high school. During World War II, he was involved in activities in the South Pacific for three years, diligently serving his country. After returning home, Donavan married his high school sweetheart, Jan Elton, and later joined the Los Angeles Police Department. He dedicated 26 years of his life to law enforcement and then moved to Creede where he bought the Creede Drug Store.

The town of Creede eventually had a vacant Marshal position, and Donavan decided to fill that role for eight years willingly. He also served as the County Coroner for 15 years. Another calling attracted Donavan and he answered it by accepting the job of Town Magistrate for Creede, where he honorably served as a municipal judge for 15 years.

Mr. Speaker, Donavan Cullings has led a life to strengthen the fabric of the American character whether it be in troubled waters abroad or at home. His vigorous efforts deserve the praise and admiration of us all. As part of his retirement, Donavan will volunteer two days a week at Creede Museum and educate others about Creede's long-standing history. I would like to extend my warmest regards to Donavan upon his retirement and wish him and his family the best in many years to come.

HONORING THE ASPEN SKIING COMPANY FOR ENVIRONMENTAL ACHIEVEMENT

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. UDALL of Colorado. Mr. Speaker, I rise today to acknowledge the important environmental achievements of the Aspen Skiing Company.

As most people know, Aspen is one of the nation's premier ski resorts. It is nestled at the head of the Roaring Fork Valley in Colorado, and is surrounded by dramatic, rugged peaks which draw people from around the world to ski its slopes. The officials and employees of the Aspen Skiing Company know first-hand the value of the environment to their operations. If they do not preserve the beauty that surrounds this resort, then they know that they will lose skiers and ultimately profits. They know that a healthy, quality environment equals a healthy, profitable ski operation.

As a result, the company has taken a number of steps and adopted a number of practices that, in the long run, will help preserve the environmental quality of the valley. Their environmental and energy efficiency initiatives have won them many awards over the years. But as a recognition of their belief that environmental actions are not just transient and short-term policies, the company was awarded the Golden Eagle Award for Overall Ski Area Operation at the National Ski Area Association's annual convention. This award, established in 1993 by Mountain Sports Media, recognizes the positive environmental efforts of ski areas across the county. A panel of judges evaluates ski areas for their environmental efforts and grants these awards to deserving areas that employ environmental practices at their areas.

Aspen Skiing Company received this special award for its long-term environmental excellence and in setting high standards for other resorts to follow. It was also recognized for the fact that its environmental stewardship is evident in every facet of its operation—its purchasing of wind power, recycling demolished building material, water saving, energy efficient lighting, environmental scholarship program and its design of ski runs to reduce erosion and limit tree cutting. It also has established partnerships with the Environmental Protection Agency and the state of Colorado on pollution prevention practices.

All of these actions and more demonstrate that Aspen Skiing Company takes its environmental obligations seriously. Skiing is by its very nature an environmental sport. Skiers are exposed to the elements and the majesty of the mountainous environment. That experience is diminished when the resorts do not respect the landscape and take steps to preserve the very asset that draws people to the sport in the first place.

I congratulate Aspen Skiing Company for its great work and the model it is providing to resorts across the country. As the following story indicates, other ski areas, such as Vail, are also incorporating environmental values and practices at their operations. Let's hope that Aspen's example can be replicated at all resorts in Colorado and throughout the nation.

[From the Vail Daily]

ECO-CHALLENGERS: RESORT COMPANIES GO GREEN

(By Maia Chavez)

Has the time come for ski resorts to flex some real muscle in the eco-arena? Resort company decision-makers are betting a portion of their revenue that it has, and while that portion may still be little more than a token, the very existence of increasing structured environmental programs within resort companies is telling.

''I've seen a few significant industry trends since I've had an environmental position at the resort,'' said John Gitchell, environmental manager for Vail Resorts. ''One major trend that has impacted us is the investigation of impact at ski resorts. When I started my job that trend was just beginning. But the impact of ski resorts is highly visible, and sooner or later, it was going to attract attention.''

Gitchell also cited increasing strictness by regulators, scrutinization of both of development and resort operations, and ecoterrorism as having given a boost to the development of environmental programs within resort companies.

Recent episodes of eco-terrorism directed at ski resorts might be a harsh—and extreme—indicator, but as a cultural barometer they have served to force the issue onto the media's consciousness. Once in the spotlight, resort companies feel the pressure to take action, and to make their presence known as activists for the cause of environmentalism.

As part of the Partnership for Environmental Education Programs speaker series, Gitchell recently shared the podium with Aspen Skiing Company director of environmental affairs Auden Schendler for a presentation on the ''greening the resort culture.'' As spearheads for environmental programs at their respective resort companies, Gitchell and Schendler represented an interesting counterpoint as they outlined recent developments at each resort.

BIG MAC WORLD

In a humorous attempt to highlight the problem with a ski company trying to represent itself as an environmental activist, Schendler compared Aspen Skiing Company to the MacDonalds franchise.

''We're an investing company, too,'' he said. ''We're trying to make money. The one difference from our perspective is that Aspen is privately owned. We're not beholden to shareholders. We can't actually be sued if we don't make enough money, though our owners don't like it much.''

As a private company, Aspen has, in the past three years, developed one of the most extensive and award-winning environmental programs in the ski industry. According to Colorado Ski Country USA, Aspen is recognized as one of the country's most environmentally responsible ski areas, striving to ''redefine corporate environmentalism.''

TAKING A STAND

Aspen Skiing Company was the first in the industry to create an Environmental Affairs Department, and to make it an integral part of their senior management.

What does that mean in practical-speak?

''We have a set of guiding principles, and the main principle is that we provide the opportunity for 'the renewal of the human spirit','' explained Schendler. ''That may sound

cheesy, but the truth is that, as director of environmental affairs it allows me to do whatever I think best in order to uphold that principle. For instance, if I want to sell consulting services and help other ski areas become more environmentally responsible, I'm still conforming to our 'guiding principles'.''

This year, the company produced its first published ''sustainability report'', a detailed catalog of the company's environmental programs and policies, statistics on its natural resource consumption and pollution, resource efficiency, hazardous waste management and compliance, community and environmental education programs, habitat, wildlife and open space protection.

SUSTAINABLE SLOPES?

''Ski companies don't have to be rape-and-pillage organizations,'' said Schendler. ''We don't have to clearcut slopes. We can have a more harmonious relationship with the community and the environment.''

To that end, Aspen has implemented such initiatives as s-curved, bio-diverse and unbulldozed slopes to minimize erosion and protect wildlife, wind-powered ski lifts, employee and community initiatives and a pollution prevention partnership with the EPA and the Colorado Department of Public Health and Environment.

Recent developments in Aspen Skiing Company's program have included the deconstruction of the mountain's popular Sundeck Restaurant and the Snowmass Lodge and Club, two buildings which were scheduled to be razed and rebuilt. Materials from both structures were harvested and recycled, with unsalvageable materials composted. According to Schendler, 94 percent of the structures were diverted from the Pitkin County landfill. That comes to 8,000 cubic yards of space, or an addition of three months to the projected life of the landfill.

The Sundeck Restaurant was rebuilt to conform with guidelines established by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) program. LEED is the nation's first national certification process for environmentally friendly building. The 3,700-square-foot deck was built from recycled materials, ozone-depleting CFCs in refrigeration systems, insulation and carpet pads were eliminated, landscaping was designed with native vegetation to reduce water use, low toxicity paints glues and sealants were used, and the list goes on.

A DROP IN THE BUCKET

As Schendler pointed out, however, many of these adjustments are a mere drop in the bucket when factored into total resort operations.

''Thirty percent of the Sundeck Restaurant is wind-powered,'' he said. ''But you have to ask, what percentage of our total energy purchase does that represent? The answer is half of one percent, Barely anything.''

Does it have a major influence on pollution? Not really, said Schendler, who calculated the total impact as the equivalent of not driving your car for 97,000 miles, or planting 40 acres of trees. So, is this an example of ''greenwashing''—a mere pretence on the part of a resort company?

''We couldn't power the whole operation with wind,'' explained Schendler, ''It's too expensive. We'd go bankrupt. But what we can do is buy some wind power, make that statement, popularize it among our employees and guests, and encourage other ski areas to follow suit.''

VAIL DEVELOPS ITS POLICIES

Vail Resorts' environmental program began to take shape in 1998, although Gitchell stressed that the arduous process of adopting a company policy is very much still in the formative stages. ''We've had some successes,'' he said. ''But that isn't to say that we're suddenly a different company or a different culture.''

Last season, Vail Resorts developed a computer-generated assessment tool allowing the four resorts to measure their environmental practices against an outline of preset standards. The tool was subsequently adopted by the National Ski Areas association who, after some modification, passed it on to resorts throughout the country.

The Skiing Company awarded Vail with the Silver Eagle award for environmental achievement in ''visual impacts'' for the Blue Sky Basin project, touted by Colorado Ski Country USA as the most environmentally sensitive ski area expansion undertaken in North America.

Among recent environmental initiatives are the prototype composting operation introduced last season at the Game Creek Club on mountain restaurant, third-party audits by an environmental consulting firm (initiated this summer), the replacement of 25 fleet vehicles with ''townie'' bicycles, and the purchase of 475 blocks of clean, wind-generated electricity per month.

''To emphasize Mr. Schendler's point, our wind energy purchases also come out to less than one percent of our total energy purchase,'' said Gitchell. ''But the stage has to be set for continuing policies.''

Gitchell said that Vail Resorts' goals for the coming year are to improve education and communication, improve regulatory systems, reduce green house gas emissions, and implement a sustainable building program. He said that likes the idea of Aspen Skiing Company's community environmental advisory committee, which integrates local environmental activists into the resort's management process.

''The bottom line is that we don't know for sure that we can achieve sustainability in this world,'' said Schendler. ''By doing what we are doing, we are making the assumption that we can. And it's a vital leap of faith.''

IN HONOR OF SENATOR JOHN AND MRS. ANNIE GLENN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. KUCINICH. Mr. Speaker, I rise today to celebrate and recognize the Honorable Senator John Glenn and his wife Mrs. Annie Glenn, on their achievement of the Greater Communicator Award.

Senator and Mrs. Glenn have an incredibly dedicated history of public service, and have remained committed to serving their community for years. Mrs. Annie Glenn has suffered and overcome a severe stuttering problem, and after completing an intensive therapy program she now speaks confidently and has given countless speeches.

Senator Glenn was the first American to orbit the earth in 1962 and returned to space in 1998. He was elected to the U.S. Senate in 1974 and retired in 1998. His distinguished career as a public servant earned him the respect and admiration of his colleagues and constituents alike.

Senator and Mrs. Glenn have dedicated their entire lives to the betterment of their local and international community. This Great Communicator Award is being presented to Senator John and Annie Glenn in recognition of their tireless efforts in public service and a lifetime of service. The Cleveland Hearing and Speech Center is presenting this prestigious award during their 80th anniversary celebration.

Mr. Speaker, please join me in recognition for two outstanding individuals, Senator John Glenn and his wife Annie, for their lifetime of outstanding achievement. Their love, dedication, and commitment to bettering their community has touched thousands of Americans.

HONORING DOCTOR WILLIAM GEORGE SHANKS UPON HIS RETIREMENT

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to a man who has dedicated himself to the care and well being of others. Dr. William Shanks has not only sought to improve the lives of others through the practice of medicine, but he has also been actively involved in various political and community-based organizations throughout his career. Upon his retirement, I would like to recognize the difference that Dr. Shanks has made in so many lives.

Born in Scotland in 1943, William came to the United States with his family and eventually took up residence in Philadelphia. This is where William studied from his early years through his medical schooling at Temple University. William's time was occupied not only with his studies, but also as a member of the local Teamster's Union. Following his medical education, his profession provided the opportunity to work at the Presbyterian Medical Center in Denver, Colorado. Dr. Shanks always harbored a sincere desire to serve his country and after his internship was completed in Colorado, he joined the United States Navy and was a diving and medical officer on a submarine. After serving his country, William returned for four more years at St. Joseph Hospital in Denver to complete his medical residency.

In 1976, Dr. Shanks relocated to Grand Junction, Colorado to the benefit of the community of Grand Junction. Dr. Shanks joined the staffs of St. Mary's Hospital and Medical Center and the Grand Junction VA Medical Center. Beyond the scope of his medical responsibilities locally as the Chief of Surgery and the Chief of Staff, Dr. Shanks chose to further serve his community by sitting on the board of St. Mary's Hospital, Colorado Trauma Institute, Colorado Medical Society Foundation and the Mesa County Independent Physicians' Association. Furthermore, William has had the distinct honor of serving as president of the Mesa County Medical Society, Denver Academy of Surgery and other organizations. At the intersection of medicine and politics, Dr. Shanks has recently been appointed to the Governor's Trauma Council.

Equally important, William and his wife Stella have raised four children—Maggie Anne, Bradley, Fiona and Lorna. While maintaining a busy schedule providing care to his patients and the State of Colorado, Dr. Shanks always

found solace in the great outdoors, woodworking and fishing. Mr. Speaker, William's retirement marks the beginning of his opportunity to spend more time with his family and hobbies. His contributions will never be forgotten, as his actions will forever touch the hearts and bodies of his patients. I would like to thank Dr. Shanks for his tireless efforts on behalf of the people of his county, the State of Colorado and the citizens of the United States. At this momentous time in his life, I extend my warm regards to Dr. Shanks and his family and wish them all of the best in the years to come.

HONORING CAPT NORMAND V. LUSSIER

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. GARY G. MILLER of California. Mr. Speaker, I rise today to commend the numerous achievements and substantial contribution to our country of United States Naval Reserve Captain Normand V. Lussier, and to wish him well upon his retirement in March 2002. He will have served this country for over forty years.

Captain Lussier graduated from Oroville High School in 1962 and joined the Navy as a Seaman Recruit. After completing boot camp and Storekeeper ''A'' school at the Naval Training Center San Diego, he was assigned to the submarine tender USS *Nereus.* In September 1964, he volunteered for Vietnam and spent the next eighteen months unloading freighters and supervising a local national work crew in the Port of Saigon. Upon release from active duty in March 1966, he affiliated with the Naval Reserve and was promoted to Storekeeper Second Class. He continued to drill while attending college and law school.

In 1969, he graduated from San Diego State College with a Bachelor of Arts degree with distinction in History. In 1972, he received his Juris Doctor degree from the University of California Hastings College of the Law where he served on the Hastings Law Review.

While a Storekeeper First Class in 1971, he received a direct commission as an Ensign (Intelligence). Captain Lussier has since served in a variety of Naval Reserve Intelligence Program assignments. Since October 1999, Captain Lussier has served as Reserve Intelligence Area Commander (RIAC) Area Nineteen with overall responsibility for 13 reserve units and approximately 750 reservists. Prior to his current tour as RIAC, he was the Commanding Officer of ONI 0166. From 1994 to 1997, he was on the national staff of the Commander, Naval Reserve Intelligence Command as the Deputy Senior Inspector. Other tours include service as the DRIAC for Training for the IVTU; as the XO of DIS HQ 0166 and NICSEC 0166, and as the Administration Officer for NICTSKGRPMGT and NIC 0266. He has had two NRCIS tours.

Captain Lussier's entire civilian career as an attorney has been in support of the Department of Defense (DoD). After admission to the California Bar in 1972, he joined the Navy's Office of General Counsel (OGC) as a civilian attorney in the Naval Supply Systems Command. He completed major field assignments as Counsel, Naval Regional Procurement Office in Naples, Italy and Counsel, Naval Regional Contracting Center in the Washington Navy Yard. In 1985, he was appointed General Counsel, American Forces Information Service. IN 1992, he joined the Defense Logistics Agency's Office of General Counsel as an Associate General Counsel.

Captain Lussier's 40-year career of service to the United States stands apart for its caliber of dedication and care. Doing his job has never been enough for Captain Lussier; he has always wanted to do more, and then done it. Helping others along the way is another of his trademarks. Through patient nurturing, training, trust, and teaching, Captain Lussier has steadfastly enabled others who, in turn, help enrich the U.S. Naval Reserve, the U.S. Navy, and the DoD, thereby ensuring its continued performance in the proud tradition of excellence.

Captain Lussier's distinguished career has been celebrated with numerous awards, including the Meritorious Service Medal (two times), Navy Commendation Medal, Good Conduct Award, Joint Meritorious Unit Award, Navy Meritorious Unit Award, National Defense Service Medal, Republic of Vietnam Campaign Medal with Device, Vietnam Service Medal with three stars, and the Armed Forces Reserve Medal.

Mr. Speaker, I ask that the 107th Congress join Captain Lussier's wife Peggy, and his two sons, Damon and Aaron, in honoring Normand V. Lussier as he turns over command of RIA–19 and soon retires from the United States Naval Reserve.

HONORING ETHYL KELHAM

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to honor Ethyl Kelham on being an outstanding teacher. Ethyl has been an inspiration to many and has helped many children throughout the various stages of their academic careers. At the age of 74, Ethyl has decided to retire and we wish her the best of luck.

Ethyl worked in public school system for 25 years and helped support Pueblo Headstart during her time there. When she left the School District, she joined the Montessori Network and opened her own school about 15 years ago. The Pueblo Montessori School began at the Unitarian Fellowship where Byron Kelham, Ethyl's husband, was the minister. Ethyl's school then moved into a rented space and two years ago entered a new building.

Some funding problems hindered the further development of the school and have since caused it to close. However, Ethyl will continue teaching since she will home school her two grandchildren. Touching people's hearts and minds compelled Ethyl to continue teaching and sparked the light of learning in many students. She has watched many children flourish intellectually and follow their dreams. Ethyl Kelham is retiring to spend more time with her family—time well deserved.

Mr. Speaker, I honor Ethyl for her hard work and dedication to the teaching profession. Her formidable efforts deserve the praise and admiration of us all. I would like to thank her for her many years of service and congratulate her on her retirement.

FAREWELL

HON. JOE SCARBOROUGH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. SCARBOROUGH. Mr. Speaker, some come to Washington with optimism, hope, and great expectations. Some of these same people leave Congress with pessimism, dismay, and a weaker spirit.

I am not such a person.

Tomorrow, I will be leaving public service after seven years in the United States Congress to return to my home in Northwest Florida.

In the coming months and years, I will certainly miss the rewards of working beside ordinary Americans called to serve in this House during extraordinary times. But as I leave, I believe like Ronald Reagan, that ''America's greatest days lie ahead. And I see great days ahead for men and women of will and vision.''

And let me tell you why I leave Congress full of hope for our great country and its people. During the last 7 years, the Congress has eliminated the budget deficit, it has reformed the Great Society Programs of the 1960's, including, of course, our nation's outdated welfare system, and, most importantly, it has restored the faith of people in their government.

The Conservative revolution of 1994, the government shutdown, the budget battles with President Clinton, the military excursions into the Balkans, the Impeachment proceedings, and the turbulent election challenge of 2000 have all weighed heavily upon our Republic. But while any one of these political events could have been the cause for political bloodshed in distant capitals, in America, each challenge was faced by Congress and the public with understanding and maturity.

That is not to say that each crisis did not cause emotions to spill onto this floor. But at the end of each political chapter, Americans absorbed the trying events and moved forward.

Despite the self-interested cries from special interest groups and leaders of both parties, a Republican Congress worked with a Democratic President to balance the budget, to reform welfare, to stop the raiding of America's social security trust fund and to pass a military health care bill that goes a long way toward keeping the promise made to America's servicemen and their families. And while I was disappointed by President Clinton's attempts to derail most of the legislation we ultimately passed, I recognize that the American people elected him to the presidency to be more than a rubber stamp for a Republican Congress.

I am proudest of my band of brothers and sisters who were elected together in 1994, fought the president in 1995 and 1996, and then faced down our own party leaders who sought a speedy retreat from the core principles that brought us to the majority in 1994.

Together we stood shoulder to shoulder, faced down powerful forces, and made a difference in Congress.

More importantly than balancing the budget, reforming welfare or changing the culture of

Congress, the class of 1994 changed the debate in Washington over our budget priorities. No longer do presidents project deficits as far as the eye can see. No longer do Senators and Congressmen spend billions first and ask questions later. No longer do politicians stuffed with trillions of dollars in tax revenue make the claim that another tax increase is needed to bring balance to the budget process.

Today, the values espoused by both parties center around fewer taxes, responsible spending, and a greater reliance on local authority.

Perhaps too few in Congress really believe Jefferson's statement that the government that governs least, governs best. But today, more than anytime in seventy-five years, politicians' fear of political retribution at the voting booth prevents them from casting America forth into a sea of red ink.

That simple political fact at the beginning of a new American century will be our lasting legacy.

My family, my friends, and my dedicated staff are owed my deepest gratitude on this night, as are the people of Florida's First Congressional District. They had the faith to send an untested 31-year old novice to Washington to represent their interests and views in Congress.

When I won my first campaign, I did so with the simple pledge that I would speak my mind, vote my conscience, and stand up and shout ''no'' when everyone was mindlessly saying ''yes.''

I kept my word, fought the good fight, and worked hard for the cause of less government and greater individual liberty.

Two hundred and twenty-five years later, that remains the legacy of Thomas Jefferson, James Madison and our other founding fathers. And tonight, on the occasion of my retirement from this great institution, it is my hope that if anyone cares to remember my work here in the future as a footnote to some greater story, perhaps my legacy will be that I contributed in some small way to the elevation of the individual over the power of the state.

I may be leaving Congress, but I won't be silent. I will continue to fight for common sense values that all Americans understand. I feel passionate about many issues and I will continue to speak out and be heard.

I pray tonight that the Lord that George Washington prayed to during the Revolutionary War, and the God that Abraham Lincoln turned to during America's darkest hours, will continue to bless this great city on a hill that still shines brightly for all the world to see.

May God bless America!

HONORING JAKE KRAUS

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. McINNIS. Mr. Speaker, it is with great honor I would like to recognize Jake Kraus for his heroic efforts during World War II. His courage led to the liberation of thousands of half-starved American prisoners from the inhumane living conditions that they had been forced to endure.

Jake Kraus grew up on a farm in Pea Green, Colorado. Mr. Kraus was drafted into the war and served as a tank driver under the command of General Eisenhower. The capture of the Ludendorf Bridge was due in part to Mr. Kraus and his Tank Destroyer Group, which in turn, opened the first permanent gateway to Berlin. This marked the defeat of Hitler's dream and the beginning of the long-awaited liberation of the American Prisoners Of War.

Mr. Speaker, the service that Mr. Kraus gave our country will always be remembered by the soldiers whose lives he saved and by their families for the years to come. Even after putting his life on the line, Kraus insists that he did nothing heroic. But such a humble and brave individual deserves many accolades for his service to our country. It is with great admiration that I thank and congratulate Mr. Kraus for a job well done.

ON THE CELEBRATION OF JAMES N. GOLDSMITH'S SELECTION TO HEAD VETERANS OF FOREIGN WARS OF AMERICA

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. STUPAK. Mr. Speaker, I rise today to call attention to an important milestone in the history of our nation's oldest veterans organization.

On Aug. 24, the Veterans of Foreign Wars of the United States installed James N. Goldsmith of Lapeer, Michigan, as Commander-in-Chief. Even as I speak, veterans from around the state and across the nation are assembling in Harbor Springs, a beautiful community in my congressional district, to welcome Jim home and congratulate him on his great honor. He is the first National Commander elected from Michigan since 1943.

Jim has been active since 1967 as a member of the VFW. He served as All State Post Commander in 1974, and in 1977 he earned recognition as an All State and All American District Commander. In 1978 he was selected as Michigan's ''Young Veteran of the Year,'' and in 1980 he became the first Vietnam veteran to be elected Department Junior Vice Commander. He earned All American status as a Department Commander, 1982–83.

He served in Vietnam as an engineer from April 1966 to August 1967. In his acceptance speech as National Commander-in-Chief, Jim made the fight against diabetes one of the key elements of his tenure, demonstrating that he will clearly articulate the concerns of Vietnam veterans. I trust that all our House colleagues are aware that diabetes is linked to Agent Orange, and that combat forces who were ''in country'' during the Vietnam War and now have diabetes may be eligible for monthly disability compensation benefits and VA health care.

Jim has also been back to Vietnam. While serving as Senior Vice Commander-in-Chief, he was selected to travel there as part of a presidential fact-finding committee. On an earlier trip to Vietnam and Laos as VFW Junior Vice Commander-in-Chief, he participated in field efforts to recover the remains of missing U.S. service personnel.

The effort to account for missing combat individuals from past wars will remain one of the highest priorities of the VFW under Jim Goldsmith. He has already announced a new VFW initiative called the ''The VFW Reach Out for DNA Initiative'' to help contact eligible donors of blood DNA.

The goal is to collect blood samples of all material relatives of World War II, the Korean War, Cold War, and Vietnam War casualties whose remains have not been recovered or identified. These samples will be sent to the Central Identification Laboratory in Hawaii to aid in such identification.

Mr. Speaker, I know that Jim Goldsmith will be a powerful spokesman for 1.9 million members of the VFW, for all our nation's veterans, for active-duty personnel and for their families. I know we will see Jim Goldsmith on Capitol Hill, speaking out in support of bills like H.R. 303, a bill that brings fairness and just compensation to military retirees who have a service-connected disability.

This weekend, as Michigan celebrates the selection of James Goldsmith to head the VFW, I ask you and our House colleagues to keep him in our thoughts and prayers, as he undertakes his vital task on behalf of all who served this nation so well.

HONORING CELIA DUNHAM ON BEING NAMED COLORADO TEACHER OF THE YEAR 2001

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. McINNIS. Mr. Speaker, I would like to congratulate Celia Dunham on being named Colorado Teacher of the Year 2001 by Wal-Mart, Sam's Club, and the Miss America Organization.

Celia Dunham, of Steamboat Springs, Colorado, teaches first grade at Strawberry Park Elementary. For her accomplishment, she will be presented $2,500 in the name of Strawberry Park, and she will be considered for the national award.

Celia has taught full-time in the Steamboat School District since 1978. She is the first to explain that she has benefited from her kids by teaching them. She told Avi Salzman of The Steamboat Pilot that ''their energy goes into me,'' and that, ''It's what keeps me young.'' As any good teacher acknowledges, she also realizes that ''she has learned an incredible amount from her kids.''

Before entering consideration for the state competition, Celia first won the local competition, which was chosen from nominees entered by local Wal-Mart customers. For that honor, she received $500 to use in her classroom. She was then entered into the statewide competition with 52 other candidates, where a panel of educational experts selected her as the winner. The contestants were chosen for their ''rapport with students, student performance and teaching standards,'' said Wal-Mart Spokesman Rob Phillips.

Mr. Speaker, teachers provide a service vital to our Nation's youth. Celia has provided an excellent example for other teachers to follow. I would like to thank her for her dedication, and to congratulate her on being Colorado's Teacher of the Year.

HONORING CARA FISHER

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 05, 2001

Mr. McINNIS. Mr. Speaker, I would like to extend my congratulations to Cara Fisher, the Director of the Cañon City Public Library History Center, for receiving the 2001 Colorado State Honor Award. Through her diligent efforts of preservation in Cañon City, Cara has contributed volumes to our historical knowledge as well as revitalizing significant portions of the city.

Cara is one of thirteen children who grew up in a large house with important historical ties. At one point, an individual threatened to tear the house down. However, the family sought to obtain a purchaser and was successful in preserving the house. Stemming from this experience, Cara gained an appreciation for preserving historical buildings and this has served as her guiding light for 17 years in Cañon City. Her particular focus is on preparing grants for substantial projects, and she has been an integral person in numerous efforts for the city.

The Colorado State Honor Award acknowledges her persistence and dedication to her passion. Cara Fisher has dedicated much of her time to ensure that our past is preserved and not compromised.

Mr. Speaker, as we progress into the future, I would like to thank Cara for all of her work and congratulate her for being honored with the 2001 Colorado State Honor Award.

HONORING WILLIAM RAIMER FOR HIS MILITARY SERVICE

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 05, 2001

Mr. McINNIS. Mr. Speaker, following the bombing of Pearl Harbor, many of our citizens dedicated their efforts to the success of our military forces. William Horace Raimer is the embodiment of service, success, and sacrifice and clearly deserves recognition from this body.

Bill Raimer was stationed on the USS Flying Fish—an SS–229 Gato Class submarine that was 311 feet long and carried a crew of 67 men led by nine officers—as a radioman. On the morning of May 29, 1945, the USS Flying Fish submerged and left Guam to an undisclosed location that was later revealed to be the Sea of Japan. The Flying Fish was traveling in a wolf pack called Hydeman's Hellcats, which were three groups of three submarines. The crew was charged with the duty, under the orders of Commander Robert D. Risser, of spending two weeks in the Sea destroying the remains of the Japanese fleet and any supply ships heading for Japan. Their path was laced with mines at various depths and different locations. As the submarine floated by mines, crewmembers could hear the anchor cables of the mines brush against the outside walls. Under attack by depth charges, the USS Flying Fish felt the shakes from the explosions, but was not destroyed. However, a companion ship—the USS Bonefish—was not so lucky and 85 men were lost at sea.

The USS Flying Fish was an integral part of the efforts to ensure the Japanese fleet did not succeed in World War II. Out of the nearly 300 submarines in that area at the time, 52 were sunk—a statistic that Bill Raimer remembers all too well. After the war, he moved to Montrose, Colorado with his brother 56 years ago. Although he was awarded numerous ribbons and medals, he is most proud of his Submariners Medal that was presented to him by Admiral Chester W. Nimitz.

Mr. Speaker, it gives me great pleasure to commend William Raimer on his service to this great Nation. His spirit of patriotism added to the success of the Allied Forces and ensured their victory in the Pacific Ocean. While 3,308 submarines never returned home from the war, William Raimer was a survivor and is able to share his story with others. I thank Bill for his dedication and extend my best wishes to him and his family in the time to come.

HONORING HOWARD AND MARY LOUISE SHAW

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 2001

Mr. McINNIS. Mr. Speaker, I would like to pay tribute to Howard and Mary Louise Shaw for their generous gift which will help to prolong and improve the lives of countless cancer patients on the Western Slope. Howard Shaw, who recently passed away, did not let the opportunity slip by to set in motion the foundations for the Shaw Cancer Center. I would like to honor this great man and also to thank and recognize his wife, Mary Louise, who continues to watch the project progress.

For years, cancer patients on the Western slope have been underserved; patients in six counties have had no option but to drive across the Continental Divide to Denver in order to receive cancer treatments. As a result, patients were left stranded from their family and friends at a time when a strong support system is most important.

Mary Louise and Howard understood this need, and they decided to do something about it. They ''jump-started the project'' by providing over 2/3 of the estimated cost for the 60,000 square-foot, $19 million Shaw Cancer Center, located in Vail Valley. Not only will patients be able to receive treatment closer to home, but they will have access to state-of-the art treatment. Reporter Kathy Heicher quotes Dr. Rifkin, the Director of Medical Oncology Services for the Shaw Cancer Center, as saying, ''The treatment patients can get at the Shaw Cancer Center is as good as anywhere in the region. This is the opportunity of a lifetime for the patients and the people that will work there.''

Mr. Speaker, thanks to Howard and Mary Louise Shaw, cancer patients in the Western Slope can receive top-notch care without sacrificing the support of friends and family. Howard's legacy has already taken hold, and his generosity will relieve many of the added burdens associated with not having local care. I would like to pay tribute to him and to Mary Louise on behalf of Congress for this invaluable gift.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, September 6, 2001 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 7

9:30 a.m.
Armed Services
Closed business meeting to continue markup on proposed legislation authorizing appropriations for fiscal year 2002 for military activities of the Department of Defense.
SR–222

Health, Education, Labor, and Pensions
Children and Families Subcommittee
To hold hearings to examine the national health crisis regarding teen and young adult suicide issues.
SD–430

Joint Economic Committee
To hold hearings to examine the employment-unemployment situation for August.
1334, Longworth Building

10 a.m.
Judiciary
To hold hearings to examine the historical opportunity for U.S.-Mexico migration discussions.
SD–106

10:30 a.m.
Commission on Security and Cooperation in Europe
To hold a joint briefing to examine research data on domestic violence and the extent to which governments, particularly law enforcement authorities, have fulfilled their responsibilities to protect individuals from such abuse, focusing on U.S. models for providing services to victims of domestic violence, including the response of faith-based communities.
2200 Rayburn Building

SEPTEMBER 10

3 p.m.
Health, Education, Labor, and Pensions
To hold hearings to examine contraceptive insurance coverage issues.
SD–430

3:30 p.m.
Environment and Public Works
Transportation, Infrastructure, and Nuclear Safety Subcommittee
To hold oversight hearings to examine the implementation of the Intelligent Transportation Systems program.
SD–406

SEPTEMBER 11

10 a.m.
Health, Education, Labor, and Pensions
To hold hearings to examine early learning as an investment for children and the future.
SR–325

Banking, Housing, and Urban Affairs
To hold hearings to examine issues relating to the failure of Superior Bank, FSB, Hinsdale, Illinois.
SD–538

10:30 a.m.
Judiciary
To hold hearings on the nomination of John P. Walters, of Michigan, to be Director of National Drug Control Policy.
SD–226

2 p.m.
Commerce, Science, and Transportation
Communications Subcommittee
To hold hearings to examine E–911 issues.
SR–253

SEPTEMBER 12

9 a.m.
Judiciary
Immigration Subcommittee
To hold hearings to examine S. 1265, to amend the Immigration and Nationality Act to require the Attorney General to cancel the removal and adjust the status of certain aliens who were brought to the United States as children.
SD–226

9:30 a.m.
Governmental Affairs
To hold hearings to examine the security of critical governmental infrastructure.
SD–342

Banking, Housing, and Urban Affairs
To hold oversight hearings to examine the Administration's national money laundering strategy for 2001.
SD–538

Health, Education, Labor, and Pensions
Business meeting to consider S. 952, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; S. 928, to amend the Age Discrimination in Employment Act of 1967 to require, as a condition of receipt or use of Federal financial assistance, that States waive immunity to suit for certain violations of that Act, and to affirm the availability of certain suits for injunctive relief to ensure compliance with that Act; and the nomination of Brian Jones, of California, to be General Counsel, Department of Education.
SD–430

2 p.m.
Judiciary
Technology, Terrorism, and Government Information Subcommittee
To hold hearings to examine the Privacy Act of 2001, focusing on the preservation of privacy for social security numbers, health information, and commerical actions in the 21st century.
SD–226

Commission on Security and Cooperation in Europe
To hold hearings to examine U.S. policy toward the Organization for Security and Cooperation in Europe and review the implementation of OSCE human rights commitments.
SR–485

2:30 p.m.
Indian Affairs
Energy and Natural Resources
To hold joint hearings to examine legislative proposals relating to the development of energy resources on Indian and Alaska Native lands, including the generation and transmission of electricity.
SD–366

SEPTEMBER 13

9:30 a.m.
Commerce, Science, and Transportation
To hold hearings to examine Corporate Average Fuel Economy (CAFE) Standards.
SR–253

10 a.m.
Health, Education, Labor, and Pensions
To hold hearings to examine issues concerning genetics.
SD–430

2 p.m.
Health, Education, Labor, and Pensions
Public Health Subcommittee
To hold hearings to examine human protection issues.
SD–430

Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings to examine digital divide issues.
SR–253

SEPTEMBER 19

2 p.m.
Judiciary
To hold hearings on S. 702, for the relief of Gao Zhan.
SD–226

SEPTEMBER 20

10 a.m.
Health, Education, Labor, and Pensions
To hold hearings on the nomination of Eugene Scalia, of Virginia, to be Solicitor for the Department of Labor.
SD–430

2 p.m.
Health, Education, Labor, and Pensions
To hold hearings to examine the effects of the drug OxyContin.
SD–430

SEPTEMBER 25

10 a.m.
Health, Education, Labor, and Pensions
Public Health Subcommittee
To hold hearings to examine environmental health issues.
SD–430

2 p.m.
Health, Education, Labor, and Pensions
Employment, Safety and Training Subcommittee
To hold hearings to examine workplace safety for immigrant workers.
SD–430

SEPTEMBER 26

10 a.m.
Health, Education, Labor, and Pensions
Business meeting to consider pending calendar business.
SD–430

CANCELLATIONS

SEPTEMBER 19

10 a.m.
Health, Education, Labor, and Pensions
Children and Families Subcommittee
To hold hearings to examine early childhood issues.
SD–430

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S9091–S9128

Measures Introduced: On Tuesday, September 4, nine bills were introduced, as follows: S. 1394–1402. **Pages S9122–23**

Today, five bills were introduced, as follows: S. 1403–1407. **Page S9123**

Export Administration Act: Senate resumed consideration of S. 149, to provide authority to control exports. **Pages S9091–S9109, S9110–17**

Nomination Referral—Agreement: A unanimous-consent agreement was reached providing that in any instance where unanimous consent had previously been granted in the 107th Congress for the referral of a nomination to more than one committee, that such unanimous-consent agreement apply to a second nomination of that individual for that provision if the previous nomination was returned to the President under the provisions of Rule XXXI, paragraph 6. **Page S9127**

Escort Committee—Agreement: A unanimous-consent agreement was reached providing that the President of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort the President of the United Mexican States into the House Chamber for the joint meeting on Thursday, September 6, 2001. **Page S9127**

Nominations Received: Senate received the following nominations:

Jorge L. Arrizurieta, of Florida, to be United States Alternate Executive Director of the Inter-American Development Bank.

Daniel G. Bogden, of Nevada, to be United States Attorney for the District of Nevada for the term of four years.

Mary Beth Buchanan, of Pennsylvania, to be United States Attorney for the Western District of Pennsylvania for the term of four years.

Jeffrey Gilbert Collins, of Michigan, to be United States Attorney for the Eastern District of Michigan for the term of four years.

Steven M. Colloton, of Iowa, to be United States Attorney for the Southern District of Iowa for the term of four years.

Thomas M. DiBiagio, of Maryland, to be United States Attorney for the District of Maryland for the term of four years.

William S. Duffey, Jr., of Georgia, to be United States Attorney for the Northern District of Georgia for the term of four years.

Peter W. Hall, of Vermont, to be United States Attorney for the District of Vermont for the term of four years.

Thomas E. Johnston, of West Virginia, to be United States Attorney for the Northern District of West Virginia for the term of four years.

Edward Hachiro Kubo, Jr., of Hawaii, to be United States Attorney for the District of Hawaii for the term of four years.

Gregory Gordon Lockhart, of Ohio, to be United States Attorney for the Southern District of Ohio for the term of four years.

Sheldon J. Sperling, of Oklahoma, to be United States Attorney for the Eastern District of Oklahoma for the term of four years.

Donald W. Washington, of Louisiana, to be United States Attorney for the Western District of Louisiana for the term of four years.

Maxwell Wood, of Georgia, to be United States Attorney for the Middle District of Georgia for the term of four years.

41 Air Force nominations in the rank of general.

42 Army nominations in the rank of general.

17 Marine Corps nominations in the rank of general.

2 Navy nominations in the rank of admiral.

A routine list in the Navy. **Page S9128**

Executive Communications: **Pages S9119–22**

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Authority for Committees: Pages S9126–27

Adjournment: Senate met at 10 a.m. and adjourned at 6:05 p.m., until 10:30 a.m., on Thursday, September 6, 2001. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on pages S9127–28.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—DEFENSE

Committee on Appropriations: Subcommittee on Defense concluded hearings on the budget overview for fiscal year 2002 for military defense, focusing on quality of life issues, training and readiness, equipment maintenance and repair, modernization, and research and development, after receiving testimony from Donald H. Rumsfeld, Secretary of Defense; and Gen. Henry H. Shelton, USA, Chairman, Joint Chiefs of Staff.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Committee met in closed session to begin markup of proposed legislation authorizing funds for fiscal year 2002 for military activities of the Department of Defense, but did not complete action thereon, and will meet again on Thursday, September 6.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on Airland met in closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of proposed legislation authorizing appropriations for fiscal year 2002 for military activities of the Department of Defense.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities met in closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of proposed legislation authorizing appropriations for fiscal year 2002 for military activities of the Department of Defense.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on Personnel met in closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of proposed legislation authorizing appropriations for fiscal year 2002 for military activities of the Department of Defense.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on Readiness and Management Support met in closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of proposed legislation authorizing appropriations for fiscal year 2002 for military activities of the Department of Defense.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on SeaPower met in closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of proposed legislation authorizing appropriations for fiscal year 2002 for military activities of the Department of Defense.

PRESCRIPTION DRUG PRICING

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Affairs, Foreign Commerce, and Tourism Committee concluded hearings to examine the comparative pricing of prescription drugs in the United States and Canada, focusing on the importation of prescription drugs at land borders, through the mail or over the Internet, the potential introduction of counterfeit bulk drugs into the U.S. drug supply, and steps to ensure the availability of safe medications for consumers, after receiving testimony from Senators Jeffords and Stabenow; William K. Hubbard, Senior Associate Commissioner for Policy, Planning and Legislation, Food and Drug Administration, Department of Health and Human Services; Elizabeth A. Wennar, United Health Alliance, Bennington, Vermont; Stephen L. Giroux, Middleport Family Health Center, Middleport, New York, on behalf of the National Community Pharmacists Association; Alan Sager, Boston University School of Public Health, Boston, Massachusetts; John Marvin, Augusta, Maine, on behalf of the Alliance for Retired Americans and the Maine Council of Senior Citizens; and Marjorie E. Powell, Pharmaceutical Research and Manufacturers of America, Washington, D.C.

BIOTERRORISM AND INFECTIOUS DISEASES

Committee on Foreign Relations: Committee held hearings to examine the threat posed by biological weapons and its relation to the spread of infectious diseases, focusing on the United States response to an act of bioterrorism and how to strengthen the domestic and international capability to prevent and defend against intentional and natural disease outbreaks, receiving testimony from former Senator Sam Nunn, on behalf of the Nuclear Threat Initiative;

James R. Woolsey, Shea & Garnder, former Director of Central Intelligence, and Fred C. Ikle and Frank J. Cilluffo, both of the Center for Strategic and International Studies, all of Washington, D.C.; Donald A. Henderson, Johns Hopkins University Schools of Medicine and Public Health, Baltimore, Maryland; and David L. Heymann, World Health Organization, Geneva, Switzerland.

Hearings recessed subject to call.

STEM CELL RESEARCH

Committee on Health, Education, Labor, and Pensions: Committee held hearings to examine the scientific and ethical implications of stem cell research and its potential to improve human health, receiving testimony from Senator Specter; Representative Langevin; Tommy G. Thompson, Secretary of Health and Human Services; Douglas Melton, Harvard University Department of Molecular and Cellular Biology, and Karen Hersey, Massachusetts Institute of Technology, both of Cambridge, Massachusetts; James F. Childress, University of Virginia Institute for Practical Ethics, Charlottesville; Fr. Kevin FitzGerald, Georgetown University Department of Oncology, Washington, D.C.; and John P. Chute, Naval Medical Research Center, Bethesda, Maryland.

Hearings recessed subject to call.

TOBACCO LITIGATION

Committee on the Judiciary: Committee concluded hearings to examine the management of tobacco litigation, focusing on the Department of Justice's lawsuit currently pending against leading U.S. cigarette manufacturers, after receiving testimony from Stuart E. Schiffer, Acting Assistant Attorney General, Civil Division, Department of Justice; Connecticut Attorney General Richard Blumenthal, Hartford; David W. Ogden, Wilmer, Cutler, and Pickering, former Assistant Attorney General, Civil Division, Department of Justice, and Jonathon Turley, George Washington University Law School, both of Washington, D.C.; Pamela DeNardo, St. Charles, Illinois, on behalf of the American Lung Association and Emphysema Foundation For Our Right To Survive; G. Robert Blakey, University of Notre Dame Law School, Notre Dame, Indiana; and David Adelman, Morgan Stanley, New York, New York.

House of Representatives

Chamber Action

Bills Introduced: 12 public bills, H.R. 2832–2843; and 3 resolutions, H. Con. Res. 216 and H. Res. 233–234, were introduced. **Page H5405**

Reports Filed: Reports were filed as follows:

Filed on September 4, H.R. 2586, to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2002, amended (H. Rept. 107–194);

H.R. 717, to amend the Public Health Service Act to provide for research and services with respect to Duchenne muscular dystrophy, amended (H. Rept. 107–195);

H.R. 2589, to amend the Multifamily Assisted Housing Reform and Affordability Act of 1997 to reauthorize the Office of Multifamily Housing Assistance Restructuring (H. Rept. 107–196);

H. Con. Res. 84, supporting the goals of Red Ribbon Week in promoting drug-free communities (H. Rept. 107–197);

H.J. Res. 51, approving the extension of nondiscriminatory treatment with respect to the products of the Socialist Republic of Vietnam (H. Rept. 107–198);

H.R. 2368, to promote freedom and democracy in Viet Nam, amended (H. Rept. 107–199, Pt. 1); and

H.R. 981, to provide a biennial budget for the United States Government, amended (H. Rept. 107–200, Pt. 1). **Pages H5404–05**

Commemoration of the Life of the Late Honorable Floyd Spence, a Representative from the State of South Carolina: The House agreed to H. Res. 234, expressing the condolences of the House of Representatives on the death of the Honorable Floyd Spence, a Representative from the State of South Carolina. **Pages H5367–72**

Subsequently, the Chair announced that on August 21, the Speaker appointed the following members to the attend the funeral of the late Honorable Floyd Spence: Speaker Hastert and Representatives Spratt, Watts of Oklahoma, Clyburn, Graham, DeMint, Brown of South Carolina, Young of Florida, Hunter, Saxton, Hefley, McNulty, Bartlett, McHugh, and Chambliss. **Page H5372**

Resignation from Congress: Read a letter from Representative Hutchinson wherein he announced his resignation from the House of Representatives,

effective at 2400 hours on Monday, August 6, 2001, to serve as Administrator of the Drug Enforcement Agency. **Page H5344**

Recess: The House recessed at 4:22 p.m. and reconvened at 6:01 p.m. **Page H5365**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Drug-Free Communities Program: H.R. 2291, amended, to extend the authorization of the Drug-Free Communities Support Program for an additional 5 years, to authorize a National Community Anti-drug Coalition Institute (agreed to by a yea-and-nay vote of 402 yeas to 1 nay, Roll No. 333); **Pages H5345–53, H5365–66**

Encouraging a Summer Emergency Blood Donor Season: H. Res. 202, expressing the sense of the House of Representatives regarding the establishment of a Summer Emergency Blood Donor Month to encourage eligible donors in the United States to donate blood. Agreed to amend the title; **Pages H5353–55**

Defense Production Act Amendments: H.R. 2510, to extend the expiration date of the Defense Production Act of 1950; **Pages H5355–57**

Allowing the Spouses of E Visa Recipients to Work in the United States: H.R. 2277, to provide for work authorization for nonimmigrant spouses of treaty traders and treaty investors; **Page H5357**

Allowing the Spouses of L Visa Recipients to Work in the United States: H.R. 2278, to provide for work authorization for nonimmigrant 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; **Pages H5357–58**

Request for the Reexamination of a Patent: H.R. 1866, to amend title 35, United States Code, to provide for appeals by third parties in certain patent reexamination proceedings; **Pages H5359–62**

State Justice Institute Operations Report: H.R. 2048, to require a report on the operations of the State Justice Institute; and **Pages H5362–63**

United States and Mexican Relationship: H. Res. 233, recognizing the important relationship between the United States and Mexico (agreed to by a yea-and-nay vote of 407 yeas with none voting "nay," Roll No. 334). **Pages H5363–64, H5366**

Approving the Extension of Nondiscriminatory Treatment to the Products of Vietnam: Agreed that it be in order on Sept. 5, 2001, or any day thereafter, to consider in the House, H.J. Res. 51, approving the extension of nondiscriminatory treatment with respect to the products of the Socialist Republic of Vietnam; that it be considered as read; that all points of order against the joint resolution and against its consideration be waived; that it be debatable for 2 hours equally divided and controlled; and that the previous question be considered as ordered to final passage without intervening motion. **Page H5367**

Vietnam Human Rights Act: Agreed that it be in order at any time on Thursday, Sept. 6, 2001, to consider in the House, H.R. 2833, the Vietnam Human Rights Act, that it be considered read; that it be debatable for 1 hour equally divided and controlled; and that the previous question be considered as ordered to final passage without intervening motion except one motion to recommit. **Page H5367**

Senate Messages: Messages received from the Senate appear on pages H5343–44.

Referrals: S. 238, S. 329, S. 356, S. 491, S. 498, S. 506, and S. 509 were referred to the Committee on Resources. S. 584, S. 1046, and S. Con. Res. 59 were held at the desk. S. 737, S. 970, S. 1026, and S. 1198 were referred to the Committee on Government Reform. S. 1144 was referred to the Committee on Financial Services. S. Con. Res. 62 was referred to the Committee on International Relations. **Page H5399**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of the House today and appear on pages H5365 and H5366. There were no quorum calls.

Adjournment: The House met at 2 p.m. and pursuant to the provisions of H. Res. 234, adjourned at 11:29 p.m. in memory of the late Honorable Floyd Spence.

Committee Meetings

MID-SESSION REVIEW AND BUDGET AND ECONOMIC OUTLOOK UPDATE

Committee on the Budget: Held a hearing on the Mid-Session Review and Update of the Budget and Economic Outlook. Testimony was heard from Mitchell E. Daniels, Jr., Director, OMB and Dan L. Crippen, Director, CBO.

Joint Meetings

POST-CONFLICT OSCE POLICING

Commission on Security and Cooperation in Europe (Helsinki Commission): Commission concluded hearings to examine international efforts to deploy civilian police contingents in post-conflict Organization for Security and Cooperation in Europe (OSCE) regions, and to

monitor and train local police for effectiveness in keeping with democratic standards, focusing on the efforts of the OSCE and the United Nations, after receiving testimony from Steve Bennett, Organization for Security and Cooperation in Europe Kosovo Police Service School, Vucitrn/Vushtrri; J. Michael Stiers, Battlement Mesa, Colorado,on behalf of the United Nations International Police Task Force in Bosnia-Herzegovina; and Robert M. Perito, United States Institute of Peace, Washington, D.C.

COMMITTEE MEETINGS FOR THURSDAY, SEPTEMBER 6, 2001

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: closed business meeting to continue to mark up on proposed legislation authorizing appropriations for fiscal year 2002 for military activities of the Department of Defense, 9:30 a.m., SR–222.

Subcommittee on Strategic, closed business meeting to mark up those provisions, which fall within the jurisdiction of the subcommittee, of proposed legislation authorizing appropriations for fiscal year 2002 for military activities of the Department of Defense, 1:30 p.m., SR–232A.

Committee on the Budget: to hold hearings to examine the Office of Management and Budget's mid-session review and the budget and economic outlook, 9:30 a.m., SH–216.

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space, to hold hearings to examine the safety of Space Shuttle missions, 2:30 p.m., SR–253.

Committee on Health, Education, Labor, and Pensions: to hold hearings on the nomination of Brian Jones, of California, to be General Counsel, Department of Education, 9:30 a.m., SD–430.

Select Committee on Intelligence: closed business meeting to mark up the fiscal year 2002 Intelligence Authorization Bill, 9:30 a.m., SH–219.

Committee on the Judiciary: business meeting to consider S. 754, to enhance competition for prescription drugs by increasing the ability of the Department of Justice and Federal Trade Commission to enforce existing antitrust laws regarding brand name drugs and generic drugs; S. 304, to reduce illegal drug use and trafficking and to help provide appropriate drug education, prevention, and treatment programs; S. 703, to extend the effective period of the consent of Congress to the interstate compact relating to the restoration of Atlantic salmon to the Connecticut River Basin and creating the Connecticut River Atlantic Salmon Commission; S. 1319, a bill to authorize appropriations for the Department of Justice for fiscal year 2002; S. 1140, to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts; S. 1233, to provide penalties for certain unauthorized writing with respect to consumer products; and pending nominations, 10 a.m., SD–226.

House

Committee on Appropriations, Subcommittee on the District of Columbia, to mark up appropriations for fiscal year 2002, 2 p.m., H–140 Capitol.

Subcommittee on Military Construction, to mark up appropriations for fiscal year 2002, 3:30 p.m., B–300 Rayburn.

Committee on Education and the Workforce, Subcommittee on Employer-Employee Relations, hearing on "Genetic Non-Discrimination: Implications for Employer Provided Health Care Plans," 2 p.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Energy and Air Quality, hearing on the reauthorization of the Price-Anderson Act, 2 p.m., 2322 Rayburn.

Committee on Financial Services, Subcommittee on Financial Institutions and Consumer Credit, to mark up H.R. 1701, Consumer Rental Purchase Agreement Act, 10 a.m., 2128 Rayburn.

Committee on Government Reform, Subcommittee on Technology and Procurement Policy, hearing on "Toward a Telework-Friendly Government Workplace: An Update on Public and Private Approaches to Telecommuting," 9:30 a.m., 2154 Rayburn.

Committee on International Relations, to mark up the following measures: a resolution recognizing the historic significance of the fiftieth anniversary of the alliance between Australia and the United States under the ANZUS Treaty, paying tribute to the United States-Australia relationship, reaffirming the importance of economic and security cooperation between the United States and Australia, and welcoming the state visit by Australian Prime Minister John Howard; and H.R. 2646, Agricultural Act of 2001, 2:15 p.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on the Constitution, hearing on H.R. 476, Child Custody Protection Act, 10 a.m., 2237 Rayburn.

Committee on Resources, Subcommittee on Energy and Mineral Resources, oversight hearing on "The Orderly Development of Coalbed Methane Resources from Public Lands," 10 a.m., 1324 Longworth.

Committee on Science, Subcommittee on Research, hearing on NSF's Major Research Facilities: Planning and Management Issues, 9:30 a.m., 2318 Rayburn.

Committee on Small Business, hearing on the Department of Defense's procurement policies, 1 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Economic Development, Public Buildings and Emergency Management, hearing on H.R. 307, Federal Protection Service Reform Act, 10 a.m., 2253 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Health, hearing on the following bills: H.R. 2792, Disabled Veterans Service Dog and Health Care Improvement Act of 2001; H.R. 1435, Veterans' Emergency Telephone Service Act of 2001; and H.R. 1136, to amend title 38, United States Code, to require Department of Veterans Affairs pharmacies to dispense medication to veterans for prescriptions written by private practitioners, 2 p.m., 334 Cannon.

Next Meeting of the SENATE

10:30 a.m., Thursday, September 6

Senate Chamber

Program for Thursday: After a period of morning business not to extend beyond 10:40 a.m., Senate will meet in a joint meeting with the House of Representatives to receive Mexican President Vicente Fox.

At 12 noon, Senate will resume consideration of S. 149, Export Administration Bill.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, September 6

House Chamber

Program for Thursday: Joint Meeting with the Senate to receive His Excellency, Vicente Fox, President of the United Mexican States;

Consideration of H.J. Res. 51, Extension of Nondiscriminatory Treatment to the Products of Vietnam (pursuant to unanimous consent, 2 hours of debate);

Consideration of H.R. 2833, Vietnam Human Rights Act (pursuant to unanimous consent, 1 hour of debate); and

Consideration of S. 180, Sudan Peace Act (motion to go to conference).

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